



CITY COUNCIL MEETING AGENDA REPORT AGENDA ITEM NO. 1

SUBJECT: APPROVAL OF CITY COUNCIL MEETING MINUTES

MEETING DATE: May 3, 2021

PREPARED BY: Darlene Gerdes, Deputy City Manager/City Clerk

RECOMMENDATION: That the City Council approve the action minutes as presented for the Special City Council Meeting of April 19, 2021-5:30 p.m. and the Regular City Council Meeting of April 19, 2021.

ATTACHMENTS:

Attachment A: City Council action minutes of April 19, 2021-5:30 p.m. Special Meeting

Attachment B: City Council action minutes April 19, 2021 Regular Meeting.

City Of Calimesa
City Council Minutes of the Special Meeting of
April 19, 2021 – 5:30 p.m.

Pursuant to the State of California Executive Order N-29-20, regarding the COVID-19 pandemic, the Calimesa City Council conducted this meeting in the Norton Younglove Senior Center maintaining appropriate social distancing. Members of the public were encouraged to participate in the meeting in person at the Norton Younglove Senior Center, 908 Park Avenue, Calimesa, CA 92320, maintaining a 6-foot distance from others. Face masks were mandatory.

CALL TO ORDER 5:30 p.m. by Mayor Davis

ROLL CALL: MAYOR DAVIS, MAYOR PRO TEM MOLINA, COUNCIL MEMBER CERVANTEZ, COUNCIL MEMBER DUVALL AND COUNCIL MEMBER HEWITT.

ABSENT: None

STAFF: CITY MANAGER JOHNSON, CITY ATTORNEY BARROW, CITY CLERK GERDES

RECESS TO CLOSED SESSION

City Attorney Barrow announced the Closed Session Item. Mayor Davis recessed the meeting to Closed Session at 5:32 p.m.

CLOSED SESSION ITEM

- A. PUBLIC EMPLOYMENT/PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Pursuant to Government Code Section 54957
Title: City Attorney

CLOSED SESSION ANNOUNCEMENT

- a. No reportable action

ADJOURNMENT

Meeting adjourned at 5:58 p.m. to the Regular Meeting of the City Council on Monday, April 19, 2021 at 6:00 p.m.

Respectfully Submitted,

Darlene Gerdes, City Clerk

City Of Calimesa
City Council Minutes of the Regular Meeting of
April 19, 2021

Pursuant to the State of California Executive Order N-29-20, regarding the COVID-19 pandemic, the Calimesa City Council conducted this meeting in the Norton Younglove Senior Center maintaining appropriate social distancing. Members of the public were encouraged to participate in the meeting in one of two ways:

- 1) In person at the Norton Younglove Senior Center, 908 Park Avenue, Calimesa, CA 92320, maintaining a 6-foot distance from others. Face masks are mandatory.
- 2) By viewing the meeting on **Facebook Live**, beginning at 6:00 p.m. at <https://www.facebook.com/cityofcalimesa>

Submission of Public Comments: Those attending the meeting and maintaining appropriate social distancing, were allowed to speak during public comment by completing a blue speaker slip and providing it to the City Clerk at the meeting. Otherwise, public comment was accepted via email to the Calimesa City Clerk at dgerdes@cityofcalimesa.net with a deadline of **5:30 p.m. on Monday, April 19, 2021.**

CALL TO ORDER 6:00 p.m. by Mayor Davis

ROLL CALL: MAYOR DAVIS, MAYOR PRO TEM MOLINA, COUNCIL MEMBER CERVANTEZ, COUNCIL MEMBER DUVALL AND COUNCIL MEMBER HEWITT.

ABSENT: None

STAFF: CITY MANAGER JOHNSON, CITY ATTORNEY BARROW, CITY CLERK GERDES, PLANNING MANAGER LUCIA, PUBLIC WORKS DIRECTOR MONSON, CITY ENGINEER THORNTON, FIRE CHIEF JOHNSON AND SHERIFF CAPTAIN SALAS.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Council Member Duvall.

PRESENTATIONS

California Low-Cost Auto Program - CA Department of Insurance, Peter Meza, Insurance Compliance Officer

Peter Meza, Insurance Compliance Officer for the State of California provided a Power Point presentation regarding California's Low-Cost Auto Insurance program and providing information of how to qualify and apply for the program. He requested that the City post the information on their social media and website for the residents of Calimesa.

COMMUNICATIONS FROM THE PUBLIC

Miguel Zamora, 35144 Buena Mesa Drive expressed his concerns of the condition of Buena Mesa Drive and petitioned the Council to repair the street.

Mayor Davis stated that staff is currently working on the Pavement Management Plan for the City of Calimesa streets.

City Clerk Gerdes read the following public comment into the record at the request of Kim Floyd of the Sierra Club's San Gorgonio Chapter:

Sierra Club Supports Full Implementation of SB 1383

Dear Calimesa City Council Members and Staff,

As you probably know, jurisdictions across the state are working hard to stop dumping organic material into landfills, as called for by SB 1383 "Short-Lived Climate Pollutants: Organic Waste Methane Emissions Reductions." Sierra Club supports you to make rapid progress to divert organics from landfills. Nearly one in four Californians suffer from food insecurity. Yet more than 11 billion pounds of food is wasted every year in California. According to [LA Times](#), "the typical American adult wastes about \$3.50 worth of food every day." Organic waste, including food waste, decomposes in landfills releasing methane emissions that account for 20% of the state's methane. Since **methane is a short-lived climate super pollutant 84 times more potent than carbon dioxide**, reducing methane has the fastest impact on the climate crisis. According to the [Legislative Analyst's Office](#), organic waste reduction is one of the cheapest forms of greenhouse gas reductions. And according to a well-known report [The Business and Societal Case for Reducing Food Waste](#) by ReFED:

- "Restaurants and foodservice providers could gain the largest profit boost."
- "Food waste solutions are a strong engine for job creation."
- Consumer education campaigns have the smallest cost and biggest benefit.

Calimesa can act individually and/or partner with other cities to form regional Organic Waste Reduction Campaigns with three excellent results:

- Feed the Hungry
- Conserve Natural Resources
- Slow Down Climate Change

Attached is [Sierra Club's recommended actions for organic waste reduction](#). We know SB 1383 implementation is not easy and would raise collection fees. But this is important, and the results will be worth the effort. Last but not least, thank you for your continuing work on a single-use plastic ordinance. Recently, during the State Assembly Natural Resources Committee's hearing on [AB-1276](#) Single-Use Food Accessories and Service Ware, Recology (a waste management company) showed strong support, and said the bill would help meet SB 1383's requirement on minimizing contamination. Please let me know how local Sierra Club members can help. Thanks!

