



**CITY COUNCIL OF AMADOR CITY  
DRAFT, REGULAR MEETING AGENDA  
THURSDAY, 20 NOVEMBER 2025**

**6:00 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](mailto: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.

**6:00 PM**

**CALL TO ORDER**

**FLAG SALUTE/PLEDGE OF ALLEGIANCE**

**ROLL CALL/ESTABLISH A QUORUM**

Council Members Ambroselli, Bragstad, Sherrill, Unguez, Staples

**PUBLIC COMMENT**

Public comment at this time is limited to item(s) on the closed session agenda. Please limit comments to five minutes or less.

**ANNOUNCEMENT OF CLOSED SESSION**

Closed Session may be called for labor negotiations (pursuant to Government Code §54957.6), personnel matters (pursuant to Government Code §54957) real estate negotiations/acquisitions (pursuant to Government Code §54956.8), and/or pending or potential litigation (pursuant to Government Code §54956.9). Following Closed Session City Council will announce any action taken in Open Session.

**CLOSED SESSION**

Conference re Public Employment: California Government Code Section 54957  
Position to be Filled: Bookkeeping Services

**7:00 PM**

**RECONVENE: REGULAR CITY COUNCIL MEETING**

**REPORT OF CLOSED SESSION**

**APPROVAL OF CITY COUNCIL REGULAR MEETING AGENDA 20 November 2025**

## ORDINANCES AND PUBLIC HEARINGS

1. Public Hearing to consider Ordinance No.188 amending the Amador City Municipal Code - Title 17 Zoning as required by State law and the recently adopted General Plan Housing Element. (first reading).  
Attachment: DRAFT Ordinance 188

## PUBLIC COMMENT

Under provisions of the California Government 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.

2. Regular Meeting Minutes of 16 October 2025
3. Financial Reports
  - financial statements for October and November
  - City Accounts, City Treasurer

## REGULAR AGENDA ITEMS:

4. **Vegetation Removal, east side of Old Hwy 49 from the parking lot to Stringbean Alley**  
Discussion and possible action, by council motion and vote, to approve the RFQ from Gutierrez Landscaping. This project enhances visibility for drivers, pedestrians and cyclists, and maintains the roadway in a state of-good repair, as required by California Government Street and Highways Code § 27.  
Attachments: Request for Quotes, Public Posting 3 November 2025  
Quote from Gutierrez Landscaping
5. **City Lights/Holiday Decorations** *Koney Austinn*  
Discussion and possible action, by council motion and vote, to approve a request to trim trees near and hang holiday wreaths on City light poles.  
Attachments: Email to City Council dated 13 November 2025  
Sketches of trimmed tree and light poles with wreaths
6. **City Council Meeting** *Melanie Unguez*  
Discussion and possible action by council motion and vote, to change time, the day of the week, or both time and day of the week for regular City Council meetings.  
Attachments: DRAFT Resolution 641
7. **Amador County Recreation Agency (ACRA)**  
Discussion only: The Board of ACRA approved by motion and vote, the dissolution of the JPA on 12 Nov 2025. Their request is that member entities be informed of the vote, the dissolution process and provide feedback to their representatives on the ACRA Board.

8. **Culbert Park:** Status of pre-construction phase of park development  
Continued from the October City Council Meeting  
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, the estimate from WGA and direct them to proceed with a Request for Quotes (RFQ) for the construction phase of the park.
9. **Update: Restoration of the Old Schoolhouse and Schoolhouse Park**  
Information/Discussion Only regarding the construction and the City park.
10. **League of California Cities:** "Mayors and Council Members Academy, January 21-23, 2026"  
Discussion and possible action, by council motion and vote, to use budgeted conference funds and apply for CIRA training funds to pay for city council members to attend the conference in Sacramento. Amador City is a member of Cal Cities and the registration fee per councilmember will be \$625.00.  
Link: <https://www.calcities.org/home/post/2025/10/29/register-now-for-the-2025-mayors-and-council-members-academy>
11. **Brown Act Updates Under SB 707 (October 2025)**  
Information/Discussion Only  
Attachment: "New Law Represents the Most Significant Update to the Brown Act in Decades"

