

EXHIBIT A
Proposed Code Amendment, Redline
Chapter 18.84 (Site, Yard, Bulk, Usable Open Space and Landscaping Regulations) and
Chapter 18.106 (Second Units)

TEXT AMENDMENTS

The proposed text amendments to Title 18 of the Pleasanton Municipal Code is detailed below. Text in bold red with underline (e.g., **example**) is proposed text.

Chapter 18.84

SITE, YARD, BULK, USABLE OPEN SPACE AND LANDSCAPING REGULATIONS

18.84.150 Height limits----Exceptions

- A. In a C-C, I-G, or Q district, the planning commission may permit structures exceeding the heights prescribed in Table 18.84.010 of this chapter, after finding that the city will be reequipped to provide adequate fire protection and that adjoining properties will not be adversely affected. A decision by the planning commission may be appealed to the city council as prescribed in Section 18.144.020 of this title.
- B. Towers, spires, cupolas, chimneys, penthouses, water tanks, fire towers, flagpoles, monuments, scenery lofts, and similar structures; residential radio and television aerials and antennas; receive-only antennas; and necessary mechanical equipment appurtenances covering not more than 10 percent of the ground area covered by the structure may be erected to a height of not more than 65 feet or not more than 25 feet above the height limit prescribed by the regulations for the district in which the site is located, whichever is less, with design review approval specified under Chapter 18.20 of this title.
- C. The height and location of commercial radio and television aerials, antennas, and transmission towers shall be subject to design review approval specified under Chapter 18.20 of this title, and shall be based on a visual analysis demonstrating that views of the aerial/antenna/tower are minimized or are substantially screened from residential land uses, the I-580 and/or I-680 rights-of-way, or other sensitive land uses such as parks, schools, or major streets, and shall be based on an engineering analysis justifying the height of the proposed aerial/antenna/tower.
- Any parabolic dish mounted on the aerial/antenna/tower shall be less than two feet in diameter. The base of the aerial/antenna/tower and any switching facility located at the base that is visible to the public shall be architecturally treated and/or screened from view utilizing on- and/or off-site vegetation or other approved screening mechanism.
- D. Wire-carrying power distribution poles and transmission towers and communication poles located in any zoning district shall not be subject to the height limits prescribed in the district regulations.
- E. In the R-1 district and the RM district, second units located above a garage may exceed the 15 foot height limit for accessory structures. Second units constructed above a detached garage in those districts may not exceed 25 feet in height as measured from the lowest grade adjacent to the structure to the highest ridge or top of the structure.**

EXHIBIT A
Proposed Code Amendment, Redline
Chapter 18.84 (Site, Yard, Bulk, Usable Open Space and Landscaping Regulations) and Chapter 18.106 (Second Units)

