

ORDINANCE NO. 118

**AN ORDINANCE OF THE CUPERTINO SANITARY DISTRICT ADDING
ACCESSORY DWELLING UNIT REQUIREMENTS PER SB 1069 AND AB 2299
(SECTION 65852.2 OF THE STATE GOVERNMENT CODE).**

**The Sanitary Board of the Cupertino Sanitary District, Santa Clara County, California,
hereby ordains as follows:**

SECTION 1: Following sections are added to the Operations Code and are approved to read
as follows:

CHAPTER II – DEFINITIONS

2109. UNIT

- C. Accessory Dwelling 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 detached dwelling is situated. An accessory dwelling unit also may include 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 Health and Safety Code.

CHAPTER V – CONSTRUCTION OF SEWERS

5102. COMPLIANCE WITH REGULATIONS

Accessory dwelling unit, as described in Section 2109 (C) of this Code and proof of evidence from local agency that the proposed project qualifies and meets the accessory dwelling unit in accordance with Section 65852.2 of the State Government Code, shall not require installation of a new or separate connection directly between the accessory dwelling unit and the sewer main.

CHAPTER VII – FEES

7101. CONNECTION PERMIT FEES

Accessory dwelling unit, as described in Section 2109 (C) of this Code and proof of evidence from local agency that the proposed project qualifies and meets the accessory dwelling unit in accordance with Section 65852.2 of the State Government Code, will not be considered new residential uses for the purpose of calculating connection fees or capacity charges for sewer services. A connection fee or capacity charge will not be imposed for any accessory dwelling unit.

SECTION 2: Upon adoption this Ordinance shall be entered in the minutes of the Sanitary Board and a summary of this Ordinance prepared by the District Counsel shall be published once in the Cupertino Courier and the Saratoga News, being newspapers of general circulation in the District. A certified copy of the full text of this Ordinance shall be posted in the office of the District Clerk.

SECTION 3: This Ordinance shall become effective upon expiration of the week of publication.


PASSED AND ADOPTED at a regular meeting of the Sanitary Board of the Cupertino Sanitary District held on the 7th day of December, 2016, by the following vote:

AYES: Directors Gatto, Bosworth, Chen and Kwok

NOES: None


ABSTAIN: None

ABSENT: Director Saadati



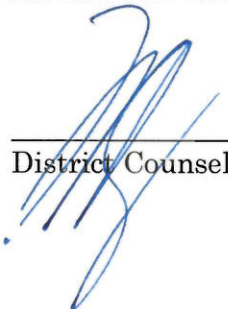
President of the Sanitary Board

ATTEST:



Secretary

APPROVED AS TO FORM:



District Counsel