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

**COUNCILMEMBER REPORTS**  
Councilmember Ambroselli  
Councilmember Bragstad  
Councilmember Sherrill  
Councilmember Unguez  
Councilmember Staples

**CITY ATTORNEY REPORT**

**STAFF REPORTS**

**REQUESTS FOR FUTURE AGENDA ITEMS**

**ADJOURNMENT**

*The next scheduled Regular City Council meeting is Thursday, 18 December 2025 at 7:00 PM  
at Old City Hall/Firehouse at 14203 Main Street/Old Hwy 49*

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**CITY OF AMADOR CITY**  
INCORPORATED JUNE 2, 1915  
**California.**

10 November 2025

**NOTICE IS HEREBY GIVEN** by Amador City that the City Council will hold a public hearing to consider Ordinance No. 188 amending the Amador City Municipal Code – Title 17 Zoning as required by State law and the recently adopted General Plan Housing Element. The proposed amendments include the following:

- Repeal Section 17.60.140 – Additional Dwelling Units and replace with Chapter 17.62 Accessory Dwelling Units and Junior Accessory Dwelling Units;
- Repeal Section 17.12.021 – Second Dwelling Units;
- Add Chapter 17.57 – Condominium Conversions;
- Add Section 17.60.035 Reasonable Accommodations for Residential Uses;
- Make amendments to the definition of “Family” in Section 17.04.030;
- Add Section 17.08.042 – Low Barrier Navigation Centers;
- Add Section 17.08.044 – Transitional and Supportive Housing;
- Add Section 17.08.046 – Special Needs Housing;
- Amend Section 17.64.050 – Parking Requirements to address parking at emergency shelters;
- Amend Section 17.04.030 Definitions to include a definition for “Emergency Shelters”;
- Add Chapter 17.58 Density Bonuses;
- Update Section 17.20.00 – Area Requirements; and
- Amend Section 17.72.050 – Design Review to allow for ministerial review.

Pursuant to Section 15061(b)(3) of the Guideline for the Implementation of the California Environmental Quality Act (CEQA), the lead agency has determined that the proposed activity is exempt from CEQA. The City, as the lead agency, has determined with certainty that the proposed activity will not have a significant effect on the environment, as the proposed amendments are intended to comply with the Amador City General Plan and with State law.

The Public Hearing will be held by the City Council starting at 7 pm on Thursday, November 20, 2025, at City Hall, 14203 Main Street/Old Highway 49, Amador City, CA. Interested parties are encouraged to attend the meeting, or you may respond via email at [city.clerk@amador-city.com](mailto:city.clerk@amador-city.com) or in writing at Amador City, Planning Department, PO Box 200, Amador City, CA 95601  
November 10, 2025

## **Ordinance No. 188**

### **An Ordinance of the City Council of Amador City Adding and Amending Portions of Title 17 – Zoning to be Consistent with the Amador City General Plan Housing Element and In Compliance with State Law**

**WHEREAS**, the Amador City 6<sup>th</sup> 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; and

**WHEREAS**, there are a number of policy programs in the Housing Plan of the Housing Element that require updates and amendments to the City's Municipal Code, Title 17 – Zoning; and

**WHEREAS**, 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; and

**WHEREAS**, the City Council of Amador City, through the passage of this Ordinance to add to and amend Title 17 – Zoning, intends to obtain consistency with the Amador City General Plan Housing Element and compliance with State law.

**THEREFORE**, the City Council of Amador City does ordain as follows:

**SECTION 1. Recitals.** The above recitals are true and correct and hereby incorporated into this Ordinance.

**SECTION 2. Amendment.** Section 17.04.030 – Definitions is hereby amended as follows:

Add the following definition: “Accessory dwelling unit” means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(1) An efficiency unit.

(2) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

Add the following definition: “Emergency Shelters” has the meaning ascribed to it in Government Code Section 65582(d) and Health and Safety Code Section 50801(e), as such sections may be amended from time to time, and which presently define

the term “emergency shelter” to mean housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person.

