

RESOLUTION NO. ____-2017

RESOLUTION OF THE FORT BRAGG CITY COUNCIL

and

RESOLUTION NO. ID ____-2017

**RESOLUTION OF THE FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT BOARD
ESTABLISHING POLICY REGARDING WATER AND SEWER CONNECTIONS, AND
WATER AND SEWER CONNECTION AND CAPACITY FEES FOR ACCESSORY
DWELLING UNITS**

WHEREAS, on January 1, 2017, SB 1069, new State legislation relating to Accessory Dwelling Units (ADUs) became effective; and

WHEREAS, SB 1069 restricts a local agency's ability to impose certain requirements on ADUs; and

WHEREAS, per SB 1069, a local agency may not require a separate utility connection between an ADU and a water or sewer main in the street if the ADU is located within an existing residential unit or accessory structure; and

WHEREAS, per SB 1069, for ADUs that involve an addition to an existing structure or a new structure (i.e., not located within an existing structure), the local agency may require a separate utility connection and may charge a connection fee; and

WHEREAS, with regard to water and sewer capacity fees, per SB 1069, a local agency may not charge a capacity fee for an ADU that is located within an existing dwelling or accessory structure; and

WHEREAS, per SB 1069, water and sewer capacity fees may be charged for an ADU that involves an addition to an existing structure or a new structure, however such fees must be proportional to the impact of the ADU; and

WHEREAS, it is the intent of the Fort Bragg City Council and the Municipal Improvement District Board to incentivize property owners to establish ADUs as a means of providing more affordable, rental housing stock in Fort Bragg by not requiring separate utility connections for any ADUs and by eliminating capacity fees for all ADUs.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg/District Board of the Fort Bragg Municipal Improvement District No. 1 does hereby establish the following policy for water and sewer connections and water and sewer connection and capacity fees for ADUs:

1. The City will not require separate water and/or sewer connections for any ADU.
2. If a property owner chooses to establish a separate water connection and/or a separate sewer connection for an ADU, a connection fee must be paid in accordance with the City's adopted fee schedule.
3. The City will not require payment of water or sewer capacity fees for any ADU.

BE IT FURTHER RESOLVED that the City Council of the City of Fort Bragg/District Board of the Fort Bragg Municipal Improvement District No. 1 does hereby direct the City Clerk to make a notation of the above policy on the 2017 Fee Schedule.

The above and foregoing Resolution was introduced by Council/Board Member _____, seconded by Council/Board Member _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg/District Board of the Fort Bragg Municipal Improvement District No. 1 held on the 27th day of March, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

LINDY PETERS
Mayor/Chair

ATTEST:

June Lemos, CMC
City/District Clerk