

**AGENDA**  
**REGULAR MEETING OF THE CITY OF SUISUN**  
**CITY PLANNING COMMISSION**  
**7:00 P.M., FEBRUARY 25, 2020**

COUNCIL CHAMBERS  
701 CIVIC CENTER BOULEVARD  
SUISUN CITY, CALIFORNIA 94585

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*Next Resolution No. PC20-02*

**1. CALL TO ORDER.**

**2. ROLL CALL:**

Chairperson Ramos  
Vice-Chair Rowe  
Commissioner Borja  
Commissioner Clemente  
Commissioner Holzwarth  
Commissioner Pal  
Commissioner Thomas

Pledge of Allegiance  
Invocation

**3. APPROVAL OF AGENDA:**

Approval of Planning Commission agenda of February 25, 2020

**4. APPROVAL OF MINUTES:**

Approval of Planning Commission minutes of January 21, 2020

**5. PUBLIC COMMENT:**

This is a time for public comments for items that are not listed on this agenda. Comments should be brief. If you have an item that will require extended discussion, please request the item be scheduled on a future agenda.

**CONFLICT OF INTEREST NOTIFICATION**

*(Any items on this agenda that might be a conflict of interest to any Commissioner should be identified at this time.)*

**6. CONSENT CALENDAR:**

None

**7. CONTINUED ITEMS:**

None

**8. PUBLIC HEARINGS:**

*For each of the following items, the public will be given an opportunity to speak. After a Staff Report, the Chair will open the Public Hearing. At that time, the applicant will be allowed to make a presentation. Members of the public will then be allowed to speak. After all have spoken, the applicant is allowed to respond to issues raised by the public, after which the Public Hearing is normally closed. Comments should be brief and to the point. The Chair reserves the right to limit repetitious or non-related comments. The public is reminded that all decisions of the Planning Commission are appealable to the City Council by filing a written Notice of Appeal with the City Clerk within ten (10) calendar days.*

- A. Resolution No. PC20-\_\_\_, A Resolution of the Planning Commission of the City of Suisun City Recommending City Council Adoption of Ordinance No. \_\_\_: An Ordinance of the City Council of the City of Suisun City, California Repealing and Replacing Section 18.30.170 and Adding a Definition of “Accessory Dwelling Unit” Under Section 18.04 of Title 18 of the Suisun City Code and Amending the Waterfront District Specific Plan, Relating to Regulations for Accessory Dwelling Units on Residential Properties (Staff Recommendation to Continue to March 10, 2020 Planning Commission Meeting).

**9. GENERAL BUSINESS:**

- A. Discussion and Direction Regarding the Replacement of Existing Windows in the Historic Residential District of the Waterfront District Specific Plan.

**10. INFORMATIONAL ITEM:**

- A. Update on Accessory Dwelling Units (ADU’s).

**11. REPORTS BY STAFF AND PLANNING COMMISSION:**

- A. Staff
  - a. SB 2 Grant Update.
  - b. Train Depot Lighting and Windscreen Project.
- B. Planning Commission

**12. AGENDA FORECAST / FUTURE AGENDA ITEMS.**

**13. ADJOURNMENT.**

**MINUTES**  
**SPECIAL MEETING OF THE CITY OF SUISUN CITY**  
**PLANNING COMMISSION**  
**7:00 P.M., JANUARY 21, 2020**

COUNCIL CHAMBERS  
701 CIVIC CENTER BOULEVARD  
SUISUN CITY, CALIFORNIA 94585

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*Next Resolution No. PC20-01*

**1. CALL TO ORDER.**

**2. ROLL CALL:**

Chairperson Clemente  
Vice-Chair Ramos  
Commissioner Borja  
Commissioner Holzwarth  
Commissioner Pal  
Commissioner Rowe  
Commissioner Thomas

**3. APPROVAL OF AGENDA:**

Commissioner Borja moved to approve the Planning Commission agenda of January 21, 2020, as is.

Commissioner Holzwarth seconded the motion. Motion passed 7-0 by roll call vote.

**4. APPROVAL OF MINUTES:**

Commissioner Holzwarth moved to approve the Planning Commission minutes of December 10, 2019, as is.