Replace the current definition of “Family” with the following: “Family” means a group of individuals, not necessarily related by blood or marriage, or adoption, or guardianship, living together in a single dwelling unit as a single housekeeping unit.

Add the following definition: “Junior Accessory Dwelling Unit” means a smaller, more affordable type of accessory dwelling unit (ADU) that is located within the walls of an existing or proposed single-family home and is limited to 500 square feet.

**SECTION 3. Addition.** The following Sections to Chapter 17.08 – ZONING DISTRICTS DESIGNATED are hereby added to the Amador City Municipal Code:

**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 persons 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.

**SECTION 4. Repeal.** Section 17.12.021 of the Amador City Municipal Code is hereby repealed as it will be inconsistent with the new Chapter 17.62 – Accessory Dwelling Units and Junior Accessory Dwelling Units.

**SECTION 5. Amendment.** Amador City Municipal Code Section 17.20.070 – Area Requirements is hereby amended as follows:

The following statement shall be added to the end of Section 17.20.070: Single family units will be restricted to existing lots of 6,000 square feet or less, new lots to 4,000 square feet or less and affordable (moderate, low and very low income) projects.

**SECTION 6. Addition.** Chapter 17.57 - Condominium Conversions is hereby added to the Amador City Municipal Code as follows:

**17.57 - Condominium Conversions**

**17.57.010 – 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.

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

- A.by providing for procedures for notification and adequate time and assistance for relocation.
- B. Ensure that purchasers of converted housing have been properly informed as to the physical condition of the structure which is offered for purchase.
- C. Ensure that converted housing achieves a high degree of appearance, quality, and safety and is consistent with the goals of the city.
- D. 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.
- E. Maintain a supply of rental housing for low- and moderate-income persons.

**17.57.020 - 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.

#### **17.57.030 - 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 City Planner. 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 City Planner determines to be necessary to assist in determining whether the proposed project will be consistent with the purposes of this chapter.

#### **17.57.040 - 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.

#### **17.57.050 – 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.

#### **17.57.060 - 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.

#### **17.57.070 - 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.

**1. 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 or 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.

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

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

3. **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.
  4. **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.
  5. **Laundry Facilities.** A laundry area shall be provided in each unit.
  6. **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.

#### **17.57.080 - 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 City Planner 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.
  1. Other necessary information which may be required for an adequate and fair disclosure.
- B. Tenant's 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.

**17.57.090 - Effect Upon Low- and Moderate-Income Housing Supply**

- A. In reviewing requests for conversion, the city shall consider: 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.
- B. The role that the housing structure plays in the existing housing rental market.
- C. 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.

### **17.57.100 - 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 from 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.

**SECTION 7. Addition.** Chapter 17.58 – Density Bonuses is hereby added to the Amador City Municipal Code as follows:

### **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 Amador 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.

"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 one 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 20% moderate income)	80%	4

- 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**

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(l), 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.

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 City Planner 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 City Planner.
  7. Make payment for the requisite fees in connection with the application.
- B. Review. The City Planner 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 City Planner 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 City Planner'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**

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 cost and is subject to an equity sharing agreement, or
  - 2. The unit is purchased by a qualified nonprofit housing corporation pursuant to a recorded contract 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.

**SECTION 8. Addition.** Section 17.60.035 – Reasonable Accommodation for Residential Uses is hereby added to the Amador City Municipal Code as follows:

**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.

**B. 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 city 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 city 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.

**SECTION 9. Repeal.** Section 17.60.140 is hereby repealed from the Amador City Municipal Code as it will be inconsistent with new Chapter 17.62 – Accessory Dwelling Units and Junior Accessory Dwelling Units.

**SECTION 10. Addition.** Chapter 17.62 – Accessory Dwelling Units and Junior Accessory Dwelling Units is hereby added to the Amador City Municipal Code as follows:

### **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.** The approval of the City Planner or designee 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 City Planner 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 City Planner. In considering such requests, the planning City Planner 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 City Planner. In considering such requests, the planning City Planner 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 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.

