



## **ACCESSORY DWELLING UNIT AND JUNIOR ACCESSORY DWELLING PLAN CHECK AND ZONING CLEARANCE SUBMITTAL REQUIREMENTS**

*Please carefully read all of the information provided in this packet.*

*To all property owners, applicants, and licensed professionals, please carefully read all of the information provided in this packet.*

The combined Zoning Clearance and building permit plan check process for Accessory Dwelling Units (ADUs) is a 60-day period from the date a **complete** application is submitted to the Community Development Department to the date permits are approved. It is the responsibility of the property owner(s) to ensure that a complete application, consisting of the required plans, forms, and all other required supporting documents are submitted to the City. **ADU application submittals that do not meet all of the minimum development standards and submittal requirements will not be accepted for the combined Zoning Clearance and building permit plan check.**

### **Limitations and Terms of Submittal**

The 60-day period to review an ADU only applies to an ADU and/or Junior ADU (JADU). If your project involves any other development in conjunction with an ADU and/or JADU, then the 60-day review period shall be waived as the proposed development must be evaluated and reviewed prior to the review of the proposed ADU and/or JADU and separate fees shall be required.

For projects involving the development of an ADU and/or JADU along with a new single-family residence or an addition to the existing single-family residence, which increases the size of the existing home to more than 3,600 square feet, then a separate Zoning Clearance application shall be filed and processed with the Planning Division prior to submittal for building permit plan check. The City shall take action regarding the new single-family residence or addition prior to consideration of the proposed ADU/JADU application.

For projects involving the development of an ADU along with a new multiple-family residence or an addition to the existing multiple-family residence, then a separate Development Review or Zoning Clearance application shall be filed and processed with the Planning Division prior to submittal for building permit plan check. Speak to a planner in the Planning Division for more information.

For projects involving the development of an ADU and addition of impervious surface to a multiple-family residentially developed property with a prior approved Water Quality Management Plan, a separate Zoning Clearance application shall be filed and processed with the Planning Division prior to submittal for building permit plan check. If you are unsure if you have a prior approved WQMP, contact the Engineering Division.

Prior to submittal of an ADU application, the property owner(s) must sign an agreement with the City to toll the 60-day ADU approval period for the time from when the applicant has been notified of corrections, to when they officially resubmit corrected plans. Refusal to sign into said agreement with the City will result in the automatic denial of the application.

## **MINIMUM SUBMITTAL REQUIREMENTS FOR COMBINED ZONING CLEARANCE AND PLAN CHECK**

The requirements to submit a combined Zoning Clearance and plan check application to the City of Westminster are listed below. Both Planning Division and Building Division staff must review the application materials to determine if the application may be formally accepted for review. Required fees must be paid at the time an application has been determined by the City to be eligible for acceptance.

**IMPORTANT NOTE: Applications that do not include all of the items listed below will not be accepted. Please provide all of the following documents, plans, and information.**

### REQUIRED FORMS AND DOCUMENTS:

- Completed and signed application form
- Completed and signed tolling form
- Completed address request form (if a new address is requested)
- Development Engineering Division screening form completed by Engineer Division staff
- Full title report with a legal description of the subject parcel and all easements attached
- Residential park impact fee acknowledgement form
- Printed map, illustrating the walking distance in feet from the subject property to the nearest bus stop