Commissioner Rowe seconded the motion. Motion passed 6-0-1 by roll call vote with Commissioner Borja abstaining.

**5. PUBLIC COMMENT:**

None.

**CONFLICT OF INTEREST NOTIFICATION**

None.

**6. CONSENT CALENDAR:**

None

**7. CONTINUED ITEMS:**

None

## 8. PUBLIC HEARINGS:

*For each of the following items, the public will be given an opportunity to speak. After a Staff Report, the Chair will open the Public Hearing. At that time, the applicant will be allowed to make a presentation. Members of the public will then be allowed to speak. After all have spoken, the applicant is allowed to respond to issues raised by the public, after which the Public Hearing is normally closed. Comments should be brief and to the point. The Chair reserves the right to limit repetitious or non-related comments. The public is reminded that all decisions of the Planning Commission are appealable to the City Council by filing a written Notice of Appeal with the City Clerk within ten (10) calendar days.*

- A. PC20-01, A Resolution of the Planning Commission of the City of Suisun City Recommending City Council Adoption of Ordinance No. \_\_\_ : An Ordinance of the City Council of the City of Suisun City, California Amending Chapter 18.49 “Cannabis Regulatory Program” of the Suisun City Code.

Senior Planner John Kearns started with the background and the AdHoc’s involvement in making the proposed amendments to the ordinance. He then went through all the proposed changes and minor grammatical changes the proceeded to give a brief description.

After the introduction, the Chairperson asked the Commissioners if they had any clarifying questions.

Councilmembers Adams and Williams then presented to the Commissioners their involvement in the Cannabis AdHoc. They described different cannabis dispensaries they visited on their own personal time, to do research for the City, and what kind of business they wanted in Suisun City. The Councilmembers then asked the Commissioners for questions.

Commissioner Rowe asked what the average customer looked like, what kind of areas did they visit dispensaries in, was it broad and did the Councilmembers believe the proposed changes are controllable. Councilmember Williams answered that all walks of life visit the dispensaries, and Councilmember Adams answered by stating that they did their due diligence and the proposed changes gives the City control on what kind of business comes in.

Commissioner Holzwarth asked where the cannabis is grown at the dispensaries. Councilmember Williams responded clarifying that dispensaries do not grow onsite unless they are a microbusiness and gave an example of Vallejo. Councilmember Adams clarified that cultivation wouldn’t be allowed.

Commissioner Thomas asked if parking would be considered and a traffic study. Both Councilmembers replied saying yes it likely would be required.

Commissioner Ramos asked what kind of requirements can be asked of the business. Senior Planner John Kearns gave the example of the business downtown ‘The Lounge’ and the requirements put on the business past. After the Councilmember’s presentation they excused themselves from the meeting.

Chairperson Clemente opened the Public Hearing, nobody from the public came up to speak, and

Chairperson Clemente closed the Public Hearing.

Commissioner Rowe asked Staff to clarify the zones that were proposed to be added. Staff went through each zone on a map projected.

Commissioner Pal expressed he was not comfortable with the proposed zoning downtown.

Commissioner Rowe moved to approve PC20-01, A Resolution of the Planning Commission of the City of Suisun City Recommending City Council Adoption of Ordinance No. \_\_\_ : An Ordinance of the City Council of the City of Suisun City, California Amending Chapter 18.49 “Cannabis Regulatory Program” of the Suisun City Code, as recommended.

Commissioner Borja seconded the motion. Motion passed 5-2 by roll call vote.

**9. GENERAL BUSINESS:**

None

**10. ELECTION OF CHAIR AND VICE-CHAIR:**

**11. REPORTS BY STAFF AND PLANNING COMMISSION:**

A. Staff

- a. Public Hearing Notification Procedures Update.
- b. SB 2 Grant Update.

B. Planning Commission

- a. Commissioner Pal asked if Staff could let the Commission know what’s coming down the pipeline ahead of when they actually come to the Planning Commission meetings.