**SECTION 11. Amendment.** The title of Section 17.64.050 Hospitals, sanitariums, convalescent home and homes for the aged is hereby amended as follows to include emergency shelters:

**Section 17.64.050 Hospitals, sanitariums, emergency shelters, convalescent homes, and homes for the aged**

**SECTION 12. Amendment.** Section 17.72.050 – Design Review Committee is hereby amended as follows:

Second Paragraph amended to read “Design Review Committee has the authority to make decisions for single family residences or developments with 4 or fewer homes. For all other projects, the Design Review Committee will make a recommendation to the City Council for final approval or disapproval. Any recommendation for disapproval submitted to the council will be accompanied by a written explanation from the Committee of the reason(s) for such recommendation.”

**SECTION 13. CEQA.** The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the Guideline for the Implementation of CEQA. The City, as the lead agency, has determined with certainty that the proposed activity will not have a significant effect on the environment, as the proposed amendments are intended to comply with the Amador City General Plan and with State law.

**SECTION 14. Publication.** The City Clerk shall certify to the adoption of this Ordinance and shall publish or post the Ordinance in accordance with California Government Code section 36933.

**SECTION 15. Effective Date.** This Ordinance shall take effect thirty (30) days from and after the date of its final passage and adoption.

**INTRODUCED** on November 20, 2025 and **PASSED AND ADOPTED** by the City Council of Amador City on December 18, 2025, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Sandra Staples, Mayor

**ATTEST:**

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Joyce Davidson, City Clerk

**APPROVED AS TO FORM:**

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Partick M. Keene, City Attorney

**DATE: NOVEMBER 20, 2025**

**TO: CITY COUNCIL**

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

**SUBJECT: PUBLIC HEARING - FRIST READING OF ORDINANCE NO. 188  
ADDING AND AMENDING PORTIONS OF TITLE 17 – ZONING**

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## **ACTION**

It is recommended that the City Council conduct a public hearing and approve the first reading of Ordinance No. 188 to add to and amend portions of Title 17 – Zoning, to be consistent with the Amador City General Plan Housing Element and in compliance with State law.

## **BACKGROUND**

The Amador City 6<sup>th</sup> 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. 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.

A public workshop was held at the October 16, 2025 Council meeting to review the potential changes to the City's Zoning Code and staff was directed to present the zoning code updates in ordinance format at the next available meeting.

## **DISCUSSION**

Attached is Ordinance No. 188 which incorporates the necessary additions and amendments reviewed at the October Council workshop. Per State law, approval of ordinances requires two publicly noticed readings prior to adoption. The second reading is scheduled for December 18, 2025. Once the ordinance is adopted, the amended and updated sections of the City's Zoning Code will be forwarded to HCD for review and approval. With HCD approval, Amador City's Housing Element will be in compliance with State law.

**Attachment:** Amador City Ordinance No. 188

**2**

**CITY OF AMADOR CITY**  
**MINUTES OF THE REGULAR MEETING OF THE AMADOR CITY COUNCIL**  
**OCTOBER 16, 2025, 7:00 P.M.**

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

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

**PROCLAMATIONS/CORRESPONDENCE/** None

**APPROVAL OF AGENDAL:** Motion to approve agenda by Bragstad, 2<sup>nd</sup> by Sherrill, approved unanimously

**PUBLIC COMMENTS:** None

**CONSENT CALENDAR:**

1. Regular Meeting Agenda Minutes of September 18, 2025 – Motion to approve by Unguez, 2<sup>nd</sup> by Sherrill, approved unanimously
2. Treasurer Report – Motion to approve by Bragstad, 2<sup>nd</sup> by Sherrill approved unanimously
3. Building Permits – Motion to approve by Bragstad, 2<sup>nd</sup> by Unguez, approved unanimously