Kim F Floyd
Conservation Chair
San Gorgonio Chapter Sierra Club
(Riverside and San Bernardino counties)

APPROVAL OF THE AGENDA

MOTION BY MAYOR PROTEM MOLINA, SECONDED BY COUNCIL MEMBER DUVALL, CARRIED 5-0 TO APPROVE THE AGENDA AS PRESENTED.

Mayor Davis asked if there were any items to be removed from the Consent Calendar for discussion. Mayor Davis removed Item No. 8 to allow for separate vote.

CONSENT CALENDAR (Items 1 – 9)

The following Consent Calendar items are expected to be routine and non-controversial. Council will act upon them at one time without discussion. Any Council Member or staff member may request removal of an item from the Consent Calendar for discussion.

1. APPROVAL OF CITY COUNCIL ACTION MINUTES.
 - a) **City Council action minutes of April 5, 2021 Regular Meeting.**
2. RECEIVE AND FILE CITY COMMISSION & BOARD MINUTES.
 - a) **Library Commission action minutes of March 2, 2021 regular meeting**
 - b) **Parks, Trails, Community Services action minutes of March 3, 2021 regular meeting.**
3. APPROVAL OF WARRANT REGISTERS.
 - a. **Check Register Report with a total of \$609,571.16 (Check Nos. 36840 to 36876)**
 - b. **April 1, 2021 Payroll of \$74,289.95**
April 15, 2021 Council Payroll of \$72,955.93
4. WAIVE FULL READING OF ANY PROPOSED ORDINANCES ON THE AGENDA.
This permits reading the title only in lieu of reciting the entire text of the Ordinances. This does not take policy action on the Ordinances or approve or disapprove any Ordinances on the agenda.
5. TRAVEL EXPENSES
RECOMMENDATION: That the City Council move to approve the Council Travel Training and Meeting/Mileage Expenses Report.
6. CALIMESA FIRE DEPARTMENT POLICY AMENDMENTS FOR ADOPTION
RECOMMENDATION: That the City Council adopt Resolution 2021-17, A Resolution of the City of Calimesa approving amendments to the Calimesa Fire Department Policies and amending Resolution No. 2018-03.
7. ADOPTION OF ADMINISTRATIVE POLICY CONCERNING COVID-19 SUPPLEMENTAL PAID SICK LEAVE (“SPSL”) UNDER LABOR CODE SECTION 248.2.
RECOMMENDATION: That the City Council adopt Resolution No. 2021-18, a Resolution of the City Council of the City of Calimesa, California adopting an Administrative Policy concerning COVID-19 Supplemental Paid Sick Leave (“SPSL”) under Labor Code Section 248.2.

9. APPOINTMENT OF QUINN BARROW AS CITY ATTORNEY WITH THE ADOPTION OF RESOLUTION 2021-19 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIMESA APPOINTING QUINN BARROW AS CITY ATTORNEY FOR THE CITY OF CALIMESA

RECOMMENDATION: That the City Council appoint Quinn Barrow as City Attorney of the City of Calimesa by the adoption of Resolution No. 2021-19.

MOTION BY COUNCIL MEMBER CERVANTEZ, SECONDED BY COUNCIL MEMBER, CARRIED 5-0 TO APPROVE ITEM'S 1 – 7 AND 9 OF THE CONSENT CALENDAR AS PRESENTED.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

8. 2ND READING OF ORDINANCE NO. 377 - AN ORDINANCE OF THE CITY OF CALIMESA, CALIFORNIA, AMENDING CHAPTER 16.05 OF TITLE 16 OF THE CALIMESA MUNICIPAL CODE THAT ESTABLISHED A LOCAL DEVELOPMENT MITIGATION FEE FOR FUNDING AND PRESERVATION OF NATURAL ECOSYSTEMS IN ACCORDANCE WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN TO BRING THOSE SECTIONS INTO CONFORMANCE WITH UPDATED STANDARDS AND PROVISIONS.

RECOMMENDATION: That the City Council conduct second reading, by title only and adopt Ordinance No. 377, An Ordinance of the City Council of the City of Calimesa, California amending Chapter 16.05 of Title 16 of the Calimesa Municipal Code that established a local development mitigation fee for funding the preservation of natural ecosystems in accordance with the Western Riverside County Multiple Species Habitat Conservation Plan to bring those sections into conformance with updated standards and provisions.

MOTION BY MAYOR PRO TEM MOLINA, SECONDED BY COUNCIL MEMBER CERVANTEZ, CARRIED 3-2 BY A ROLL CALL VOTE(COUNCIL MEMBERS DUVALL AND HEWITT VOTING NO) TO CONDUCT SECOND READING, BYTITLE ONLY ADOPTING ORDINANCE NO. 377, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALIMESA, CALIFORNIA AMENDING CHAPTER 16.05 OF TITLE 16 OF THE CALIMESA MUNICIPAL CODE THAT ESTABLISHED A LOCAL DEVELOPMENT MITIGATION FEE FOR FUNDING THE PRESERVATION OF NATURAL ECOSYSTEMS IN ACCORDANCE WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN TO BRING THOSE SECTIONS INTO CONFORMANCE WITH UPDATED STANDARDS AND PROVISIONS.

CHAMBER OF COMMERCE REPORTS Chamber Vice President Tony Phillips provided the report as follows: The Scholarship deadline was extended to May 6th. Chamber will be presenting 3 \$1,000 scholarships to local graduating seniors. Chamber Board revised and updated the bylaws at their last meeting. He announced a “Multi-Chamber Mixer” to

be held April 21st at the Beaumont Park and Recreation District Community Center in Beaumont. The Chamber is looking to restore the Clock Tower at the Tower Center and are looking for grants for this project, estimating the costs at \$10,000. He reported 4 new members, 11 renewals for a total membership of 129. He announced the next Chamber Breakfast that will be held on May 11, 2021 at the Kafé Royale at 8:00 am. The Christmas Parade is scheduled for the evening of December 11, 2021 and planning meetings will begin in June.

He further provided a report of the “Shop Calimesa” project, announcing the “Calimesa Hungry Games” that would start in May and run through June and will include the 35 restaurants in Calimesa, adding that customers would receive punch cards that would be punched as they patronize the restaurant. Raffle prizes will be given for punched cards of 5 punches and 10 punches. Additionally, the restaurants will be reviewed and rated, and the winning restaurant will receive a plaque and gift certificates. The winner will be announced July 8, 2021. He stated that the current balance of the Shop Calimesa fund is \$6,067.87.

POLICE CHIEF COMMENTS & REPORTS

Captain Salas reported 352 calls for service from April 1, 2021. He further reported 39 traffic citations, 2 traffic collisions, 2 assaults, 1 business burglary and 10 petty thefts.

FIRE CHIEF COMMENTS & REPORTS

Fire Chief Johnson reported 419 calls for services year to date with 322 of those calls being medical aide. He stated that he completed repair work on the station roof and would be working on a repair of the City Hall roof soon.