**12. AGENDA FORECAST / FUTURE AGENDA ITEMS.**

**13. ADJOURNMENT.**

*a&m/200121.pca*



<p>DATE: 2/25/2020</p> <p>TO: PLANNING COMMISSION</p>	<p>Files: TBD</p>
<p>FROM: Joann Martinez, Assistant Planner (707.421.7307, <a href="mailto:jmmartinez@suisun.com">jmmartinez@suisun.com</a>)</p> <p>RE: Repealing and Replacing Section 18.30.170</p> <p style="padding-left: 40px;">Adding a Definition of ‘Accessory Dwelling Unit’ under Section 18.04 of Title 18 of the Suisun City Code</p> <p style="padding-left: 40px;">Amending the Waterfront District Specific Plan, Relating to Regulations for Accessory Dwelling Units on Residential Properties.</p>	

**SUMMARY**

Planning Division staff is bringing forward a recommendation repealing and replacing section 18.30.170; adding a definition of ‘Accessory Dwelling Unit’ under section 18.04 of title 18 of the Suisun City code; and amending the waterfront district specific plan, relating to regulations for accessory dwelling units on residential properties. The State of California has passed multiple laws to increase housing, including Accessory Dwelling Units. The proposed changes are consistent with state law.

**Recommendation:** Planning staff recommends continuation of the public hearing.

**Proposed Motion:** I move that the Planning Commission continue the public hearing to March 10, 2020.

**BACKGROUND/DISCUSSION**

The state legislature updated Accessory Dwelling Unit (ADU) law effective January 1, 2020 to clarify and improve various provisions in order to promote the development of ADUs and junior accessory dwelling units (JADUs). These include allowing ADUs and JADUs to be built concurrently with a single-family dwelling; opening areas where ADUs can be created to include all zoning districts that allow single-family and multi-family uses, modifying fees from utilities such as special districts and water corporations; limited exemptions or reductions in impact fees; and reduced parking requirements. Staff is recommending to continue the item to March 10<sup>th</sup>.

**ANALYSIS**

Staff is recommending that this item be continued, a complete red-line of the proposed amendments to the ordinance will be included at the next meeting. Staff will be making a presentation to the Commission, educating them of the State mandated changes, the presentation will be included in the

informational item portion of the agenda. Below is a high-level summary of the significant proposed amendments:

### **Junior Accessory Dwelling Unit (JADU)**

JADU are allowed to be created within the walls of a proposed or existing single-family residence and shall contain no more than 500 square feet. They may share central systems, contain a basic kitchen utilizing small plug-in appliances, and may share a bathroom with the primary dwelling, all to reduce development costs. JADUs present no additional stress on utility services or infrastructure because they simply repurpose existing space within the residence and do not expand the dwelling's planned occupancy.

### **Other**

- Development standards shall not include requirements on minimum lot size (Section (a)(1)(B)(i)).
- Prohibits owner-occupancy requirements by local agencies (Section (a)(6) & (e)(1)) until January 1, 2025.
- Prohibits a local agency from establishing a maximum size of an ADU of less than 850 square feet, or 1000 square feet if the ADU contains more than one bedroom (Section (c)(2)(B)).
- Clarifies that when ADUs are created through the conversion of a garage, carport or covered parking structure, replacement off-street parking spaces cannot be required by the local agency (Section (a)(1)(D)(xi)).
- Reduces the maximum ADU and JADU application review time from 120 days to 60 days (Section (a)(3) and (b)).
- Clarifies “public transit” to include various means of transportation that charge set fees, run on fixed routes and are available to the public (Section (j)(10)).
- Establishes impact fee exemptions or limitations based on the size of the ADU.
- ADUs up to 750 square feet are exempt from impact fees and impact fees for an ADU of 750 square feet or larger shall be proportional to the relationship of the ADU to the primary dwelling unit (Section (f)(3)).
- Defines an “accessory structure” to mean a structure that is accessory or incidental to a dwelling on the same lot as the ADU (Section (j)(2)).
- Authorizes HCD to notify the local agency if the department finds that their ADU ordinance is not in compliance with state law (Section (h)(2)).
- Clarifies that a local agency may identify an ADU or JADU as an adequate site to satisfy RHNA housing needs as specified in Gov. Code Section 65583.1(a) and 65852.2(m).
- Permits JADUs without an ordinance adoption by a local agency (Section (a)(3), (b) and (e)).
- Allows a permitted JADU to be constructed within the walls of the proposed or existing single-family residence and eliminates the required inclusion of an existing bedroom or an interior entry into the single-family residence (Gov. Code Section 65852.22).
- Allows, upon application and approval, an owner of a substandard ADU five (5) years to correct the violation if the violation is not a health and safety issue, as determined by the enforcement agency (Section (n)).