**ORDINANCES AND PUBLIC HEARING –** None

**REGULAR AGENDA ITEMS:**

4. Housing Element – Discussion only – Requires State Verification, 1<sup>st</sup> meeting Council will review changes, next 2 meetings to approve and adopt. Time line for changes is November 20, December 18. Any questions can be directed to City Planner Susan Peters.
5. Amador County Recreation Agency (ACRA) – Possible mismanagement over the years, lack of financial support. Dissolution of JPA to be decided at BOS October 28, 2025 meeting. Member entities asked to provide feedback. If dissolved, we will be reimbursed for membership fee.
6. Culbert Park – Project approved by BOS. Council person Bragstad's drawings for structure must be converted to engineered drawings with specs. at a cost of \$11,000. We will have to go out to bid because cost exceeds \$5,000. Bragstad has asked Robin Peters if he could provide drawings. Council directed mayor to consult Weber, Ghio & Assoc. regarding cost estimate.

7. Sutter Creek Elementary School's 2025 Walk-A-Thon – Motion to donate at Platinum level of \$750 made by Unguez, 2<sup>nd</sup> by Ambroselli, approved unanimously
8. Discussion comparing duties of “ad hoc” and “standing” committees as it pertains to sewer plant issues. Attorney Patrick Keene recommended we use “standing” committee structure because its scope can be broader. Committee would meet every month, post agenda, create minutes and besides community members it can have two members from City Council. Item to be tabled until we get more information regarding “standing” committee

#### REPORTS:

Ambroselli – A list of costs for sewer plant improvements to be created with adjustment for inflation.

Bob Pinoti told the Council that property owner Jack Hamilton requested a letter from City describing any improvements to road leading to sewer plant. Our ordinances will also be reviewed.

Bragstad – She will provide Susan Peters with her sketch for Culbert Park Structure. Susan will pass it on to Robin Peters.

Sherrill – Nothing to report

Unguez – Historic property committee will be re-grouped.

Staples - Expressed her appreciation to Sutter Creek providing help in her work updating our Hazard Mitigation Plan; our city computer cannot be repaired and she negotiated a good deal at Staples for two new laptops. We will need help in getting the most appropriate software installed.

Sherrill and Bragstad to work on rental applications for apartments A and B in Schoolhouse. City is applying for account at Ace Hardware in Jackson for sewer and janitorial supplies. Also City is applying for credit card from El Dorado Savings Bank for office expenses, etc.

“Standing Committee” to be on November agenda. Purchase of a new camera for Zoom purposes, and put Zoom account in City's name.

Meeting adjourned at 8:55 p.m.

3

4



# CITY OF AMADOR CITY

INCORPORATED JUNE 2, 1915

## California.

3 November 2025

### Request for Quotes

#### Background

The City of Amador City is seeking a qualified landscape crew to provide vegetation removal services. The goal of this project is to enhance visibility, pedestrian and cyclist safety, vehicle safety, and maintain the roadway in a state-of-good-repair.

#### Work Details

The Contractor will be responsible for: preparing a site-specific safety plan; protecting native trees not slated for removal; conducting pre-work inspections; clearing all woody and herbaceous vegetation from the project area; disposing of all debris offsite; and completing all work.

#### Period of Performance

November 21 through December 31, 2025.

#### Place of Performance

East side of Old Hwy 49 from City parking lot south to Stringbean Alley, from road shoulder to seasonal creek.

#### Bidder Requirements

Contractors must submit responses via email by Nov 19, 2025. Required: cover letter signed by an authorized individual; total cost proposal, a scope of services; project schedule; statement of qualifications including references from similar projects completed within the last five years; disclosure of potential conflict of interest form.

Contact information for additional information, scheduling a walk-through, or proposal submission:  
Sandy Staples, Mayor  
sandy.staples@amador-city.com; city.clerk@amador-city.com  
209-276-6082



Sandy Staples <sandy23412346@gmail.com>

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## Estimate – Weeding Service along Old Route 49

1 message

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**Sergio Gutierrez** <gutierrez.landscaping8@gmail.com>  
To: sandy.staples@amador-city.com

Sun, Nov 2, 2025 at 9:12 PM

Dear Sandy,

I hope you're doing well.