MAYOR & COUNCIL MEMBER REPORTING OF COUNTY & REGIONAL MEETINGS

This is the time for comments, announcements and/or reports on meetings attended at public expense as required by AB 1234.

Mayor Pro Tem Molina reported that she attended an RCTC meeting, stating that the Hwy 60 Truck Lane project is 60% complete. She further reported that she attended an RTA Budget and Finance Meeting and a Transportation Now meeting. She further reported that she attended a CalCities Executive meeting where they discussed the Leagues opposition to SB9 and SB278. She announced the next Riverside Division League Meeting of May 10, 2021. She further spoke of a proposed bill regarding broadband and an emergency alert system throughout the State.

Council Member Cervantez reported that he attended a fire ad-hoc meeting with city staff in regard to the 2nd fire station that would be coming in the future.

PUBLIC HEARINGS

10. **CONTINUED PUBLIC HEARING** - ZONING TEXT AMENDMENT 21-01 ADOPTING ORDINANCE 369 TO AMEND VARIOUS SECTIONS OF THE

ZONING ORDINANCE (TITLE 18 OF THE CALIMESA MUNICIPAL CODE)
REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY
DWELLING UNITS

RECOMMENDATION: *That the City Council open the continued public hearing, take public testimony, close the public hearing, and thereafter:*

- 1. Find that Zoning Text Amendment 21-01 regarding Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) to be exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 and State CEQA Guidelines Section 15282(h) and making findings in support thereof, and direct staff to file a Notice of Exemption, and;**
- 2. Introduce first reading, by title only, of Ordinance 369, an Ordinance of the City of Calimesa approving Zoning Text Amendment 21-01 (“Project”) amending various sections of the Zoning Ordinance (Title 18 of the Calimesa Municipal Code) regarding Accessory Dwelling Units and Junior Accessory Dwelling Units.**

Mayor Davis opened the continued public hearing at 6:36 p.m.

Dan Fairbanks, Planning Consultant presented the agenda report.

There was no public comment.

Mayor Davis closed the public hearing at 6:57 p.m.

After Council discussion the following actions were taken:

MOTION BY MAYOR PRO TEM MOLINA, SECONDED BY COUNCIL MEMBER CERVANTEZ, CARRIED 5-0 TO FIND THAT ZONING TEXT AMENDMENT 21-01 REGARDING ACCESSORY DWELLING UNITS (ADUS) AND JUNIOR ACCESSORY DWELLING UNITS (JADUS) TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.17 AND STATE CEQA GUIDELINES SECTION 15282(H) AND MAKING FINDINGS IN SUPPORT THEREOF, AND DIRECT STAFF TO FILE A NOTICE OF EXEMPTION.

MOTION BY MAYOR PRO TEM MOLINA, SECONDED BY COUNCIL MEMBER CERVANTEZ, CARRIED 5-0 TO INTRODUCE FIRST READING, BY TITLE ONLY, OF ORDINANCE 369, AN ORDINANCE OF THE CITY OF CALIMESA APPROVING ZONING TEXT AMENDMENT 21-01 (“PROJECT”) AMENDING VARIOUS SECTIONS OF THE ZONING ORDINANCE (TITLE 18 OF THE CALIMESA MUNICIPAL CODE) REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS.

BUSINESS ITEMS

11. SUMMER MEETING SCHEDULE OF THE CITY COUNCIL

RECOMMENDATION: That the City Council provide direction to staff pertaining to the 2021 summer meeting schedule and determine a date for the 2021/2022 Fiscal Year Budget Study Session.

City Manager Johnson presented the agenda report.

After Council discussion the following actions were taken:

MOTION BY COUNCIL MEMBER CERVANTEZ, SECONDED BY COUNCIL MEMBER DUVALL, CARRIED 5-0 TO CANCEL THE JULY 5, 2021 AND AUGUST 16, 2021 REGULAR CITY COUNCIL MEETINGS.

THERE WAS COUNCIL CONSENSUS TO SCHEDULE A FISCAL YEAR 2021-2022 BUDGET WORKSHOP FOR MONDAY, MAY 24, 2021 AT 3:00 P.M.

12. DISCUSSION AND POSSIBLE ACTION REGARDING SB 556 WIRELESS BROADBAND INFRASTRUCTURE

RECOMMENDATION: That the City Council provide direction to staff regarding action, if any on SB 556 Wireless Broadband Infrastructure.

Mayor Pro Tem Molina presented the agenda report.

AFTER DISCUSSION THERE WAS COUNCIL CONSENSUS FOR THE MAYOR TO SIGN THE LETTER OF OPPOSITION FOR SB 556 (DODD), RELATED TO WIRELESS BROADBAND INFRASTRUCTURE DEPLOYMENT.

COUNCIL MEMBERS' COMMENTS & REPORTS

This is the time for additional general comments, announcements, reports on meetings attended at public expense as required by AB 1234, requests of staff, and other issues of concern to Council Members may be presented briefly at this time. The Council may not legally take action on any item presented at this time other than to direct staff to investigate a complaint or place an item on a future agenda unless (1) by a majority vote, the Council determines that an emergency situation exists, as defined by Government Code § 54956.5 or (2) by a four-fifths vote, the Council determines that there is a need for immediate action and the need for action arose subsequent to the agenda being posted as required by Government Code § 54954.2(b).

Council Member Duvall stated that she attended a Yucaipa Valley Water District Board meeting, adding that they are implementing a new computer system for payments. She further stated that she attended a Veteran's Expo Committee meeting on April 15, 2021.

Council Member Hewitt encouraged all to support the local businesses and the Calimesa Chamber.

Mayor Pro Tem Molina announced a blood drive to be hosted by the Lions Club at the Tractor Supply on Tuesday, April 20, 2021.

Mayor Davis encouraged all to watch for the rattlesnakes, as they are out.

CITY MANAGER COMMENTS & REPORTS

None.

ADJOURNMENT

Meeting adjourned at 7:17 p.m. to the Regular Meeting of the City Council on Monday, May 3, 2021 at 6:00 p.m.

Respectfully Submitted,

Darlene Gerdes, City Clerk



CITY COUNCIL MEETING **AGENDA REPORT** **AGENDA ITEM NO. 2**

SUBJECT: APPROVAL OF COMMISSION MEETING MINUTES

MEETING DATE: May 3, 2021

PREPARED BY: Darlene Gerdes, Deputy City Manager/City Clerk

There are no minutes ready for approval at this time.



CITY COUNCIL MEETING

AGENDA REPORT

AGENDA ITEM NO. 3

SUBJECT: APPROVAL OF WARRANT REGISTER

MEETING DATE: May 3, 2021

PRESENTED BY: Bonnie Johnson, City Manager

RECOMMENDATION: Staff requests that the City Council move to approve the Warrant Register as presented.

