



AGENDA SUMMARY EUREKA CITY COUNCIL

TITLE: Amendment to Eureka Municipal Code Chapter 150 for Efficiency Dwelling Units

DEPARTMENT: Development Services

PREPARED BY: Cristin Kenyon, Principal Planner

PRESENTED FOR: Action Information only Discussion

RECOMMENDATION

Waive full reading, read by title only and introduce Bill No. 1026-C.S., an ordinance of the City of Eureka amending Eureka Municipal Code Title 15, Chapter 150, Section 150.016, pertaining to efficiency dwelling units.

FISCAL IMPACT

No Fiscal Impact Included in Budget Additional Appropriation

COUNCIL GOALS/STRATEGIC VISION

Strategic Goal: Maximize all levels of housing stock within City limits

DISCUSSION

In November of 2020, Council adopted Ordinance No. 906-C.S. to allow efficiency dwelling units with a minimum floor area of 150 square feet and partial kitchen and bathroom facilities, as authorized by California Health and Safety Code Section 17958.1. When Council adopted the 2022 edition of the California Building Standards Code in December of 2022, the aforementioned efficiency dwelling unit provisions were inadvertently omitted from Chapter 150 of the Eureka Municipal Code (EMC). This bill would add back the previously adopted efficiency dwelling unit provisions.

The California Building Code (CBC) Chapter 12, Section 1208.4 requires efficiency dwelling units to have a living room of not less than 190 square feet of floor area, and includes standards outlining minimum kitchen and bathroom facilities. Health and Safety Code 17958.1 authorizes local governments to adopt an ordinance to amend the CBC standards to allow a unit as small as 150 square feet, and to allow partial kitchen and bathroom facilities.

The City adopts State Building Codes locally by reference, in EMC Chapter 150, with some amendments as allowed by law. The subject ordinance would amend the efficiency dwelling unit provisions contained in Chapter 12 of the CBC as allowed by Health and Safety Code 17958.1. This would reduce the minimum requirements for dwelling units to support the creation of housing. In particular, this could facilitate the conversion of existing non-residential building spaces to residential uses, which could, for example, allow conversion of motel rooms less than 190 square feet to long-term rentals, or the conversion of small storage rooms or garages, to accessory dwelling units.

ENVIRONMENTAL

Amending the text of the Eureka Municipal Code is a “project” for the purposes of the California Environmental Quality Act (CEQA). However, pursuant to the CEQA Guidelines, Section 15061, there is a general rule CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty there is no possibility the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the Text Amendment only sets forth regulations regarding the allowed size of a dwelling unit, the Text Amendment will not result in a significant effect on the environment.

STAFF’S RECOMMENDATION

Waive full reading, read by title only, and introduce Bill No. 1026-C.S., an ordinance of the City of Eureka amending Eureka Municipal Code Title 15, Chapter 150, Section 150.016, pertaining to efficiency dwelling units.

SUGGESTED MOTION

“I move the City Council waive full reading, read by title only, and introduce Bill No. 1026-C.S., an ordinance of the City of Eureka amending Eureka Municipal Code Title 15, Chapter 150, Section 150.016, pertaining to efficiency dwelling units.”

ATTACHMENTS:

- Bill No. 1026-C.S.

REVIEWED AND APPROVED BY:

City Attorney

City Clerk/Information Technology

Community Services

Development Services

Finance

Fire

Human Resources

Police

Public Works