

**ORDINANCE NO. 1-2020**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF  
TAHOE-TRUCKEE SANITATION AGENCY  
AMENDING ORDINANCE NO. 1-2019 AND  
ADJUSTING AGENCY CONNECTION CHARGES  
AS APPLIED TO ACCESSORY DWELLING UNITS**

BE IT ORDAINED by the Board of Directors of the Tahoe-Truckee Sanitation Agency as follows:

**Section 1. Purpose and Authority.** The purpose of this ordinance is to update and modify Agency Ordinance No. 1-2019 to reflect changes in state law relating to accessory dwelling units. This ordinance is adopted pursuant to Agency Act sections 67 and 130, Government Code sections 54344, 54350, 65852.2, 66013 and 66016, Health and Safety Code section 5471, and other applicable law.

**Section 2. Findings.** The Board of Directors finds and determines as follows:

(a) In April 2019, the Agency adopted Ordinance No. 1-2019 to adjust the Agency connection charges and make related modifications to the calculation, levy, and collection of such charges. The ordinance included various provisions relating to limitations and special rules concerning accessory dwelling units in accordance with then applicable state law.

(b) In 2019, the California Legislature adopted Assembly Bill Nos. 68 and 881 and Senate Bill No. 13, which amend Government Code section 65852.2 (effective January 1, 2020). These bills modified the limitations and special rules relating to accessory dwelling units, special districts (such as the Agency), the imposition and collection of connection charges, and related matters.

(c) This ordinance amends Ordinance No. 1-2019 to incorporate and reflect changes in state law that became effective on January 1, 2020.

**Section 3. Amended Definitions.** Agency Ordinance No. 1-2019 (which amended Ordinance No. 2-2015, section 2) is amended by modifying the definitions of the following terms to read as follows (changes are shown in underline/strikeout format):

ACCESSORY DWELLING UNIT (ADU) means the following: (a) an attached or a detached residential dwelling unit that (i) provides complete independent living facilities for one or more persons, (ii) is included on a parcel with a proposed or existing primary single-family dwelling or multifamily dwelling. (iii) includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary a single-family dwelling, and (iv) has a total floorspace area that does not exceed 50% of the primary dwelling living area ~~or 1,200 square feet~~ (for an attached accessory dwelling unit) or that does not exceed 1,200 square feet (for a detached accessory dwelling unit); (b) an efficiency unit as defined at Health and Safety Code section 17958.1; or (c) a manufactured home as defined at Health and Safety Code section 18007.

EXEMPT ACCESSORY DWELLING UNIT means an Accessory Dwelling Unit that (a) is on a single family ~~lot~~ parcel with a proposed or existing single-family dwelling and there is no other Accessory Dwelling Unit on the parcel ~~lot~~, (b) is within a residential or mixed-use zone ~~from single-family use~~, (c) is contained within the proposed space of a single-family dwelling or existing space of a single-family dwelling residence or accessory structure (i.e., a structure that is accessory and incidental to a dwelling located on the same parcel, such as a e.g., studio or pool house, or other similar structure), and may include an expansion of not more than 150 square feet beyond the dimensions of an existing accessory structure. (d) has independent exterior access from the existing residence, ~~and~~ (e) has side and rear setbacks that are sufficient for fire and safety, and (f) is not constructed concurrent with a new single-family dwelling on the parcel. If an Accessory Dwelling Unit is constructed with a new single-family dwelling, the Accessory Dwelling Unit shall not be considered an Exempt Accessory Dwelling Unit.

**Section 4. Supersedes Earlier Ordinances.** This ordinance supersedes any other prior inconsistent Agency ordinance, resolution, policy, regulation, fee or charge.

**Section 5. Effective Date.** This ordinance shall take effect retroactive to January 1, 2020.

**Section 6. Posting.** This ordinance shall be posted within the Agency in at least three conspicuous places within 10 days after its adoption.

PASSED AND ADOPTED by the Board of Directors of the Tahoe-Truckee Sanitation Agency on the 12<sup>th</sup> day of February 2020, by the following vote:

AYES: Directors Cox, Lewis, Northrop, Tresan and Vice-President Wilkins  
NOES: None  
ABSTAIN: None  
ABSENT: None


  
\_\_\_\_\_  
Dan Wilkins, Vice-President

Attest:

  
\_\_\_\_\_  
LaRue Griffin, Secretary

#### CERTIFICATE

I hereby certify that the foregoing is a full, true and correct copy of Ordinance No. 1-2020, duly and regularly adopted by the Board of Directors of Tahoe-Truckee Sanitation Agency on February 12, 2020.

  
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LaRue Griffin  
Secretary of the Board