- Creates a narrow exemption to the prohibition for ADUs to be sold or otherwise conveyed separate from the primary dwelling by allowing deed-restricted sales to occur. To qualify, the primary dwelling and the ADU are to be built by a qualified non-profit corporation whose mission is to provide units to low-income households (Gov. Code Section 65852.26).
- Removes covenants, conditions and restrictions (CC&Rs) that either effectively prohibit or unreasonably restrict the construction or use of an ADU or JADU on a lot zoned for single-family residential use are void and unenforceable (Civil Code Section 4751).
- Requires local agency housing elements to include a plan that incentivizes and promotes the creation of ADUs that can offer affordable rents for very low, low-, or moderate-income households and requires HCD to develop a list of state grants and financial incentives in connection with the planning, construction and operation of affordable ADUs (Gov. Code Section 65583 and Health and Safety Code Section 50504.5)

### **Planning Commission Recommendation**

It is recommended that the Planning Commission open the public hearing, take any public comments and continue the item to a date certain of March 10, 2020.

### **Next Steps**

As stated previously, the Planning Commission is the recommending body for the subject ordinance. Since the ordinance and amendments are within Title 18 “Zoning,” the Planning Commission has the authority to make the recommendation to the City Council. Following Planning Commission action, the Solano County Airport Land Use Commission will conduct a meeting to determine the consistency of the proposed ordinance with the Travis Air Force Base Land Use Compatibility Plan before the ordinance ultimately goes to the City Council at a future public hearing for consideration.

### **PUBLIC CONTACT**

The agenda was posted on the Suisun City website. As of the date of this report, no additional inquiries regarding this item had been received by City staff.

### **DISTRIBUTION**

#### Internal

- PC Distribution
- City Manager Greg Folsom
- Senior Planner John Kearns
- Assistant Planner Joann Martinez

#### External

- City Website <https://www.suisun.com/planning-commission/>
- Workshops:
  - May 1<sup>st</sup>, 2019
  - June 8<sup>th</sup>, 2019

## **ATTACHMENTS**

None.



DATE: 2/25/2020	Files:
TO: PLANNING COMMISSION	
FROM: John Kearns, Senior Planner (707.421.7337, <a href="mailto:jkearns@suisun.com">jkearns@suisun.com</a> )	
RE: Discussion and Direction on Exterior Improvements in the Historic Residential District of the Waterfront District Specific Plan.	

**SUMMARY**

Staff has recently received an inquiry to replace redwood encased windows with a vinyl product. The code is not entirely clear how this situation should be resolved, so staff is requesting the Planning Commission provide direction regarding how to permit/approve these types of requests. Staff has provided reference to two sections of the Waterfront District Specific Plan for guidance determining how to process such requests.

**Recommendation:** Provide staff direction on how to permit/approve exterior improvements in the Historic Residential (HR) District of the Waterfront District Specific Plan.

**Proposed Motion:** I move that the Planning Commission direct staff to \_\_\_\_\_ regarding exterior improvements in the Historic Residential (HR) District of the Waterfront District Specific Plan.

**BACKGROUND/DISCUSSION**

The Waterfront District (formerly Downtown Waterfront) Specific Plan Specific Plan (“Plan”) was first created to implement the 1979 General Plan. For the past 40 years it has provided guidance on use classification, design guidelines, and the growth of the area. One of the most significant items the Plan addresses is the treatment of the Old Town residential area. The treatment of this area is contained in Appendix A of the Plan (contained as **Attachment 1**). Appendix A Section A.3 “Criteria” is broken into four subsections: (1) For Demolitions and Removals; (2) For New Improvements; (3) For Alterations, Additions, or Enlargements of Existing Structures; and (4) Maintenance of Structures and Premises.

**ANALYSIS**

In reviewing the existing code section relative to improvements in the HR District, referred to under the Background/Discussion section of this report, the use of “like materials” is used often. Per the Plan, **“Like Materials shall mean same or similar quality materials to those being replaced. Any deviation from the original shall be reviewed by and may be referred to the**

**Planning Commission.”** Below are the standards/principles found in Appendix A Section A.3.3 that the Development Services staff or Planning Commission are to consider when reviewing a permit. Staff has bolded and underlined the points that appear to be most relevant to the discussion.

