



CITY OF WHEATLAND

CITY COUNCIL MEETING STAFF REPORT

October 12, 2021

SUBJECT: City Council consideration to amend the City's Master Fee Schedule to Include New Fees for Density Bonus Agreements and Accessory Dwelling Units.

PREPARED BY: Tim Raney, Community Development Director

Recommendation

Staff recommends that the City Council adopt the attached resolution amending the City's Master Fee Schedule to include new fees for density bonus agreements and accessory dwelling units (ADUs).

Background

On July 27, 2021, the City Council voted to adopt the Density Bonus Ordinance and the ADU Ordinance. Both ordinances became effective on August 25, 2021. The Density Bonus Ordinance and ADU Ordinance created new entitlements, which the city needs to adopt fees for each process.

Discussion

Section 18.77.080 of the Wheatland Municipal Code now requires a fee to be paid to the City by prospective applicants requesting a density bonus to cover the City's cost to review all materials submitted, including the required density bonus agreement established in Section 18.77.070. A \$5,000 deposit would provide sufficient funds for City staff to process and review all documents associated with a proposed density bonus request, as well as negotiating the agreement with the applicant, public noticing, staff report preparation, and Planning Commission and City Council meeting attendance. The proposed deposit is intended to cover all City negotiating and processing costs associated with the project; however, the City will bill actual costs in the event that more time/budget is required. Any unused funds will be refunded to the applicant.

In addition, Chapter 18.78 of the Wheatland Municipal Code now permits ADUs within the City. Based on the impact fee exemptions and limitations of Government Code Section 65852.2, Subdivision (f)(3), city staff is recommending the following formulas shall be used to determine fees for accessory dwelling units.

- ADUs that are 750 square feet or larger and located in a single-family zoning district shall pay impact fees based on the square feet of the proposed ADU divided by the square feet of the primary dwelling multiplied by the city's current single-family fees.
- ADUs that are 750 square feet or larger and located in a multi-family zoning district shall pay impact fees based on the square feet of the proposed ADU divided by the average square feet of all existing multi-family dwelling units on the same parcel multiplied by the city's current multi-family fees.

It should be noted that proposed ADUs that are less than 750 square feet are exempt from paying City impact fees.

Therefore, staff is recommending, the Wheatland City Council adopt the attached resolution amending the City's Master Fee Schedule to include the proposed fees for density bonus requests and ADUs.

Fiscal Impact

The City of Wheatland will receive sufficient funds to cover the City staff time required to process any density bonus requests. In addition, the City of Wheatland will receive the maximum amount of impact fees allowed by the State of California for ADUs.

Attachment

1. Wheatland City Council Resolution No. 35-21 amending the City of Wheatland's Master Fee Schedule establishing fees related to density bonus requests and ADUs.

RESOLUTION NO. 35-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHEATLAND AMENDING THE CITY OF WHEATLAND MASTER FEE SCHEDULE ESTABLISHING FEES RELATED TO DENSITY BONUS REQUESTS AND ACCESSORY DWELLING UNITS

WHEREAS, a municipality is authorized to establish reasonable fees for services rendered, provided that those fees do not exceed the estimated reasonable cost of providing the service for which the fee is charged (Government Code Sections 66000-66018.5); and,

WHEREAS, in addition to fees and charges identified in the City of Wheatland Municipal Code, the Wheatland City Council has adopted Ordinances 339, 384, 400, 448, Resolutions 10-93, 33-01, 38-03, 18-04, 39-04, 43-04, 28-05, 01-07, 07-07, 06-08, 21-09 06-10, 16-10, 15-12, 01-13, 04-19, 09-19, 10-19 and development agreements that establish fees for services rendered by the City for administration, planning, building, business license, code enforcement, public works, park and recreation, public safety, water, sewer, and development impact fees; and,

WHEREAS, on July 27, 2021, the Wheatland City Council voted to adopt an ordinance adding Chapter 18.77 to and amending Section 18.51.040 of the Wheatland Municipal Code relating to density bonuses; and,

WHEREAS, on July 27, 2021, the Wheatland City Council voted to adopt an ordinance adding Chapter 18.78 to, amending Sections 18.06.010, 18.60.010, and 18.63.040, and repealing Section 18.60.100 and Subdivision (c) of Section 18.60.350 of the Wheatland Municipal Code relating to accessory dwelling units; and,

WHEREAS, it is necessary for the city to modify the previously adopted fees to ensure that fees charged are reasonably related to the estimated cost of providing the service; and

WHEREAS, the Wheatland City Council duly gave notice of public hearing as required by law; and

WHEREAS, on October 12, 2021, the Wheatland City Council duly held a public hearing on the matter, and received and considered evidence, both oral and documentary; and

NOW, THEREFORE, BE IT RESOLVED by the Wheatland City Council the deposit for a density bonus request will be \$5,000, and impact fees for accessory dwelling units are as follows:

- Accessory dwelling units that are 750 square feet or larger and located in a single-family zoning district shall pay impact fees based on the square feet of the proposed accessory dwelling unit divided by the square feet of the primary dwelling multiplied by the city's current single-family fees.
- Accessory dwelling units that are 750 square feet or larger and located in a multi-family zoning district shall pay impact fees based on the square feet of the proposed accessory dwelling unit divided by the average square feet of all existing multi-family dwelling units on the same parcel multiplied by the city's current multi-family fees.

PASSED AND ADOPTED by the Wheatland City Council on the 12th day of October 2021
by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Rick West, Mayor

ATTEST:

Lisa J. Thomason, City Clerk

DRAFT