### REQUIRED ARCHITECTURAL PLANS:

- Site Plan – The site plan shall be fully dimensioned and drawn to scale not less than 1/8 inch = 1 foot. It shall include a north arrow, dimensioned property lines, a street centerline and/or edge of curb, all existing and proposed buildings, structures, driveways, and drive approaches. All setbacks and distance between buildings shall be included. Eave overhangs and other projections must be shown and their projection into any setback must be dimensioned. Show finished floor, finished grade elevations and drainage flow. Show all utility locations, gas, electric and water meter. All easements must be identified or the absence of easements (if none exist on the property).
- Floor Plan – A complete floor plan of all existing and proposed buildings is required. Floor plans must be fully dimensioned and drawn to scale of not less than ¼ inch = 1 foot. The use of each room and space and the location of all, windows, and doors shall be identified. All walls and partitions shall be clearly identified as “proposed”, “existing to remain” or “existing to be demolished.”
- Roof Plan – All slopes, ridges, eaves, overhangs, parapets, and roofing materials shall be indicated for all existing and proposed buildings.
- Exterior Elevations – Building heights, exterior surface dimensions, and all exterior surface materials (i.e. stucco, paint, tile, window systems, overhangs, eaves, etc.) shall be identified. Exterior building elevations are required for the main residence, proposed ADU, and any proposed addition.

REQUIRED CONSTRUCTION PLANS/DOCUMENTS:

- Foundation/floor framing plan – The sizes, spacing and directions of all framing members and foundation reinforcements shall be identified. Relevant details and specifications shall be provided.
- Ceiling/roof framing plan – The sizes, spacing and directions of all framing members and foundation reinforcements shall be identified. Relevant details and specifications shall be provided.
- Utility plan – The utility plan shall be fully dimensioned and shall demonstrate the locations for proposed utilities such as sewers, water gas, and electric.
- Building cross section(s) – Sections shall be at structurally critical locations and all structural members and connections shall be identified at the section’s location, or appropriate details shall be referenced. Required insulations from Title 24 need to be identified at the sections.
- Title 24 – Certificate of compliance forms shall be included to verify energy conservation compliance. Energy conservation calculations shall be provided on the plans.
- Structural and lateral calculations – Structural and lateral calculations must be prepared by a licensed architect or a professional engineer and will be required if:
  1. Spans of beams, joists, or rafters exceed limits specified on conventional construction of CRC 2019;
  2. Shear walls do not conform to minimum sizes specified on conventional construction of CRC 2019;
  3. When any existing structure members are removed or modified to accommodate the new load of the proposed ADU or JADU.
- California Green Building Standards (CGBS) – Show Calgreen Residential Mandatory measures on the plans.

REQUIRED CIVIL PLANS/DOCUMENTS:

- Precise grading plan
- Erosion and sediment control plan

ADDITIONAL INSTRUCTIONS FOR REQUIRED PLANS:

- Three sets of the plans listed above are required for submittal.
- All plan sheets shall be a minimum of 24 inches by 36 inches (Note: Plans should be drawn by computer-aided design software for the combined Zoning Clearance and building permit plan check process).
- All plan sheets shall include the site address, and name, phone number and email address of the licensed professional who has prepared the plans and the property owner(s)
- Driveways and all onsite open parking spaces must be dimensioned. All interior garage dimensions must be included.
- The project statistics table (see Attachment A) shall be completed and provided in the plans.
- Verify with the Engineering Division, street names, and street center lines and curb face dimensions.
- Provide a PDF of all plans and documents.