- Every reasonable effort shall be made to provide a compatible use for property that requires minimal alteration of the building structure or site and its environment or use a property for its originally intended purpose.
- **The distinguishing original qualities or character of a building, structure, or site and its environmental shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided.**
- **All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historic basis and/or seek to create an earlier or later appearance shall be discouraged.**
- Changes that may have taken place over the course of time, are evidence of the history and development of a building, structure, or site and its environment. If the Development Services Department staff or Planning Commission finds that these changes have acquired significance in their own right, this significance shall be recognized and respected.
- **Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities.** Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site, shall be treated with sensitivity.
- The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage older building materials shall not be undertaken, without prior approval of the Development Services Department.
- Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any acquisition, protection, stabilization, preservation, rehabilitation, restoration, or reconstruction project.

The subject request that has led staff to request direction from the Planning Commission this evening is the replacement of redwood encased windows to a vinyl product in the HR District. Accompanying the homeowners request, the homeowners have provided five points that they believe support the use of the vinyl windows (and have attached a letter included as **Attachment 4**):

1. **Energy efficiency.** New vinyl windows will improve energy efficiency.
2. **Cost.** In considering vinyl windows, the cost of the windows themselves is approximately half the price.
3. **Historic Appeal.** Custom vinyl windows will not change the outer appearance of the windows except from a thin strip of exposed vinyl.
4. **Other historic homes.** Several homes in the Old Town area have installed vinyl windows. Staff conducted a survey of the homes in the district and found approximately fifty percent were using vinyl.

5. **Carbon footprint.** The use of vinyl windows will allow the homeowner to reduce their carbon footprint.

For additional reference, staff has provided Section 7.4 “Conflict and Interpretation” (**Attachment 2**) of the Waterfront District Specific Plan. This section provides the process of interpreting code sections that are unclear or vague.

## **PUBLIC CONTACT**

The agenda was posted on the Suisun City website. As of the date of this report, no additional inquiries regarding this item had been received by City staff.

## **DISTRIBUTION**

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- Senior Planner John Kearns
- Assistant Planner Joann Martinez

### External

- City Website <https://www.suisun.com/planning-commission/>

## **ATTACHMENTS**

1. Appendix A of Waterfront District Specific Plan.
2. Section 7.4 “Conflict and Interpretation” of the Waterfront District Specific Plan.
3. PowerPoint Presentation.
4. Letter dated February 20, 2020 from Aleta and David George



# **APPENDIX A**

## **ARCHITECTURAL REVIEW, DEMOLITION + REVIEW PROCEDURES IN THE HISTORIC RESIDENTIAL AND HISTORIC LIMITED COMMERCIAL ZONES**





## **APPENDIX A | ARCHITECTURAL REVIEW, DEMOLITION + REVIEW PROCEDURES IN THE HISTORIC RESIDENTIAL AND HISTORIC LIMITED COMMERCIAL ZONES**

### **A.1 In General**

Any proposed alteration, enlargement, construction, removal or demolition of any structure in the Historic Residential (HR) and Historic Limited Commercial (HLC) zone shall be subject to Architectural Review, prior to issuance of building permits. Architectural Review shall be conducted as prescribed by this Section. Architectural Review and approval shall be the responsibility of the Development Services Department.

### **A.2 Applicability**

Architectural Review shall not apply to the following types of building permit applications:

- Re-roofing and re-siding with like materials.
- Masonry repairs with like materials.
- Chimney repair with like materials.

NOTE: "Like Materials" shall mean same or similar quality materials to those being replaced. Any deviation from the original shall be reviewed by and may be referred to the Planning Commission.

### **A.3 Criteria**

The Development Services Department staff or the Planning Commission, as the case may be, shall consider the proposed demolition, new construction, or addition in the context of the architectural or historical value and significance of the site and structure.