SITE DEVELOPMENT STANDARDS FOR ZONING DISTRICTS IN PLEASANTON

ZONING DISTRICT	MINIMUM LOT SIZE			MINIMUM YARDS			SITE AREA PER DWELLING UNIT	GROUP USABLE OPEN SPACE PER DWELLING UNIT 18.84.170	BASIC FLOOR AREA LIMIT (% OF SITE AREA)	MAXIMUM HEIGHT OF MAIN STRUCTURE 18.84.140	CLASS 1 ACCESSORY STRUCTURES 18.84.160		
	Area	Width 18.84.050	Depth	Front 18.84.080	One Side/ Both Sides 18.84.090	Rear 18.84.090					Maximum Height 18.84.140	Minimum Distance to Side Lot Line	Minimum Distance to Rear Lot Line
A	5 acre	300 ft	---	30 ft	30 ft; 100 ft	50 ft	---	---	---	30 ft	30 ft	30 ft	30 ft
R-1-40,000	40,000 sq ft 18.84.040	150 ft	150 ft 18.84.060	30 ft	5 ft; 50 ft	30 ft	40,000 sq ft	---	25%	30 ft	15 ft [#]	20 ft	20 ft
R-1-20,000	20,000 sq ft 18.84.040	100 ft	125 ft 18.84.060	25 ft	5 ft; 30 ft	25 ft	20,000 sq ft	---	30%	30 ft	15 ft [#]	3 ft	5 ft
R-1-10,000	10,000 sq ft 18.84.040	80 ft	100 ft 18.84.060	23 ft	5 ft; 20 ft	20 ft	10,000 sq ft	---	40%	30 ft	15 ft [#]	3 ft	5 ft
R-1-8,500	8,500 sq ft 18.84.040	75 ft	100 ft 18.84.060	23 ft	5 ft; 15 ft	20 ft	8,500 sq ft	---	40%	30 ft	15 ft [#]	3 ft	5 ft
R-1-7,500	7,500 sq ft 18.84.040	70 ft	100 ft 18.84.060	23 ft	5 ft; 14 ft	20 ft	7,500 sq ft	---	40%	30 ft	15 ft [#]	3 ft	5 ft
R-1-6,500	6,500 sq ft 18.84.040	65 ft	100 ft 18.84.060	23 ft	5 ft; 12 ft	20 ft	6,500 sq ft	---	40%	30 ft	15 ft [#]	3 ft	5 ft
RM-4,000	8,000 sq ft	70 ft	100 ft 18.84.060	20 ft	7 ft; 16 ft	30 ft	4,000 sq ft 18.84.030(E)	---	40%	30 ft	15 ft [#]	3 ft	3 ft
RM-2,500	7,500 sq ft	70 ft	100 ft 18.84.060	20 ft	8 ft; 20 ft	30 ft	2,500 sq ft 18.84.030(E)	400 sq ft	50%	30 ft	15 ft [#]	3 ft	3 ft
RM-2,000	10,000 sq ft	80 ft	100 ft 18.84.060	20 ft	8 ft; 20 ft	30 ft	2,000 sq ft 18.84.030(E)	350 sq ft	50%	40 ft	15 ft [#]	3 ft	3 ft
RM-1,500	10,500 sq ft	80 ft	100 ft 18.84.060	20 ft	8 ft; 20 ft	30 ft	1,500 sq ft 18.36.060 18.84.030(E)	300 sq ft	50%	40 ft	15 ft [#]	3 ft	3 ft
O	10,000 sq ft	80 ft	100 ft	20 ft	10 ft; 20 ft	10 ft	Dwellings not permitted		30%	30 ft	15 ft	3 ft	3 ft
C-N	3 acre min. 5 acre max.	300 ft	300 ft	20 ft	20 ft; 40 ft	10 ft	Dwellings not permitted		30%	30 ft	15 ft	20 ft	10 ft

EXHIBIT A
Proposed Code Amendment, Redline
Chapter 18.84 (Site, Yard, Bulk, Usable Open Space and Landscaping Regulations) and Chapter 18.106 (Second Units)

ZONING DISTRICT	MINIMUM LOT SIZE			MINIMUM YARDS			SITE AREA PER DWELLING UNIT	GROUP USABLE OPEN SPACE PER DWELLING UNIT 18.84.170'	BASIC FLOOR AREA LIMIT (% OF SITE AREA)	MAXIMUM HEIGHT OF MAIN STRUCTURE 18.84.140	CLASS 1 ACCESSORY STRUCTURES 18.84.160						
	Area	Width 18.84.050	Depth	Front 18.84.080	One Side/ Both Sides 18.84.090	Rear 18.84.090					Maximum Height 18.84.140	Minimum Distance to Side Lot Line	Minimum Distance to Rear Lot Line				
C-C	---	---	---	18.84.130	18.84.130	---	1,000 sq ft 18.44.090 18.84.030E	150 sq ft	300%	40 ft 18.84.150	40 ft 18.84.150	---	---				
C-R	18.44.080A			18.44.080A			Dwellings not permitted		18.44.080A		18.44.080A						
C-S	10,000 sq ft	80 ft	100 ft	10 ft	---	10 ft	Dwellings not permitted		100%	40 ft	40 ft	---	10 ft				
C-F	30,000 sq ft	100 ft	130 ft	20 ft	20 ft; 40 ft	10 ft	Dwellings not permitted		40%	40 ft	40 ft	20 ft	10 ft				
C-A	10 acre	300 ft	300 ft	20 ft	20 ft; 40 ft	10 ft	Dwellings not permitted		40%	40 ft	40 ft	20 ft	10 ft				
I-P	20,000 sq ft	140 ft	140 ft	25 ft	20 ft; 40 ft	15 ft	Dwellings not permitted		50 %	40 ft	40 ft	20 ft	25 ft				
1-G 20,000	20,000 sq ft	100 ft	150 ft	25 ft	10 ft; 20 ft	15 ft	Dwellings not permitted		100%	40 ft	40 ft	10 ft	25 ft				
I-G 40,000	40,000 sq ft	150 ft	300 ft	25 ft	10 ft; 20 ft	15 ft								18.84.150	18.84.150	10 ft	25 ft
I-G 3 acre	3 acre	200 ft	300 ft	25 ft	20 ft; 40 ft	50 ft										20 ft	50 ft
Q	50 acre	---	---	100 ft	100 ft; 200 ft	100 ft	---	---	---	40 ft	40 ft	100 ft	100 ft				
				18.52.060—18.52.100						18.84.150	18.84.150	18.52.060— 18.52.100					