SUMMARY: The attached Check Register Report for City Council's approval is as follows:

- a) Check Register Report with a total of \$683,975.07
(Check Nos. 36877- 36942)

- b) April 29, 2021 Payroll of \$71,145.25

Council Date - May 03, 2021

Accounts Payable - Checks 36877-36942
Fund Distribution Breakdown

Fund #01 - General	\$	343,356.77
Fund #14 Supplemental Law Enforcement	\$	11,388.60
Fund#19 Library	\$	858.32
Fund #24 Gas Tax	\$	1,411.01
Fund #26 Housing Rehab	\$	500.00
Fund #28 Lighting /Landscape	\$	99.91
Fund #33 Administration Facilities Fees	\$	856.80
Fund #36 Traffic Improvement	\$	257,080.26
Fund #42 Multispecies Habitat	\$	62,597.38
Fund #51 Public Services CFD	\$	1,505.12
Fund #52 CFD 2013-1 JP Ranch	\$	20.90
Fund #56 2013-1B Maintenance	\$	4,300.00
	Total	\$ 683,975.07
	Grand Total	\$ 683,975.07

Check Register Report

City of Calimesa

BANK: BANK OF AMERICA

Page:

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Check Number	Check Date	Vendor Name	Check Description	Amount
BANK OF AMERICA Checks				
36877	04/15/202	49ER COMMUNICATION	Fire Equipment	175.00
36878	04/15/202	AFLAC-ENDORSED BENEFITS	Supp Insurance March 2021	1,085.12
36879	04/15/202	ALFONSO MURILLO	03/27/21 through 03/09/21	300.00
36880	04/15/202	ALLSTAR FIRE EQUIPMENT INC	Fire Equipment	1,375.57
36881	04/15/202	AMERICAN FORENSIC NURSES, INC	Blood Draws	250.00
36882	04/15/202	ARCO AM-PM	March 2021	728.01
36883	04/15/202	ATWORK FRANCHISE INC	Salary for Temp Staff	1,497.60
36884	04/15/202	AUTOZONE	Auto Supplies	180.45
36885	04/15/202	BRADLEY SCHLICHTING	03/27/21 through 03/09/21	200.00
36886	04/15/202	CALIMESA AUTO REPAIR	Oil Change and Lube Fusion	82.49
36887	04/15/202	CALPERS	04/01/2021	5,128.75
36888	04/15/202	CHEVRON AND TEXACO CARD SVCS	Fuel 03/06/21 thru 04/06/21	2,884.92
36889	04/15/202	CR&R, INC.	Street Sweeping April 21	805.00
36890	04/15/202	DAVID TURCH AND ASSOCIATES	March 2021	1,500.00
36891	04/15/202	DELL MARKETING L.P.	Purchase Laptops	3,109.62
36892	04/15/202	JBC ROOFING	Sr Center roof repair	900.00
36893	04/15/202	JIMMY LOR	03/27/21 through 03/09/21	200.00
36894	04/15/202	JOHN HANCOCK LIFE INSURANCE CO	Contributions 04/01/21	2,197.42
36895	04/15/202	JOHNSON EQUIPMENT CO	Fire Equipment	222.61
36896	04/15/202	JOSHUA PAGAN	03/27/21 through 03/09/21	400.00
36897	04/15/202	JTE	Fire Equipment	2,305.00
36898	04/15/202	KONICA MINOLTA	Equip Rental April 2021	355.09
36899	04/15/202	KOPPEL & GRUBER PUBLIC FINANCE	Improvement Area 1 Facilities	1,526.02
36900	04/15/202	LANTELLIGENCE	VeloCloud Prem Jan-Mar 21	525.00
36901	04/15/202	MATTHEW BELOW	03/27/21 through 03/09/21	200.00
36902	04/15/202	MICHAEL BAKER INTERNATIONAL	Home Rehab	500.00
36903	04/15/202	P & R PAPER SUPPLY CO., INC	Cleaning Supplies	293.52
36904	04/15/202	PARS	Rep Fees Feb 2021	400.00
36905	04/15/202	RAUL ADAME	03/27/21 through 03/09/21	100.00
36906	04/15/202	RIVERSIDE CO. SHERIFF DEPT	02/14/21 to 03/10/21	149,251.87
36907	04/15/202	RYAN CREASON	03/27/21-03/09/21	200.00
36908	04/15/202	SOUTHERN CALIFORNIA FLEET SERV	Fire Equipment	1,613.22
36909	04/15/202	SPECTRUM SERV INC	TV Service	1,005.55
36910	04/15/202	SPENCER HEICHMAN	03/27/21 through 03/09/21	200.00
36911	04/15/202	THE COUNSELING TEAM	Employee Support Services	600.00
36912	04/15/202	TRACTOR SUPPLY CREDIT PLAN	Supplies for Fence Repair	96.95
36913	04/15/202	VANTAGEPOINT TRANSFER AGENTS	ICMA Contribu/Loans 04/01/21	6,702.29
36914	04/15/202	VERIZON BUSINESS	March 2021	40.00
36915	04/15/202	WELLS FARGO	VEBA Contributions 04/01/21	900.00
36916	04/15/202	YUCAIPA VALLEY WATER DISTRICT	Fire Dept March 2021	44.21
36917	04/22/202	A.B. LANDSCAPE	JP Ranch Weed Abatement	4,300.00
36918	04/22/202	AMERICAN FORENSIC NURSES, INC	04/14/2021	110.00

36919	04/22/202	ATWORK FRANCHISE INC	Salary for staff	1,497.60
36920	04/22/202	BANK OF AMERICA	March 2021-April 2021	12,682.24
36921	04/22/202	CALPERS	04/15/21	5,128.75
36922	04/22/202	COUNTY OF RIVERSIDE	03/01/21-03/31/21 Cherry Valle	257,080.26
36923	04/22/202	DEPARTMENT OF JUSTICE	Blood Alcohol Oct Nov 2020	175.00
36924	04/22/202	DEPT. FORESTRY & FIRE	07/01/20 to 06/30/21	118,671.82
36925	04/22/202	EASYPERMIT POSTAGE	shipping and postage April 21	661.82
36926	04/22/202	EL DORADO PLASTERING INC	Stucco Repair	1,360.00
36927	04/22/202	HEALTH NET	May 2021	4,817.77
36928	04/22/202	HINDERLITER DELLAMAS & ASSOC	Contract Services	1,391.75
36929	04/22/202	JOHN HANCOCK LIFE INSURANCE CO	Contributions 04/15/21	2,096.46
36930	04/22/202	KAISER FOUNDATION HEALTH PLAN	05/01/21	3,689.84
36931	04/22/202	KIARA HAGEMAN	03/27/21 through 04/09/21	200.00
36932	04/22/202	KONICA MINOLTA	Copy Charges March 21	1,094.12
36933	04/22/202	LIBRARY SYSTEMS & SERVICES	Materials March 2021	817.95
36934	04/22/202	LIFE-ASSIST	Amsino Nitrile Exam	323.26
36935	04/22/202	LINCOLN FINANCIAL GROUP	May 2021	1,054.09
36936	04/22/202	MUNICIPAL FINANCE OF MERIDIAN	Financial Consulting April 21	6,225.00
36937	04/22/202	OFFICE DEPOT	Office Supplies	114.04
36938	04/22/202	PITNEY BOWES	Postage meter shipping supplie	139.19
36939	04/22/202	SUPERIOR AUTOMOTIVE WAREHOUSE,	Automotive Supplies	63.11
36940	04/22/202	VANTAGEPOINT TRANSFER AGENTS	04/15/21	6,702.34
36941	04/22/202	WELLS FARGO	04/15/21	900.00
36942	04/22/202	WRCRCA	MSHCP Fee March 2021	62,597.38