#### **I. For Demolitions and Removals**

The demolition permit may be approved immediately if the Chief Building

Official finds that the structure presents an immediate hazard to the public health and safety. Absent of a finding of immediate threat to the public health or safety, no demolition or moving permit shall be issued for any structure within the HR or HLC district without prior review and approval by the Planning Commission. To assist in this evaluation, the Development Services staff shall submit a report and recommendation to the Planning Commission. If after review of the request for a demolition permit, the Planning Commission determines that the structure itself has historical, architectural, or cultural interest or value, the Commission may withhold approval for demolition or removal for 180 days (from the date of the Planning Commission action) or environmental review is completed, whichever occurs later.

During the 180 days, the Planning Commission may direct the Development Services staff to consult with recognized historic preservation organizations and other civic groups, public agencies, and interested citizens, to make recommendations for acquisition of property by public or private bodies or agencies, explore the possibility of moving one or more structures or other features, and take any other measures it deems necessary.

At the end of the 180-day period, the demolition permit may be issued if environmental review determines there will not be significant impact on the environment, including cultural, architectural, and historical impacts, consistent with the requirements in this chapter. The permit may not be issued if there are found to be substantial environment impacts and specific health, safety, or welfare considerations found to make infeasible the mitigation measures or alternatives identified during environmental review.

If after review of the request for a demolition or moving permit, the Planning Commission determines that the building or structure has no substantial historical, architectural, or cultural interest or value, a building permit for demolition or removal may be issued.

## 2. For New Improvements

The Development Services staff or the Planning Commission shall not grant architectural review approval for any new improvements, unless it finds that the proposed new improvements will be compatible with and help achieve the purposes and intent of the HR or HLC District. In reviewing an application, the following general design principles shall be considered:

- **Height and Scale.** New buildings should be constructed to a height that is compatible with the average height of existing adjacent buildings on the block and shall deviate no more than 20% from the average height of buildings on the block.
- **Spacing of Buildings on Street.** The existing rhythm of the repeated building masses to separations should be retained.
- **Relationship of Materials and Textures.** Choice of building materials and textures (smooth and rough) should enhance desired neighborhood qualities such as compatibility, similarity, and continuity.



- **Relationship of Architectural Details and Roof Shapes.** Choice of architectural details and roof shapes should ensure compatible appearance with surrounding structures.
- **Walls of Continuity.** Physical ingredients such as low brick walls, wrought iron and picket fences, and evergreen landscape masses should be used to form continuous cohesive walls of enclosure along the street in keeping with the historic character of the district.
- **Landscaping.** Landscaping should reflect the historic quality and quantity of landscaping within the surrounding area. The concern here is primarily with mass and continuity.
- **Directional Expression of Front Elevations.** Structural shape, placement of openings, and architectural details should be used to give a compatible appearance with adjacent structures, which may be horizontal, vertical or non-directional in nature. Location and emphasis of major entries should also be compatible with the adjacent structures.

### 3. For Alterations, Additions, or Enlargements of Existing Structures

This section contains criteria for reviewing all applications for Building Permits for exterior rehabilitation, renovation, alteration, reconstruction, or enlargement of any existing structure more than (30) years old within the HR District and for any interior modification that requires the issuance of a building permits for a publicly owned and publicly accessible structure. In reviewing an application, the Development Services Department staff or Planning Commission shall consider the following general standards and principles:

- Every reasonable effort shall be made to provide a compatible use for property that requires minimal alteration of the building structure or site and its environment or use a property for its originally intended purpose.
- The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided.
- All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historic basis and/or seek to create an earlier or later appearance shall be discouraged.
- Changes that may have taken place over the course of time, are evidence of the history and development of a building, structure, or site and its environment. If the Development Services Department staff or Planning Commission finds that these changes have acquired significance in their own right, this significance shall be recognized and respected.
- Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features,

substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site, shall be treated with sensitivity.

- The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage older building materials shall not be undertaken, without prior approval of the Development Services Department.
- Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any acquisition, protection, stabilization, preservation, rehabilitation, restoration, or reconstruction project.