## IMPORTANT NOTES:

1. The property owner(s) are responsible for ensuring that the ADU and JADU are in full compliance with California Government Code § 65582.2, § 65582.22 and all applicable provisions of the Westminster Municipal Code (WMC). Projects that are not in compliance with the WMC shall be denied.
2. The property owner(s) is/are responsible for verifying if the subject property is located in a Special Flood Hazard Area (SFHA). To determine if your property is in a SFHA, consult the Federal Emergency Management Agency (FEMA) website. Refer to the handout explaining how to navigate the FEMA website. Property that is located in a SFHA is subject to flood zone requirements. For more information, contact the Engineering Division.
3. The property owner(s) may request a separate utility meter or service panel, if desired. A new address might be required for new utility meters. The property owner shall be responsible for contacting the appropriate utility companies for new utility meters after a building permit has been issued.
4. For prefabricated trusses, the plan must indicate type of truss and connection details at the time of submittal. All truss plans must be reviewed and accepted for compliance by the architect or engineer of record.
5. Separate permits will be required for all of the following:
  - a. Solar panels
  - b. Fire sprinklers (Orange County Fire Authority)
  - c. Fences
  - d. Retaining walls
  - e. Grading
  - f. Demolition
  - g. Construction in the public right-of-way
6. There shall be no short-term rental of either the ADU or JADU.
7. The owner of a parcel proposed for a JADU shall occupy, as a primary residence, either the primary dwelling or the JADU.
8. The JADU shall be served by the same water, sewer, and other utility connections serving the primary unit, and no separate utility meter will be permitted.
9. The ADU and/or JADU shall not require fire sprinklers unless fire sprinklers are required for the primary residence.
10. Prior to the issuance of a building permit for a JADU, the owner shall record a deed restriction in a form approved by the city that includes a prohibition on the sale of the JADU separate from the sale of the single-family residence, requires owner-occupancy, does not permit rentals for periods of less than 31 days, and restricts the size and attributes of the junior dwelling unit to those that conform with the Westminster Zoning Code.
11. All unpermitted construction on the subject property must be legalized or demolished prior to issuance of any permits for an ADU or JADU.



CITY of WESTMINSTER  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
**ACCESSORY DWELLING UNIT APPLICATION**

PL - 117

PLANNING CASE NO.

BUILDING PERMIT NO.

*Print clearly. Illegible applications will not be accepted.*

**PROPERTY INFORMATION**

STREET NUMBER	STREET NAME	
ASSESSOR'S PARCEL NUMBER (APN)	LEGAL DESCRIPTION	LOT SIZE (SQUARE FEET)
ZONING	GENERAL PLAN	IN A SPECIAL FLOOD HAZARD AREA? <input type="checkbox"/> YES <input type="checkbox"/> NO

**PROJECT INFORMATION**

**TYPE AND SIZE OF ACCESSORY DWELLING UNIT AND/OR JUNIOR ACCESSORY DWELLING UNIT (CHECK ONE OR MORE AND FILL IN THE BLANK)**

ATTACHED ADU \_\_\_\_\_ FT<sup>2</sup>   
  JUNIOR ADU \_\_\_\_\_ FT<sup>2</sup>   
  CONVERSION/REBUILD OF LIVING AREA \_\_\_\_\_ FT<sup>2</sup>  
 DETACHED ADU \_\_\_\_\_ FT<sup>2</sup>   
  CONVERSION/REBUILD OF ACCESSORY STRUCTURE \_\_\_\_\_ FT<sup>2</sup>   
  CONVERSION OF NON-HABITABLE AREA \_\_\_\_\_ FT<sup>2</sup>

**GENERAL INFORMATION**

DOES THE PRIMARY DWELLING HAVE FIRE SPRINKLERS?     YES     NO    *NOTE: INSPECTOR TO FIELD VERIFY AT TIME OF INSPECTION*  
 HOW MANY BEDROOMS ARE IN THE EXISTING MAIN DWELLING?     1     2     3     4     5+  
 WHICH NEW UTILITIES ARE PROPOSED FOR THE ADU?     WATER METER     GAS METER     ELECTRIC METER     SEWER CONNECTION  
 DO YOU INTEND TO RENT THE ADU?     YES     NO    IF YES, WHAT IS THE ESTIMATED MONTHLY RENT?    \$ \_\_\_\_\_  
 IS THERE AN OPEN CODE ENFORCEMENT CASE AND/OR ILLEGAL CONSTRUCTION ON THE SUBJECT PROPERTY?     YES     NO

**APPLICANT INFORMATION**

**PROPERTY OWNER INFORMATION**

APPLICANT NAME	COMPANY NAME	PROPERTY OWNER NAME	COMPANY NAME
APPLICANT ADDRESS		PROPERTY OWNER ADDRESS	
CITY	STATE	ZIP CODE	CITY
			STATE
			ZIP CODE
MOBILE PHONE	OTHER PHONE	MOBILE PHONE	OTHER PHONE
E-MAIL	E-MAIL		