Please find attached the **estimate** for the upcoming **weeding service along Old Route 49, from the parking area up to String Bean Alley.**

**Description of work:**

Weeding and removal of overgrowth along the designated roadside area, **hauling away the debris**, and leaving the site clean and well-maintained.

This estimate is provided as an initial reference and may be adjusted based on the final scope of work. We truly appreciate your trust and the opportunity to serve you.

Warm regards,  
**Sergio Gutierrez**

Gutierrez Landscaping

PO BOX 983

PLYMOUTH CA 95669

(209) 256- 6227



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 **AMADOR CITY - AMADOR CITY - ESTIMATE.pdf**  
68K

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RECEIVED NOV 13 2025

**Subject:** City Lights Christmas Decoration  
**From:** Koney Austinn <koneyaustinn@gmail.com>  
**Date:** 11/12/2025, 1:14 PM  
**To:** Joyce Ian Davidson <city.clerk@amador-city.com>  
**CC:** Koney Austinn <koneyaustinn@gmail.com>

Hello Joyce, could you please add to the next City Council meeting to the agenda under the title of: City Lights Christmas Decorations?  
Please see the letter below which explains this request. The sketches will follow shortly. Thank you!  
Kind regards, Koney Austinn

To: Amador City - City Council

City Council Members,

As part of the city's decorations, there are street light wreaths, 6 in total, which belongs to ACBCA for the purpose of adding a welcoming warmth to all who drive through town.

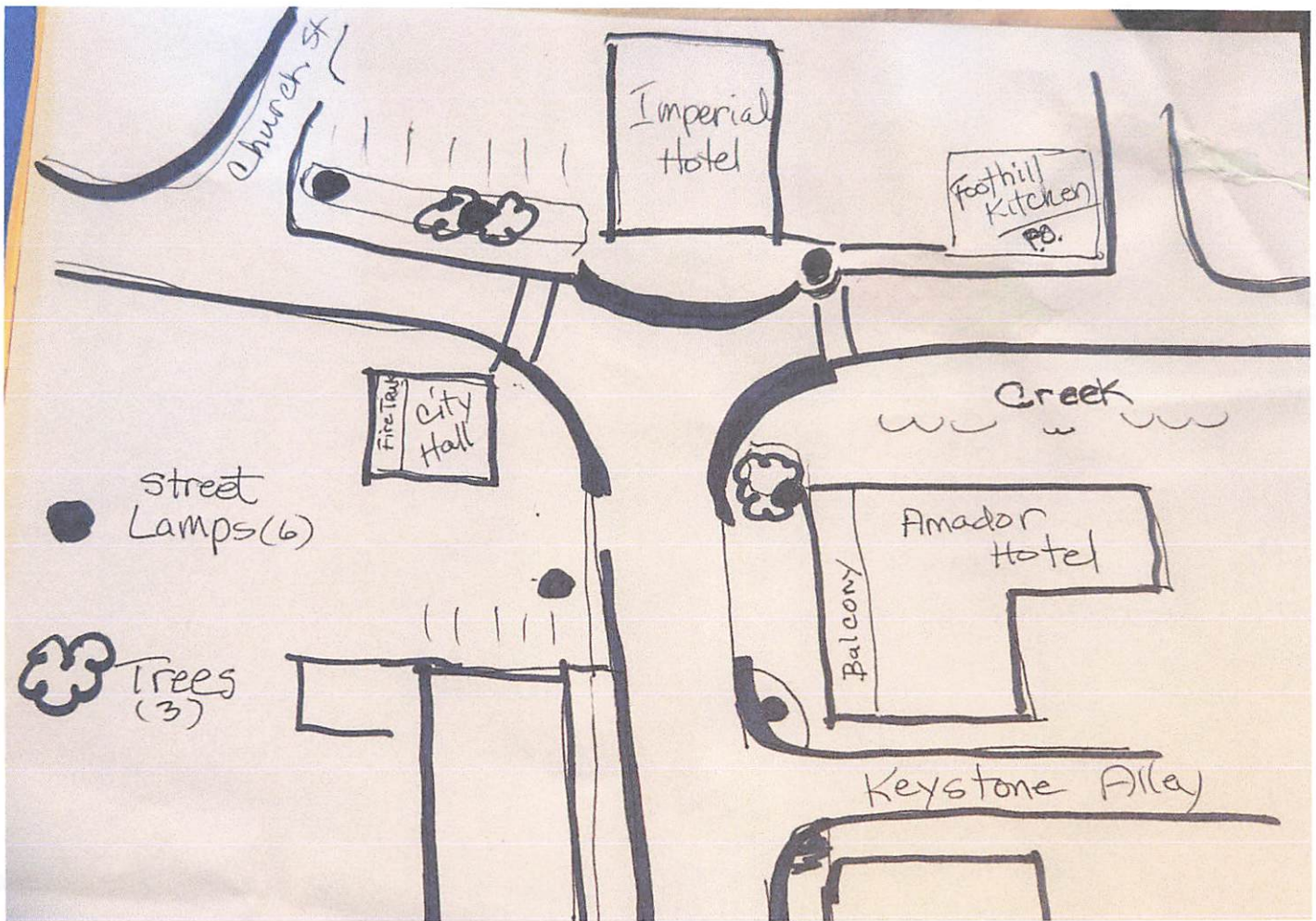
There are two city street lights which cannot be seen due to trees blocking the lamp.