#### **4. Maintenance of Structures and Premises**

All property owners in the HR or HLC district shall have the obligation to maintain structures and premises in good repair. Structures and premises in good repair shall present no material deviation in apparent condition from surrounding structures in compliance with the provisions of this Plan. Good repair includes and is defined as the level of maintenance that ensures the continued availability of the structure and premises for a lawfully permitted use and prevents deterioration, dilapidation, and decay of the exterior portions of the structure and premises, such as lack of paint, peeling, chipping, crumbling, breakage, accumulation of dirt and/or similar evidence. This is not intended to preclude normal construction activities in conjunction with a valid building permit, provided that the completion of such activities is diligently pursued in accordance with the standards of the Building Code.

#### **A.4 Effective Date**

Decisions of the Development Services Department staff or the Planning Commission shall be final on the 10<sup>th</sup> day after the date of the decision, unless appealed, as prescribed by Chapter 7.

#### **A.5 Economic Hardship of Waiver**

If an applicant for design approval presents evidence of inability to meet the cost of complying with a condition of approval, the Planning Commission may grant the approval with the requirement that all conditions be met within a period of up to two years. The exact waiver period granted is at the discretion of the Development Services Director or by appeal to the Planning Commission. If such conditions are not met within the stated time, the property owner shall be subject to the enforcement provisions of Chapter 7.



## 7.4 CONFLICTS AND INTERPRETATION

The provisions of this Specific Plan are not intended to interfere with or void any easements, covenants, or other existing agreements, which are more restrictive than the provisions of this Specific Plan.

### 7.4.1 Conflict with Other Regulations

Whenever the provisions of this Specific Plan impose more restrictive regulations upon buildings or structures or use of lands; or require larger open spaces, yards, or setbacks; or otherwise establish more restrictive regulations than are imposed or required by any other law, title, ordinance, code, or regulation, the provisions of this Plan shall govern. Where this Plan is silent, other applicable development standards or regulations shall govern.

### 7.4.2 Clarification of Ambiguity

If ambiguity arises concerning the appropriate classification of a particular use within the meaning and intent of this Specific Plan, or if ambiguity exists with respect to matters of height, yard requirements, area requirements, or District boundaries as set forth herein, it shall be the duty of the Administrator, subject to appeal to the Planning Commission, to ascertain all pertinent facts and interpret the applicability of the provisions of this Plan.

### 7.4.3 Use Determination

Upon request regarding whether a use is allowed within a particular zone of the WDSP, the Administrator, subject to appeal to the Planning Commission, shall provide a written determination as to whether the use in question is substantially similar in characteristics, intensity, and compatibility to a use or uses permitted within the zoning district for the property.

### 7.4.4 General Interpretation

- A. The word “shall” is mandatory and not discretionary. The words “should” and “may” are permissive and discretionary.
- B. In case of any difference of meaning or implication between the text of any provision and any caption or illustration, the text shall control.
- C. The word “used” shall include arranged, designed, constructed, altered, converted, rented, leased, occupied, or intended to be utilized.



# Planning Commission Direction on Exterior improvements in the HR District

Planning Commission

February 25, 2020



## Summary of Issue and Recommendation

- Staff has recently received an inquiry to replace redwood encased windows with a vinyl product.
- It is not entirely clear how this situation should be resolved, so staff is requesting the Planning Commission provide direction regarding how to permit/approve these types of requests.
- Two sections of the WDSP are provided in the staff report for reference.
- **Provide staff direction on how to permit/approve exterior improvements in the Historic Residential (HR) District of the Waterfront District Specific Plan.**



# Background

- Appendix A “Architectural Review, Demolition + Review Procedures in the Historic Residential and Historic Limited Commercial Zones (Attachment 1).
- Section 7.4 “Conflicts and Interpretation” (Attachment 2).



# Analysis

- “Like Materials”.
- Standards/Principles to consider when reviewing a permit.
- Recent request from homeowner.



# Planning Commission Discussion and Questions?



Suisun City Planning Commission  
City of Suisun City

February 20, 2020

Dear Planning Commission,

In regard to the planning decision now under review regarding custom-made vinyl windows versus custom-made wood windows in the historic district of Suisun City, I want to ask you to seriously consider the difference in cost to homeowners.

We want to improve the energy efficiency of our historic home. We have 14 large windows to replace. The high-quality vinyl windows would increase the energy efficiency of our home and cut our energy use significantly. The cost of replacing 14 windows with custom-made windows will be high, but it would be half of what it would cost to replace them with the custom-made wood. The vinyl windows are drop-in. The wood windows would likely entail build-out, which would further increase the cost. If wood is the only option, we may not be able to replace the single pane windows.