**CONTRACTOR**

**ARCHITECT/DESIGNER**

CONTRACTOR'S NAME	COMPANY NAME	ARCHITECT/DESIGNER NAME	COMPANY NAME
CONTRACTOR'S ADDRESS		ARCHITECT/DESIGNER ADDRESS	
CITY	STATE	ZIP CODE	CITY
			STATE
			ZIP CODE
MOBILE PHONE	OTHER PHONE	MOBILE PHONE	OTHER PHONE
E-MAIL	E-MAIL		
STATE LICENSE NO.	CITY BUSINESS LICENSE NO.	STATE LICENSE NO.	CITY BUSINESS LICENSE NO.

**PROCEED TO THE NEXT PAGE FOR AUTHORIZATIONS AND INDEMNIFICATIONS**



## **ACKNOWLEDGEMENT AND ACCEPTANCE OF TERMS, AUTHORIZATION AND INDEMNIFICATION**

*Please read each of the following declarations carefully before signing.*

1. I understand and accept that my ADU/JADU application will not be accepted by the City of Westminster, until such time as I have provided all submittal requirements listed in the City's application submittal requirements and until I have demonstrated to the satisfaction of the City that my proposal is in compliance with the City's development standards; and
2. I understand and accept that if my ADU/JADU application also includes other proposed improvements, such as a room addition or other changes, then the 60 day review period as indicated in Government Code Section 65852.2 shall be null and void as the provision of Government Code Section 65852.2 apply only to an ADU/JADU; and
3. I understand, accept, take full responsibility and hold the City to be harmless in the event that the City of Westminster determines that during the plan check process, alterations, revisions, changes and/or modifications are required to any aspect of project; the City may remove, suspend, or place on hold my submittal from the building permit plan check process and any delay of time and any cost associated with any alteration, revision, change and/or modification shall not be the responsibility and liability of the City; and
4. I understand and accept that in the event that the plans and documents submitted to the City are found by the City to contain false, incorrect, or inaccurate information, then the City has the right and authority to terminate the building permit plan check process; and
5. I understand that I must fully disclose and identify the existence of any construction on the subject property that was completed without proper City permits on the plans, and the manner in which the unpermitted construction will be resolved prior to issuance of permits for an ADU and/or JADU.

**PROPERTY OWNER ACKNOWLEDGEMENT, AUTHORIZATION AND INDEMNIFICATION**

*I declare that I am the legal owner of record of the land specified in the attached application. As the owner, I hereby affirm under penalty of perjury that the foregoing statements, facts and attachments are true and correct. Further, I declare that I fully understand and authorize all actions proposed within this application, and authorize the foregoing applicant or agent, licensed architect/designer, and contractor identified in this attached application to act on my behalf on all matters relating to said application, including negotiations, discussions, and communications with staff from the City of Westminster. I understand, agree with and will abide with each of the declarations listed on the prior page. This authorization shall remain valid until invalidated in writing. In accordance with Government Code Section 65105, I further acknowledge that in the performance of their functions, building and planning agency personnel may enter upon any land and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof. Furthermore, I hereby agree to indemnify, defend, and hold harmless the City from any claims, demands, liabilities, losses, causes of action of any nature whatsoever arising out of or in connection with the ADU and/or JADU application or any part thereof, from and against all cost, fees, expenses, claims, liabilities, orders, judgments, or decrees which may be entered, and from against all cost for attorney's fees, expenses and liabilities incurred in the defense of such claim or in the investigation thereof.*