66	Checks Total (excluding void checks):	683,975.07
66	Bank Total (excluding void checks):	683,975.07
66	Grand Total (excluding void checks):	683,975.07

Statistical Summary

Company: EJZ - City of Calimesa Service Center: 0070 Southern California Status: Under Review
 Week#: 17 Pay Date: 04/29/2021 P/E Date: 04/23/2021
 Qtr/Year: 2/2021 Run Time/Date: 20:11:15 PM EDT 04/26/2021

Taxes Debited	Federal Income Tax	9,694.41
Earned Income Credit Advances		0.00
Social Security - EE		112.40
Social Security - ER		112.41
Social Security Adj - EE		0.00
Medicare - EE		1,053.21
Medicare - ER		1,053.23
Medicare Adj - EE		0.00
Medicare Surtax - EE		0.00
Medicare Surtax Adj - EE		0.00
COBRA Premium Assistance Payments		0.00
Federal Unemployment Tax		0.00
FMLA-PSL Payments Credit		0.00
FMLA-PSL ER FICA Credit		0.00
FMLA-PSL Health Care Premium Credit		0.00
Employee Retention Qualified Payments Credit		0.00
Employee Retention Qualified Health Care Credit		0.00
State Income Tax		3,757.22
Non Resident State Income Tax		0.00
State Unemployment Insurance - EE		0.00
State Unemployment Insurance Adj - EE		0.00
State Disability Insurance - EE		871.34
State Disability Insurance Adj - EE		0.00
State Unemployment/Disability Ins - ER		141.41
State Family Leave Insurance - EE		0.00
State Family Leave Insurance - ER		0.00
State Family Leave Insurance Adj - EE		0.00
State Medical Leave Insurance - EE		0.00
State Medical Leave Insurance - ER		0.00
Transit Tax - EE		0.00
Workers' Benefit Fund Assessment - EE		0.00
Workers' Benefit Fund Assessment - ER		0.00
Local Income Tax		0.00
School District Tax		0.00
Total Taxes Debited		16,795.63
Other Transfers		1,442.59
ADP Check Acct. No.2456005405Tran/ABA122000661		
Full Service Direct Deposit Acct. No.2456005405Tran/ABA122000661		52,907.03
Total Amount Debited From Your Account		71,145.25
Bank Debits & Other Liability		71,145.25
Taxes - Your Responsibility		0.00
Adjustments/Prepay/Voids		
None this payroll		
Total Liability		71,145.25



CITY COUNCIL MEETING AGENDA REPORT AGENDA ITEM NO. 4

SUBJECT: WAIVE FULL READING OF ANY PROPOSED
ORDINANCES ON THE AGENDA

MEETING DATE: May 3, 2021

PREPARED BY: Darlene Gerdes, Deputy City Manager/City Clerk

This permits reading the title only in lieu of reciting the entire text of the Ordinances. This does not take policy action on the Ordinances or approve or disapprove any Ordinances on the agenda.



CITY COUNCIL MEETING AGENDA REPORT AGENDA ITEM NO. 5

SUBJECT: 2ND READING OF ORDINANCE NO. 369 - AN ORDINANCE OF THE CITY OF CALIMESA, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT 2021-01, AMENDING VARIOUS SECTIONS OF THE ZONING CODE (TITLE 18 OF THE CALIMESA MUNICIPAL CODE) REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS, AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA")

MEETING DATE: May 3, 2021

PREPARED BY: Darlene Gerdes, Deputy City Manager/City Clerk

RECOMMENDATION: That the City Council conduct 2nd reading by title only and adopt Ordinance No. 369, An Ordinance of the City of Calimesa, California, Approving Zone Text Amendment 2021-01, Amending Various Sections of the Zoning Code (Title 18 of the Calimesa Municipal Code) regarding Accessory Dwelling Units and Junior Accessory Dwelling Units, and making a Determination of Exemption under the California Environmental Quality Act ("CEQA")

ATTACHMENTS:

Attachment A: Ordinance No. 369

ORDINANCE NO. 369

AN ORDINANCE OF THE CITY OF CALIMESA, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT 2021-01, AMENDING VARIOUS SECTIONS OF THE ZONING CODE (TITLE 18 OF THE CALIMESA MUNICIPAL CODE) REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS, AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)

WHEREAS, recent amendments to California Government Code Sections 65852.2 and 65852.22 became effective on January 1, 2020 and January 1, 2021 that regulate the development of Accessory Development Units and Junior Accessory Development Units; and,

WHEREAS, text within the Development Code, Title 18, of the City of Calimesa Municipal Code, needs to be amended to comply with California Government Code Sections 65852.2 and 65852.22; and,

WHEREAS, on March 8, 2021, during a duly noticed public hearing, the Planning Commission adopted PC Resolution 2021-03 recommending to the City Council the adoption of Ordinance 369 approving a Notice of Exemption and Zoning Text Amendment 21-01; and,

WHEREAS, on March 26, 2021, the City gave public notice as required under Chapter 18.15.080 (Hearings and Appeals) of the City of Calimesa Municipal Code by advertising in the News Mirror newspaper and on April 6, 2021, notices to 20 public agencies, servicing utilities and interested parties were mailed by US mail notifying of the holding of a public hearing at which the Notice of Exemption and Zoning Text Amendment would be considered; and,

WHEREAS, on April 5, 2021, the City Council continued the public hearing to the April 19, 2021 Council meeting to allow public notices to be mailed to adjacent jurisdictions, servicing utilities and interested parties as required by Government Code Section 65091(a)(3); and,

WHEREAS, on the 19th day of April 2021, the City Council held the duly noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, the proposed amendments, and at which time the City Council considered the Notice of Exemption and Zoning Text Amendment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALIMESA DOES ORDAIN AS FOLLOWS:

Section 1. The above recitals are all true and correct.

Section 2. The City Council has reviewed and considered the information included in the General Plan, Zoning Code and Staff Report for the Public Hearing and public testimony prior to taking action on the proposed Ordinance and Zoning Text Amendment. This information is on file and available at the Community Development Department at Calimesa City Hall.