It is requested that the aforementioned trees be trimmed 4 feet -5 feet around the light poles in all directions. (The wreath decorations are 2-1/2 feet in diameter.) Attached are detailed sketches of the street lights, trees, and locations in town.

The Sutter Creek Fire Department, under the direction of the Fire Chief, will prepare equipment for, direct traffic in the areas, and guarantee the stability of the street light decorations. At the future date of Jan. 5, 2026, the same process will be used for removal of the street light decor.

Thank you for adding this request to your agenda.

With respect,  
Koney Austinn



Attachments:

20251113\_084439.jpg

866 KB

**6**

Resolution No.: 641

A RESOLUTION OF THE CITY COUNCIL OF AMADOR CITY  
CHANGING THE TIME AND DAY OF THE WEEK  
OF THE REGULAR CITY COUNCIL MEETINGS

**Whereas**, the City Council has inherent authority to control its own proceedings under and within the Brown Act; and

**Whereas**, the City Council believes that when Regular Meetings of City Council are scheduled earlier in the evening the opportunity for public participation will be enhanced; and

**Whereas**, the Council believes that since the agenda is published and available over the weekend prior to its regular meeting and when regular meetings of City Council are scheduled early in the week, the opportunity for public notice and participation will be enhanced; and

**Whereas**, the Council believes that the change in day will facilitate the participation of Amador City appointees in meetings of Amador County entities, such the Local Agency Formation Commission (LAFCo), also scheduled for the third Thursday;

**NOW THEREFORE, BE IT RESOLVED:**

(1) The time of Regular Meeting of the City Council of Amador City, California is hereby rescheduled from 7:00 PM to \_\_\_\_\_, which time shall henceforward serve as that for regular City Council meetings;

(2) Rescheduling the regular Council meetings to \_\_\_\_\_ will better serve the interests of the public, and is preferred as a convenience to the City Council members and the City staff;

(3) The Regular Meeting of the City Council of Amador City, California is hereby rescheduled from the third Thursday of each month to the third \_\_\_\_\_ of each month, which day shall henceforth serve as that for regular City Council meetings;

(4) Rescheduling the regular Council meetings to the third \_\_\_\_\_ of each month will better serve the interests of the public, and is preferred to facilitate the representation of Amador City at County agency meetings;

The City Clerk is hereby instructed to provide notice of the new regular meeting date and time in accordance with law and in a manner most likely to notify the public of the decision herein memorialized.