P 18.56.020(A)

S 18.60.060

RO 18.64

PUD 18.84.020

CO 18.72

CAO 18.80*

* The standards of the Core Area Overlay (CAO) District apply to residential development in the downtown area.

In the R-1 and RM districts, second units constructed above a detached garage may exceed 15 feet in height and shall not exceed 25 feet in height as measured from the lowest grade adjacent to the structure to the highest ridge or top of the structure.

EXHIBIT A
Proposed Code Amendment, Redline
Chapter 18.84 (Site, Yard, Bulk, Usable Open Space and Landscaping Regulations) and
Chapter 18.106 (Second Units)

Chapter 18.106
SECOND UNITS

18.106.010 Purpose.

Second units are a valuable form of housing in the city. These units meet the city's general plan housing policies related to: attaining a variety of housing types; providing housing stock to lower income households; including lower income housing units within market rate housing projects; providing alternative, nontraditional means suited to the community to fill lower and moderate income housing needs; meeting the city's share of regional housing needs; providing a means to assist homeowners in financing the acquisition of a home; and providing security to homeowners living alone.

The further purpose of this chapter is to comply with the requirements of Assembly Bill 1866 (2002) codified in California Government Code Section 65852.2. To do so, this chapter identifies those zoning districts where a second unit meeting enumerated standards to ensure neighborhood compatibility is a permitted use in that district.

18.106.020 Use requirements.

- A. A second unit is a permitted use in the R-1 one-family residential district, RM multi-family residential district, planned unit developments zoned for residential uses and A agricultural district, if the original unit is a legal single-family dwelling unit and the second unit meets all of the standards set forth in Section 18.106.060 of this chapter and the applicable site standards in Section 18.106.040 of this chapter for attached second units and in Section 18.106.050 of this chapter for detached second units. A public hearing for design review purposes only shall be held if required by Chapter 18.20 of this title.
- B. The application for a second unit shall be submitted to the planning division prior to the application for a building permit to the building division and shall include:
 - 1. Plot plan (drawn to scale) showing the dimensions of the lot on which the second unit will be located; the location and dimensioned setbacks of all existing and proposed structures on the proposed site; all easements; building envelopes; and parking for the project site.
 - 2. Floor plans of the entire structure with each room dimensioned and the resulting floor area calculated. The use of each room shall be identified.
 - 3. Deed restriction completed as required, signed and ready for recordation.
- C. When the site development regulations of this chapter (e.g., height, setback, size of the second unit) conflict with specific regulations in a planned unit development or specific plan for second units (not simply regulations for general class I accessory structures), the planned unit development and specific plan shall control.

EXHIBIT A
Proposed Code Amendment, Redline
Chapter 18.84 (Site, Yard, Bulk, Usable Open Space and Landscaping Regulations) and
Chapter 18.106 (Second Units)

18.106.030 Density and growth management program.

- A. A second unit shall not be considered in applying the growth management program in Chapter 17.36 of this code.
- B. A second unit is not considered to increase the density of the lot upon which it is located.

18.106.040 Standards for attached second units—Height limitations, setbacks, open space, and other regulations.

Attached second units shall meet the requirements in Section 18.106.060 of this chapter and the following requirements:

- A. Attached second units shall be subject to the maximum height, and the minimum front, rear, and side yard requirements of the main structure.
- B. The gross floor area of an attached second unit greater than a 150 square foot efficiency unit shall not exceed 30 percent of the gross floor area of the existing main dwelling unit. In this instance, the gross floor area of the existing main dwelling unit is the size of the unit prior to the second unit addition/conversion.
- C. Except as modified by this chapter, all other regulations embodied in the zoning of the property for main dwellings shall apply to the development of attached second units.