Section 3. The City Council finds that the Zoning Text Amendment is consistent with the goals and policies of the General Plan and would not be detrimental to the public interest, health, safety, convenience, or welfare of the City. Applicable General Plan goals are identified below with a description of how the Accessory Dwelling Unit/Junior Accessory Dwelling Unit Ordinance furthers the goals of the General Plan:

1. *GOAL LU-1: Preserve and enhance the small-town atmosphere of Calimesa.* The proposed ADU/JADU Ordinance preserves and enhances the existing small-town atmosphere of Calimesa, by encouraging growth and reinvestment in existing residential areas, while the existing character of single family and multifamily areas, where new units would be located, remains essentially unchanged.

2. *GOAL LU-2: A logical and efficient pattern of development that reduces infrastructure costs and maintains the character of Calimesa.* The proposed ADU/JADU Ordinance provides for a logical and efficient pattern of development because it allows additional residential units without the development of major road, water and sewer infrastructure that is typical of new development, while also maintaining the existing character of Calimesa.

3. *GOAL LU-3: An arrangement of land uses that achieves maximum compatibility between land uses and especially with existing neighborhoods.* The proposed ADU/JADU Ordinance provides for maximum compatibility with existing development because it maintains the existing character of development. Compatibility issues associated with developing new multistory housing next to single-family development are avoided as the new units maintain the character of the land use/zoning where they are located.

4. *GOAL H-3: The City will provide opportunities for the development of new housing units to meet the housing needs of all economic segments of the population while preserving the natural environment and unique existing character and physical attributes of the community.* The proposed ADU/JADU Ordinance provides for new housing units to meet the housing needs of all economic segments of the population, while preserving the natural environment and unique existing character and physical attributes of the community, because the additional units do not rely upon development of vacant land or undeveloped open space located within the City.

Section 4. The City Council has independently reviewed and considered the requirements of the California Environmental Quality Act (“CEQA”) and finds and determines that the adoption of Ordinance 369 and Zoning Text Amendment 21-01 is exempt pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 15282 (h), as an action to implement the provisions of Government Code Sections 65852.2 and 65852.22.

Section 5. Section 18.10.020 (Definitions) of Chapter 18.10 (Definitions) of the Development Code, Title 18, of the Calimesa Municipal Code, is hereby amended to add a definition of “Dwelling Unit, Junior Accessory” as follows, with all other definitions in Section 18.10.020 to remain the same:

““Dwelling unit, junior accessory” means a unit that is no more than 500 square feet in size and entirely contained within a single-family residence. A junior accessory dwelling

unit includes cooking and food storage areas and may include separate sanitation facilities or may share sanitation facilities with the existing structure. A junior accessory dwelling unit also includes the following:

A. An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code.”

Section 6. Table 18.20.030 (Uses Permitted within Residential Districts) in Section 18.20.030 (Use Regulations for Residential Districts) of Chapter 18.20 (Residential Zone Districts) of the Development Code, Title 18, of the Calimesa Municipal Code, is hereby amended to add reference to “Junior accessory dwelling unit,” as follows, with all other subsections to remain the same:

Table 18.20.030 – Uses Permitted Within Residential Districts

Use	O-S-R	R-E	R-R	R-L	R-L-M	R-M	R-H
A. Residential Uses							
Junior accessory dwelling unit ⁿ	P	P	P	P	P	P	P

n. Subject to the provisions of CMC 18.20.050(O), Junior Accessory Dwelling Units in Residential Zones.

Section 7. Table 18.28.040 (Uses Permitted within Mixed Use Districts) in Section 18.28.040 (Use Regulations for Mixed Use Districts) of Chapter 18.28 (Mixed Use Zone Districts) of the Development Code, Title 18, of the Calimesa Municipal Code, is hereby amended to add references to allow Accessory Development Units in conjunction with multifamily development in the C-MU and O-MU zones and to add “Junior Accessory Dwelling Units” in conjunction with single family development in the R-MU zone, as follows, with all other subsections to remain the same:

Table 18.28.040 - Uses Permitted Within Mixed Use Districts

Use	R-MU	C-MU	O-MU
Residential Uses			
Accessory dwelling unit ^e	P	P	P
Junior accessory dwelling unit ^f	P	X	X

e. Ancillary to single family or multifamily development, subject to the provisions of CMC 18.20.050(L) Accessory Dwelling Units

f. Ancillary to single family development, subject to the provisions of CMC 18.20.050(O), Junior Accessory Dwelling Units

Section 8. Subsection “A” of Section 18.20.050 (Specific Development Standards for Residential Districts) of Chapter 18.20 (Residential Zone Districts) of the Development Code,

Title 18, of the Calimesa Municipal Code, is hereby amended to clarify the standards for non-habitable accessory structures and differentiate between the standards applicable to non-habitable accessory structures (identified in subsection “A”) and the standards applicable to accessory dwelling units and junior accessory dwelling units (identified in subsections “L” and “O” respectively), with all other subsections of Section 18.20.050 to remain the same:

“A. Non-Habitable Accessory Structures. Non-Habitable accessory structures are subject to the following requirements:

1. A non-habitable accessory structure shall be compatible in terms of mass, scale, height, design, colors, and materials with the existing structures on the parcel, or the existing structures shall be modified to be compatible with the new construction. In addition, new construction of non-habitable accessory structures on vacant parcels (where permitted) shall be compatible with the surrounding development pattern in terms of the mass, scale, and height of surrounding structures as specified in this section.
2. Non-habitable accessory structures may only be constructed on a lot containing a main dwelling unit, except for agricultural buildings where permitted and in compliance of this section.
3. Permitted non-habitable accessory structures shall maintain the yard requirements of the underlying zone and shall not cover more than 30 percent of the required rear yard. No non-habitable accessory building or structure shall be located within a required front or side yard.
4. Non-habitable accessory structures of 1,500 square feet or less in size, located on a residentially zoned lot of 15,000 square feet or greater in size, shall be exempt from public improvements requirements or fees in lieu of such.
5. Non-habitable accessory structures on lots or parcels with 7,200 square feet or less shall be limited to one story and not more than 18 feet in height to the ridge and nine feet in height to the top plate. Height shall be measured in accordance with the building height definition of the Calimesa zoning code.
6. Non-habitable accessory structures on lots or parcels with 7,200 square feet or less shall be limited in size to not more than eight percent of the total lot area and 50 percent of the area (in square feet) of the primary structure. However, the minimum size requirements for a garage shall supersede this restriction, should the resulting floor area be less than the minimum required.”

Section 9. Subsection “L” of Section 18.20.050 (Specific Standards for Development in Residential Districts) of Chapter 18.20 (Residential Zone Districts) of the Development Code, Title 18, of the Calimesa Municipal Code, is hereby amended in its entirety to read as follows:

“L. Accessory Dwelling Units in Residential Zones.

