

ORDINANCE NO. 299

AN ORDINANCE OF THE  
CENTRAL CONTRA COSTA SANITARY DISTRICT  
REVISING DISTRICT CODE  
CHAPTER 6.12

WHEREAS, the Central Contra Costa Sanitary District (Central San) has determined that there is a need to update certain provisions within Chapter 6 of the District Code; and

WHEREAS, a public hearing was noticed pursuant to Government Code Sections 50022.3 and 6066 for November 16, 2017 at 1:30 p.m. at the District Board of Directors Regular Meeting scheduled for that date; and

WHEREAS, a properly noticed public hearing was held on November 16, 2017 where all interested parties were given an opportunity to be heard, and thereupon the public hearing was closed; and

WHEREAS, the District Counsel has reviewed these proposed Code revisions and concluded that adoption of these Code modifications does not constitute a California Environmental Quality Act (CEQA) Project as defined under Title 14 of California Code of Regulations; specifically it does not constitute a Project pursuant to §§ 15378(b)(2), (4) and (5) because:

- i) this action is continuing administrative in nature, and deals with general policy and procedure making; and
- ii) it does not create any governmental funding mechanism or fiscal activity involving a commitment to any specific project; and
- iii) it is an organizational and administrative activity that will not result in any direct or indirect changes to the environment; and

WHEREAS, the Board of Directors duly considered all oral and documented evidence.

NOW, THEREFORE, the Board of Directors of the Central Contra Costa Sanitary District does ordain as follows:

**1. Amendment of Section 6.12.040 D**

The following section of the District Code shall be amended to read as follows:

- D. Additional Residential Units. Each residential unit shall be subject to each of the residential unit fees for the zone within which the residential unit is located as set forth in this chapter.

In the event a separate additional residential unit is constructed on a parcel, whether or not in compliance with applicable government regulations, additional capacity fees for that residential unit shall become due. The creation of a dwelling space that accommodates an additional separate living area within a parcel, whether or not said additional separate living area is constructed within the original building or is a detached building, shall subject the parcel to assessment of applicable additional residential unit fees. An additional separate living area shall be defined as an area designed for the purpose of separate habitation that (1) will be, or can be, physically separated by a wall or door from other residential units on the parcel, and (2) contains both a bathroom and kitchen, as well as a multipurpose or bedroom area, and an exterior entrance. The time for payment of capacity fees for the added burden arising from the construction of a separate additional residential unit shall be as set forth in Section 6.12.030(D) (Time for Payment and Penalties for Delinquent Payment).

Capacity Fees for Accessory Dwelling Units (ADU), as defined in Title 7 Article 2 of the California Government Code [Section 65852.2] shall conform to the requirements therein. "Existing Space" is defined as space for which a building permit has been issued, all conditions of the building permit have been satisfied, and the building permit has been closed for at least 3 years.

## 2. Finding of No "Project"

The District Board's action in adopting the proposed Code revisions does not constitute a Project as envisioned by CEQA, as this action is consistent with defined circumstances which do not constitute a Project pursuant to the provisions of Title 14 §§ 15378(b)(2), (4) and (5).

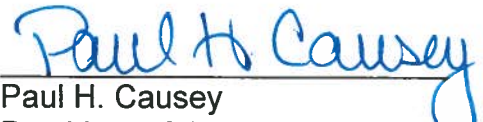
## 3. Effective Date


This Ordinance shall be a general regulation of Central San and shall be published once in the *Contra Costa Times* and *San Ramon Valley Times*, newspapers of general circulation within the District Boundary, and shall be effective on January 1, 2018. This Ordinance shall be kept on file with the Secretary of the District.

PASSED AND ADOPTED by the Board of Directors of the Central Contra Costa Sanitary District on the 16<sup>th</sup> day of November 2017, by the following vote:

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Central Contra Costa Sanitary District

AYES: Members: McGill, Nejedly, Pilecki, Williams, Causey  
NOES: Members: None  
ABSTAIN: Members: None

  
Paul H. Causey  
President of the Board of Directors  
Central Contra Costa Sanitary District  
County of Contra Costa, State of California

  
Elaine R. Boehme, CMC  
Secretary of the District  
Central Contra Costa Sanitary District  
County of Contra Costa, State of California

Approved as to form:

  
Kenton L. Alm, Esq.  
District Counsel