18.106.050 Standards for detached second units—Height limitations, setbacks, open space, and other regulations.

Detached second units shall meet the requirements in Section 18.106.060 of this chapter and the following requirements:

- A. Detached second units shall not exceed 15 feet in height and shall be limited to one-story structures, except that a detached second unit may be constructed above a detached garage, provided the garage meets the minimum setback requirements for detached second units. Second units constructed above a detached garage shall not exceed 25 feet in height in the R-1 district and the RM district, and shall not exceed 30 feet in the A district. Height is measured from the lowest grade adjacent to the structure to the highest ridge or top of the structure.
- B. Detached second units shall be subject to the following minimum setback requirements:

Zoning District	Side Yard Setback	Rear Yard Setback
One-family residential lots in the R-1-40,000 district and in planned unit developments which follow the site development standards of the R-1-40,000 district	20 feet	20 feet
All other lots	5 feet ¹	10 feet

¹ Side yard setback shall be a minimum of 10 feet on the street side of a corner lot.

EXHIBIT A
Proposed Code Amendment, Redline
Chapter 18.84 (Site, Yard, Bulk, Usable Open Space and Landscaping Regulations) and
Chapter 18.106 (Second Units)

- C. The gross floor area of a detached second unit shall not exceed 1,200 square feet.
- D. Except as modified by this chapter, all other regulations embodied in the zoning of the property for class I accessory structures shall apply to the development of detached second units on one-family residential lots.

18.106.060 Required standards for all second units.

All second units shall meet the following standards:

- A. Only one other residential unit shall be permitted on a lot with a second unit and one of the residential units shall be owner occupied. The resident owner shall be a signatory to any lease for the rented unit and shall be the applicant for any permit issued under this chapter.
- B. The second unit shall not be sold or held under a different legal ownership than the primary residence; nor shall the lot containing the second unit be subdivided.
- C. One additional off-street parking space on the lot shall be made continuously available to the occupants of the second unit.
- D. The maximum floor area ratio requirement of a lot shall not be exceeded due to the addition/conversion of space to accommodate an attached or detached second unit.
- E. The second unit shall have access to at least 80 square feet of open space on the lot.
- F. The resident owner shall install address signs that are clearly visible from the street during both daytime and evening hours and which plainly indicate that two separate units exist on the lot, as required by the fire marshal. The resident owner shall obtain the new street address for the second unit from the planning division.
- G. Adequate roadways, public utilities and services shall be available to serve the second unit.
- H. The owner of the lot on which a second unit is located shall participate in the city's monitoring program to determine rent levels of the second units being rented.
- I. The second unit shall not be located on property that is listed in the California Register of Historical Places.
- J. The second unit shall comply with other zoning and building requirements generally applicable to residential construction in the applicable zone where the property is located.
- K. A restrictive covenant shall be recorded against the lot containing the second unit with the Alameda County recorder's office prior to the issuance of a building permit from the building division stating that:

The property contains an approved second unit pursuant to Chapter 18.106 of the Pleasanton Municipal Code and is subject to the restrictions and regulations set forth in that Chapter. These restrictions and regulations generally address subdivision and development prohibitions, owner occupancy and lease requirements, limitations on the size of the second unit, parking requirements, and participation in the city's monitoring program to determine rent levels of the

EXHIBIT A
Proposed Code Amendment, Redline
Chapter 18.84 (Site, Yard, Bulk, Usable Open Space and Landscaping Regulations) and
Chapter 18.106 (Second Units)

second units being rented. Current restrictions and regulations may be obtained from the city of Pleasanton planning division. These restrictions and regulations shall be binding upon any successor in ownership of the property.

Exhibit B

Government code Section 65852.150 - 65852.2

Second Unit Law

65852.150. The Legislature finds and declares that second units are a valuable form of housing in California. Second units provide housing for family members, students, the elderly, in-home health care providers, the disabled, and others, at below market prices within existing neighborhoods. Homeowners who create second units benefit from added income, and an increased sense of security.

It is the intent of the Legislature that any second-unit ordinances adopted by local agencies have the effect of providing for the creation of second units and that provisions in these ordinances relating to matters including unit size, parking, fees and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create second units in zones in which they are authorized by local ordinance.