1. These standards are adopted pursuant to California Government Code Section 65852.2. The purpose of these standards is to establish procedures and standards for

the development of accessory dwelling units in a manner that preserves the integrity of single-family and multifamily residential areas, avoids adverse impacts on such areas, and provides additional housing opportunities consistent with state law.

2. An application for an accessory dwelling unit shall be considered ministerially, without discretionary review or a hearing, within 60 days after receiving a complete application. Certain accessory dwelling units are reviewed through a ministerial building permit only process (Paragraph 4 below), whereas other accessory dwelling units are subject to a ministerial Planning ADU Review (Paragraph 5 below). If the accessory dwelling unit is being proposed as part of another accessory structure, the application for the accessory dwelling unit may be considered separate from, and after, the application for the accessory structure.

3. The following standards shall apply to all accessory dwelling units:

a. The lot shall contain an existing primary unit at the time an application for an accessory dwelling unit is submitted, or the application for the accessory dwelling unit may be made in conjunction with the development of the primary unit. Commencement of the 60-day accessory dwelling unit review period shall commence upon the approval of the primary dwelling unit. The City may choose to process the accessory dwelling unit and the primary dwelling unit concurrently, so long as the application for the accessory dwelling unit is approved within 60 days after the approval of the primary structure and the primary structure is issued building permits prior to or concurrent with the accessory dwelling unit.

b. No more than one accessory dwelling unit and one junior accessory dwelling unit (see Section 18.20.050.O) shall be permitted on any one lot.

c. The minimum gross floor area of an accessory dwelling unit shall be 150 square feet.

d. The total area of floor space for an attached accessory dwelling unit shall not exceed 50 percent of the proposed or existing primary dwelling living area, with a maximum increase in floor area of 1,200 square feet.

e. The total area of floor space for a detached accessory dwelling unit shall not exceed 1,200 square feet.

f. For any accessory dwelling unit constructed as a second story or converted from second story space, one four-foot wide exterior stairway may be constructed to provide access to the unit, as approved by the Fire Marshall.

g. The owner of the lot shall enter into a restrictive covenant with the city providing that the accessory dwelling unit shall not be sold, or title thereto transferred separate from that of the property and shall not be leased for a period of less than 30 consecutive days.

h. An attached accessory dwelling unit shall have a separate entrance.

i. In addition to the required parking for the primary unit, one off-street parking space shall be provided on the same lot that the accessory dwelling unit is located. This paragraph "i" shall not require an off-street parking space if:

i. The accessory dwelling unit is located within one-half mile, measured in walking distance, of public transit, including bus stops;

ii. The accessory dwelling unit is located within an architecturally and historically significant historic district;

iii. The accessory dwelling unit is part of the proposed or existing primary residence or an existing accessory structure;

iv. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit; or

v. When there is a designated parking space for a car share vehicle located within one block of the accessory dwelling unit.

j. Off-street parking shall be permitted in front, side, and rear yard setback areas or through tandem parking. The parking does not need to be covered or in an enclosed garage.

k. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or where such structure is converted into an accessory dwelling unit, any off-street parking required for the primary residence that is lost shall not be required to be replaced.

l. No setback shall be required for an existing legally constructed garage or portion of a garage that is converted to an accessory dwelling unit, or for a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit. A setback of four feet from the side and rear lot lines shall be required for any other accessory dwelling unit, including an ADU that is constructed above a detached garage.

m. Upon approval of an accessory dwelling unit on a lot, the lot shall not be further divided unless there is adequate land area to divide the lot consistent with the general plan and zoning designation.

n. Except as otherwise required herein, all construction, structural alterations or additions made to create an accessory dwelling unit shall comply with current development standards and building, electrical, fire and plumbing codes.

o. The accessory dwelling unit may be rented but shall not be sold or otherwise conveyed separately from the primary residence on the lot.

p. Except as otherwise required herein, the accessory dwelling unit shall be subject to the same minimum required front yard setback as the main dwelling unit.

q. A detached accessory dwelling unit that is 800 square feet or less, not more than 16 feet in height, and compliant with a minimum 4-foot side and rear setback, shall be considered consistent with all City development standards, irrespective of any other Municipal Code limitations governing lot coverage, floor area ratio, or open space. For any other accessory dwelling unit, lot coverage, floor area ratio, and open space requirements for the underlying zone shall apply.

r. Fire sprinklers are not required for ADUs if not required for the primary residence, as determined by the Fire Marshal.

s. If the accessory dwelling unit will be connected to an onsite wastewater treatment system, the city may require that approval from the Regional Water Quality Control Board and a percolation test has been completed within the last 5 years, or 10 years in the case of tests that have been recertified.

4. The Director of Community Development, or designee, shall approve an application for the following accessory dwelling units in a streamlined building permit only process, within 60 days of a complete application:

a. Accessory Dwelling Units on Single Family Lots: One accessory dwelling unit within the space of an existing or proposed single-family dwelling or a detached accessory dwelling unit in an existing accessory structure. The accessory dwelling unit may expand the space of the existing accessory structure by up to 150 square feet beyond the physical dimensions of the accessory structure to allow for ingress and egress. Rear and side yard setbacks must be sufficient for fire and safety. The accessory dwelling unit must have exterior access separate from the proposed or existing single-

family dwelling. An ADU allowed under this subparagraph may be combined with a JADU authorized under subsection “O” herein.

b. Detached Accessory Units on Single Family Lots: One detached, new construction accessory dwelling unit, so long as the accessory dwelling unit maintains at least a 4-foot rear and side yard setback, does not exceed 800 square feet, and does not exceed a height of 16 feet. This ADU may be combined with a JADU authorized under subsection “O” herein.

c. Accessory Dwelling Units in Multifamily Buildings. Multiple accessory dwelling units within the portions of an existing multifamily dwelling, in spaces not used as living space. Examples include conversion of storage rooms, boiler rooms, attics, basements, and garages. Each unit must comply with building standards. The number of accessory dwelling units that may be created in a multifamily dwelling is equal to 25% of the number of existing units, or one accessory unit, whichever is greater.

d. Detached ADUs on Multifamily Lots: Not more than two detached ADUs, on a lot with an existing multifamily dwelling. The accessory units are subject to a 16-foot height limit and must maintain at least a 4-foot rear and side yard setback.