Duly passed this day 20 November 2025, at a regular meeting of the City Council of Amador City by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Sandy Staples, Mayor

Certified by:

\_\_\_\_\_  
Joyce Davidson, City Clerk

# New Law Represents the Most Significant Update to the Brown Act in Decades

On October 3, 2025, [Senate Bill 707](#) (SB 707) was signed by Governor Newsom and will bring significant changes to many public agencies' meetings starting in 2026. SB 707 is intended to diversify and increase public engagement in local government, and also modernize the Ralph M. Brown Act in the face of technological advancements.

SB 707 amends numerous provisions of the Brown Act and places new restrictions, expectations and duties upon legislative bodies. The changes are best understood in terms of what only applies to "*eligible legislative bodies*" versus what generally applies to all legislative bodies.

## Rules Specific to *Eligible Legislative Bodies*

The most significant changes in SB 707 will apply to an "*eligible legislative body*" which is defined as any of the following: (1) a city council of a city with a population of 30,000 or more, (2) a board of supervisors of a county, or a city and county, with a population of 30,000 or more, (3) a city council of a city located in a county with a population of 600,000 or more, and (4) a board of directors of large special districts meeting certain thresholds based on boundary areas, population, number of employees and/or revenues.

- ***Two-Way Remote Attendance and Disruption Procedures***

Unlike earlier versions of the Brown Act, the new law now requires *eligible legislative bodies* to offer hybrid meetings. This means the public must be able to participate through a two-way phone or video platform, unless the technology is not available at the meeting location or the meeting qualifies for an exemption, such as an off-site tour.

On or before July 1, 2026, an *eligible legislative body* must also approve in an open session a policy regarding disruption of the above-mentioned services or platform and efforts to restore service. If a disruption prevents the public from attending a meeting, the body must take a recess and try to restore service for at least one hour. Afterward, it must adopt a finding by roll call vote confirming that good-faith efforts were made to fix the issue and that resuming the meeting serves the public interest more than delaying it further.

Furthermore, this bill allows a legislative body or its presiding officer to also remove or limit participation from individuals engaging in disruptive behavior, regardless of whether the individual is attending in-person or via two-way audiovisual or telephonic services.

## ***Teleconferencing Updates***

SB 707 reorganizes and expands the teleconferencing provisions of the Brown Act, adding some uniformity to noticing, disclosure, accessibility, and public comment requirements for certain types of teleconferencing. For example, SB 707 revises and restates the existing teleconferencing provisions for states of emergency, just cause, and emergency circumstances, and expands coverage to include: (1) states of emergency declared by localities, and (2) just cause allowances, including physical or family medical emergencies preventing in-person attendance and military service.

### **• *Other Changes***

Copies of the Brown Act: Existing law encourages agencies to provide copies of the Brown Act to each member of a legislative body. SB 707 will now require agencies to provide a copy of the Brown Act to any person elected or appointed as a member of a legislative body.

Harsher Restrictions: Removes a requirement that members of an appointed legislative body must be appointed by or under the authority of the elected legislative body in order for the legislative body to impose harsher open and public meeting requirements.

Special & Emergency Meetings: Removes a requirement that only specified legislative bodies must comply with the internet website posting and notice requirements for special or emergency meetings, and thus imposes the same posting and notice requirements on all legislative bodies.

Extends the Social Media Rules Indefinitely: Existing law permits a member engaging in separate conversations or communications outside of a meeting with any other person using an internet-based social media platform for specified purposes. However, this is provided that the majority of members do not use the platform to discuss business of a specific nature that falls within the subject matter jurisdiction of the legislative body. This bill makes this exception indefinite.

Notably, some other updates or changes enacted by SB 707 do not actually alter the substance of the law, but simply move and regroup the information into a more readable and trackable format within the Brown Act. These changes were intended to address common complaints and overall feedback on the organization of the Brown Act.

Please note that most updates to the Brown Act under SB 707 will become effective on January 1, 2026, while those specifically applying to *eligible legislative bodies* will take effect on July 1, 2026. Further, some provisions of SB 707 will expire on January 1, 2030, unless later extended by the Legislature.