This summer we plan to replace our roof and paint the exterior of th house. We hope to replace the windows as well. The high-quality, vinyl Milgard windows that we want to install will not change the outer appearance of the windows except for a thin strip of exposed vinyl.

Thank you for your consideration in this matter. We look forward to hearing your decision and trust it will take these, and the previously submitted, factors into account. We are eager to get new windows to improve our home; please help us do that!

Regards,

Dave and Aleta George  
Proud homeowners since 1984 of  
407 Sacramento Street  
Suisun City, CA 94585  
T: (707) 429-3529



# Accessory Dwelling Units

February 25, 2020



## What is an ADU?

Accessory Dwelling Units (ADUs) have been known by many names: granny flats, in-law units, backyard cottages, secondary units and more. No matter what you call them, ADUs are an innovative, affordable, effective option for adding much-needed housing in California.



*Over the Garage*



*Garage Conversion*



*Stand-Alone Unit*



*Basement or Attic Conversion*



## New laws effective January 1, 2020

- Our code is currently out of compliance with State Law.
- The Legislature further updated ADU and JADU law effective January 1, 2020 to clarify and improve various provisions in order to promote the development of ADUs and junior accessory dwelling units (JADUs). These include allowing ADUs and JADUs to be built concurrently with a single-family dwelling, opening areas where ADUs can be created to include all zoning districts that allow single-family and multifamily uses, modifying fees from utilities such as special districts and water corporations, limited exemptions or reductions in impact fees, and reduced parking requirements.



# Summary of Significant Proposed Amendments

- Development standards shall not include requirements on minimum lot size
- Clarifies areas designated for ADUs may be based on water and sewer and impacts on traffic flow and public safety.
- Eliminates owner-occupancy requirements by local agencies until January 1, 2025.
- Prohibits a local agency from establishing a maximum size of an ADU of less than 850 square feet, or 1000 square feet if the ADU contains more than one bedroom
- Clarifies that when ADUs are created through the conversion of a garage, carport or covered parking structure, replacement off-street parking spaces cannot be required by the local agency
- Reduces the maximum ADU and JADU application review time from 120 days to 60 days
- Clarifies “public transit” to include various means of transportation that charge set fees, run on fixed routes and are available to the public
- Establishes impact fee exemptions or limitations based on the size of the ADU.
- ADUs up to 750 square feet are exempt from impact fees and impact fees for an ADU of 750 square feet or larger shall be proportional to the relationship of the ADU to the primary dwelling unit



## Summary of Significant Proposed Amendments Continued...

- Adding Junior ADU's to the Ordinance and its definition
- Defines an "accessory structure" to mean a structure that is accessory or incidental to a dwelling on the same lot as the ADU
- Authorizes HCD to notify the local agency if the department finds that their ADU ordinance is not in compliance with state law
- Clarifies that a local agency may identify an ADU or JADU as an adequate site to satisfy RHNA housing needs as specified
- Permits JADUs without an ordinance adoption by a local agency
- Allows a permitted JADU to be constructed within the walls of the proposed or existing single-family residence and eliminates the required inclusion of an existing bedroom or an interior entry into the single-family residence



## Summary of Significant Proposed Amendments Continued...

- Allows upon application and approval, an owner of a substandard ADU 5 years to correct the violation, if the violation is not a health and safety issue, as determined by the enforcement agency
- Creates a narrow exemption to the prohibition for ADUs to be sold or otherwise conveyed separate from the primary dwelling by allowing deed-restricted sales to occur. To qualify, the primary dwelling and the ADU are to be built by a qualified non-profit corporation whose mission is to provide units to low-income households
- Removes covenants, conditions and restrictions (CC&Rs) that either effectively prohibit or unreasonably restrict the construction or use of an ADU or JADU on a lot zoned for single-family residential use are void and unenforceable
- Requires local agency housing elements to include a plan that incentivizes and promotes the creation of ADUs that can offer affordable rents for very low, low-, or moderate-income households and requires HCD to develop a list of state grants and financial incentives in connection with the planning, construction and operation of affordable ADUs