5. Notwithstanding the other provisions herein, the Director of Community Development, or designee, shall review and approve within 60 days an application for an accessory dwelling unit through a Planning ADU Review for an accessory dwelling unit that does not fall within the prior categories listed in paragraph 4 above.

a. Accessory dwelling units approved under this paragraph 5 shall include, but not be limited to the following, so long as they comply with subparagraph “b” below:

- i. An attached accessory dwelling unit that requires an addition to a single-family residence;
- ii. A detached accessory dwelling unit that is 801 to 1,200 square feet;
- iii. An accessory dwelling unit constructed above a detached garage;
- iv. Any other accessory dwelling unit that does not fall within paragraph 4 but meets the development standards provided herein.

b. An accessory dwelling unit approved pursuant to this paragraph 5 shall comply with the following standards, in addition to the standards in paragraph 3:

- i. The design, colors, and materials of an accessory dwelling unit shall match those of the primary unit.
- ii. Maximum building height shall not exceed 32 feet for a detached accessory dwelling unit. An accessory dwelling unit that is constructed as an addition to

an existing single-family residence shall not exceed 16 feet in height. An accessory dwelling unit shall not be constructed as a second-story addition to an existing single-family residence.

- iii. An accessory dwelling unit greater in size than 800 square feet shall not cover more than 30% of the required rear yard within single family zones.
- iv. A detached accessory dwelling unit greater in size than 800 square feet shall be separated from the primary dwelling by at least 10 feet.
- v. An accessory dwelling unit constructed above a detached garage shall meet the following standards:
 - 1) Notwithstanding the general height restrictions in subparagraph (ii) above, an accessory dwelling unit that is constructed above a detached garage shall not exceed 32 feet in height.
 - 2) The accessory dwelling unit shall maintain at least 4-foot setbacks from the side and rear lot lines.
 - 3) For any accessory dwelling unit that is constructed as a second story addition or above a garage, all windows facing the side or rear lot lines shall be made of frosted or etched glass, or otherwise include a privacy film or treatment to ensure privacy for neighboring properties if the lot line abuts another residential property.

6. Fees Charged for Accessory Dwelling Units.

a. An accessory dwelling unit is a new residential unit for the purpose of calculating connection fees or capacity charges only if it is constructed in conjunction with a new single-family dwelling.

b. The applicant shall pay to the city all applicable fees imposed on such new development, including, but not limited to, park and recreational facility fees. An agency, special district, or water corporation cannot impose an impact fee on an ADU less than 750 square feet. For larger ADUs (i.e., 750 square feet or more), the impact fee must be charged proportionally to the square footage of the primary dwelling unit. For example, if a primary dwelling is 1,600 square feet and a proposed accessory dwelling unit is 800 square feet, the applicable impact fee for the accessory dwelling unit is 50% of the amount of the fee for the single-family dwelling.

c. Where an accessory dwelling unit will be within the space of an existing single-family dwelling or accessory structure, and qualifies for approval with just a building permit, an agency cannot require the applicant to install a new or separate utility connection. A new or separate utility connection can be required for any other accessory dwelling unit.

7. In the event of any conflicts between the standards set forth in this chapter and those set forth in the regulations of the applicable zoning district, the provisions of this chapter shall prevail.

8. An accessory dwelling unit that conforms to this section shall be deemed to be in compliance with the general plan.”

Section 10. Subsection “O” is hereby added to Section 18.20.050 (Specific Standards for Development in Residential Districts) of Chapter 18.20 (Residential Zone Districts) of the Development Code, Title 18, of the Calimesa Municipal Code to read as follows:

“O. Junior Accessory Dwelling Units in Residential Zones

1. These provisions are adopted pursuant to California Government Code Sections 65852.2 and 65852.22. The purpose of these standards is to establish procedures and standards for the development of junior accessory dwelling units in a manner that preserves the integrity of single-family development, avoids adverse impacts on such areas, and provides additional housing opportunities consistent with state law.

2. An application for a junior accessory dwelling unit shall be considered ministerially, without discretionary review or a public hearing, and approved within 60 days after receiving the application.

3. The following standards shall apply to the junior accessory dwelling unit:

a. The lot shall contain an existing primary unit at the time an application for a junior accessory dwelling unit is submitted, or the application for the accessory dwelling unit may be made in conjunction with the application for the primary unit. A junior accessory dwelling unit shall be constructed within the walls of the proposed or existing single-family residence.

b. No more than one accessory dwelling unit (see Section 18.20.050.L) and one junior accessory dwelling unit shall be permitted on any one lot.

c. The minimum gross floor area of a junior accessory dwelling unit shall be 150 square feet.

d. The maximum floor area for a junior accessory dwelling unit within an existing or proposed primary dwelling shall be 500 square feet.

e. A junior accessory dwelling unit shall include an efficiency kitchen, which shall include all of the following:

i. A cooking facility with appliances.

ii. A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

f. The owner of the lot shall reside on the lot, either in the primary unit or in the junior accessory dwelling unit. Prior to issuance of a building permit approval, the property owner shall enter into a restrictive covenant with the City regarding such owner-occupancy requirement on a form prepared by the City, which shall be recorded against the property. Such covenant shall further provide that the junior accessory dwelling unit shall not be sold or title thereto transferred separate from that of the property, and the JADU shall not be leased for a period of less than 30 consecutive days. If the owner ceases to reside on the property, use of the junior accessory dwelling unit shall be discontinued and the unit converted into a portion of the primary unit.

g. A junior accessory dwelling unit shall have a separate entrance.

h. No parking requirements shall be imposed on the junior accessory dwelling unit.

i. Except as otherwise required herein, all construction, structural alterations or additions made to create the junior accessory dwelling unit shall comply with current development standards and building, electrical, fire and plumbing codes.

j. Fire sprinklers are not required if not required for the primary residence as determined by the Fire Marshal.

k. If the junior accessory dwelling unit will be connected to an onsite wastewater treatment system, the City may require Regional Water Quality Control Board approval and that a percolation test has been completed within the last 5 years, or 10 years in the case of tests that have been recertified.

4. The Director of Community Development, or designee, shall approve an application for the junior accessory dwelling unit in a streamlined “building permit only” process, within 60 days of a complete application, without applying additional standards.

5. A junior accessory dwelling unit is exempt from connection fees, capacity charges, and impact fees.

6. In the event of any conflicts between the standards set forth in this chapter and those set forth in the regulations of the applicable zoning district, the provisions of this chapter shall prevail.

7. A junior accessory dwelling unit that conforms to this section shall be deemed to be in compliance with the general plan.”

Section 11. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

Section 12. Submittal of Ordinance. The Community Development Director shall submit a copy of the Ordinance to the Department of Housing and Community Development within 60 days after adoption of this Ordinance.

Section 13. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption. The City Clerk is directed to certify to the enactment of this Ordinance and to cause this ordinance to be published and/or posted as required by law.

INTRODUCED AND APPROVED UPON FIRST READING this 19th day of April 2021 upon the following vote:

AYES: Cervantez, Davis, Duvall, Hewitt and Molina

NOES: None

ABSENT: None

ABSTAIN: None

PASSED, APPROVED AND ADOPTED UPON SECOND READING this 3rd day of May 2021 upon the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

WILLIAM DAVIS, MAYOR

ATTEST:

DARLENE GERDES, CITY CLERK

APPROVED AS TO FORM:

QUINN BARROW, CITY ATTORNEY