65852.2. (a) (1) Any local agency may, by ordinance, provide for the creation of second units in single-family and multifamily residential zones. The ordinance may do any of the following:

(A) Designate areas within the jurisdiction of the local agency where second units may be permitted. The designation of areas may be based on criteria, that may include, but are not limited to, the adequacy of water and sewer services and the impact of second units on traffic flow.

(B) Impose standards on second units that include, but are not limited to, parking, height, setback, lot coverage, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Places.

(C) Provide that second units do not exceed the allowable density for the lot upon which the second unit is located, and that second units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) When a local agency receives its first application on or after July 1, 2003, for a permit pursuant to this subdivision, the application shall be considered ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. Nothing in this paragraph may be construed to require a local government to adopt or amend an ordinance for the creation of second units. A local agency may charge a fee to reimburse it for costs that it incurs as a result of amendments to this paragraph enacted during the 2001-02 Regular Session of the Legislature, including the costs of adopting or amending any ordinance that provides for the creation of second units.

(b) (1) When a local agency which has not adopted an ordinance governing second units in accordance with subdivision (a) or (c) receives its first application on or after July 1, 1983, for a permit pursuant to this subdivision, the local agency shall accept the application and approve or disapprove the application ministerially without discretionary review pursuant to this subdivision unless it

adopts an ordinance in accordance with subdivision (a) or (c) within 120 days after receiving the application. Notwithstanding Section 65901 or 65906, every local agency shall grant a variance or special use permit for the creation of a second unit if the second unit complies with all of the following:

- (A) The unit is not intended for sale and may be rented.
- (B) The lot is zoned for single-family or multifamily use.
- (C) The lot contains an existing single-family dwelling.
- (D) The second unit is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.
- (E) The increased floor area of an attached second unit shall not exceed 30 percent of the existing living area.
- (F) The total area of floorspace for a detached second unit shall not exceed 1,200 square feet.
- (G) Requirements relating to height, setback, lot coverage, architectural review, site plan review, fees, charges, and other zoning requirements generally applicable to residential construction in the zone in which the property is located.
- (H) Local building code requirements which apply to detached dwellings, as appropriate.
- (I) Approval by the local health officer where a private sewage disposal system is being used, if required.

(2) No other local ordinance, policy, or regulation shall be the basis for the denial of a building permit or a use permit under this subdivision.

(3) This subdivision establishes the maximum standards that local agencies shall use to evaluate proposed second units on lots zoned for residential use which contain an existing single-family dwelling. No additional standards, other than those provided in this subdivision or subdivision (a), shall be utilized or imposed, except that a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant.

(4) No changes in zoning ordinances or other ordinances or any changes in the general plan shall be required to implement this subdivision. Any local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of second units if these provisions are consistent with the limitations of this subdivision.

(5) A second unit which conforms to the requirements of this subdivision shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use which is consistent with the existing general plan and zoning designations for the lot. The second units shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(c) No local agency shall adopt an ordinance which totally precludes second units within single-family or multifamily zoned areas unless the ordinance contains findings acknowledging that the ordinance may limit housing opportunities of the region and further contains findings that specific adverse impacts on the public health, safety, and welfare that would result from allowing second units within single-family and multifamily zoned areas justify adopting the ordinance.

(d) A local agency may establish minimum and maximum unit size

requirements for both attached and detached second units. No minimum or maximum size for a second unit, or size based upon a percentage of the existing dwelling, shall be established by ordinance for either attached or detached dwellings which does not permit at least an efficiency unit to be constructed in compliance with local development standards.

(e) Parking requirements for second units shall not exceed one parking space per unit or per bedroom. Additional parking may be required provided that a finding is made that the additional parking requirements are directly related to the use of the second unit and are consistent with existing neighborhood standards applicable to existing dwellings. Off-street parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions, or that it is not permitted anywhere else in the jurisdiction.

(f) Fees charged for the construction of second units shall be determined in accordance with Chapter 5 (commencing with Section 66000).

(g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of second units.

(h) Local agencies shall submit a copy of the ordinances adopted pursuant to subdivision (a) or (c) to the Department of Housing and Community Development within 60 days after adoption.

(i) As used in this section, the following terms mean:

(1) "Living area," means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

(2) "Local agency" means a city, county, or city and county, whether general law or chartered.

(3) For purposes of this section, "neighborhood" has the same meaning as set forth in Section 65589.5.

(4) "Second unit" means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. A second unit also includes the following:

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

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

(j) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for second units.