X  
Property Owner Name (Print) Property Owner Signature Date of Signature

**ARCHITECT/DESIGNER ACKNOWLEDGEMENT, AUTHORIZATION AND INDEMNIFICATION**

*I declare that I fully understand, agree with and will abide with each of the declarations listed on the prior page, and I understand and accept that if inaccurate and/or incomplete information is submitted to the City for review and it is subsequently discovered the design of the ADU and/or JADU is/are affected by the inaccurate or incomplete information, then the City has the complete and sole discretion to take any and all necessary actions to rectify the error. Furthermore, I hereby agree to indemnify, defend, and hold harmless the City from any claims, demands, liabilities, losses, causes of action of any nature whatsoever arising out of or in connection with the ADU and/or JADU application or any part thereof, from and against all cost, fees, expenses, claims, liabilities, orders, judgments, or decrees which may be entered, and from against all cost for attorney's fees, expenses and liabilities incurred in the defense of such claim or in the investigation thereof.*

X  
Architect/Designer Name (Print) Architect/Designer Signature Date of Signature

**APPLICANT ACKNOWLEDGEMENT, AUTHORIZATION AND INDEMNIFICATION**

*I declare that I fully understand and accept that if inaccurate and/or incomplete information is submitted to the City for review and it is subsequently discovered the design of the ADU and/or JADU is/are affected by the inaccurate or incomplete information, then the City has the complete and sole discretion to take any and all necessary actions to rectify the error. Furthermore, I hereby agree to indemnify, defend, and hold harmless the City from any claims, demands, liabilities, losses, causes of action of any nature whatsoever arising out of or in connection with the ADU and/or JADU application or any part thereof, from and against all cost, fees, expenses, claims, liabilities, orders, judgments, or decrees which may be entered, and from against all cost for attorney's fees, expenses and liabilities incurred in the defense of such claim or in the investigation thereof.*

X  
Applicant Name (Print) Applicant Signature Date of Signature

**ACCESSORY DWELLING UNIT AGREEMENT  
TO TOLL THE 60-DAY REVIEW PERIOD**

The undersigned hereby certify that \_\_\_\_\_ is/are the owner(s) of the hereinafter described real property located at \_\_\_\_\_ in the City of Westminster, County of Orange, State of California (“The Property”).

We/I have applied for approval from the City of Westminster (hereinafter “City”) to construct an accessory dwelling unit (the “Accessory Dwelling Unit” or “ADU”), and/or junior accessory dwelling unit (the “Junior Accessory Dwelling Unit” or “JADU”) on the Property. The plan check process for ADUs and JADUs is a 60-day period from the date a complete plan check application is submitted to the Building and Safety Division, to the date permits are issued. ADU plan check reviews, which are not acted upon by the City within the 60-day period, will automatically be approved.

When submitted plans do not meet applicable code standards, the City of Westminster gives applicants the opportunity to make the noted corrections. Once all corrections are made, the applicant must resubmit the corrected set of plans to ensure code compliance.

We/I have agreed to toll the 60-day review period required by the State of California, while the plans are in our/my possession. It is our/my responsibility to ensure all necessary corrections to the plans are made, and resubmitted to the Building and Safety Division within two weeks of our receipt of the plans. The City will not be subject to the 60-day review period unless the plans are physically in its possession. We/I understand that failure to sign this agreement, and/or failure to meet the resubmittal timeline will result in the denial of our/my application.

**APPLICANT SIGNATURE**

**X**  
\_\_\_\_\_  
**Applicant Name (Print)**

**X**  
\_\_\_\_\_  
**Applicant Signature**

\_\_\_\_\_  
**Date of Signature**





**PROPERTY INFORMATION**

ADDRESS/LOCATION:

*Form to be completed by Westminster Engineering Division.*

Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

**1. FLOODPLAIN ADMINISTRATION**

Is the proposed project within a Special Flood Hazard Area?	
<input type="checkbox"/>	No- No special floodplain administration requirements.
<input type="checkbox"/>	No - ADU is within footprint of an approved LOMA that have removed existing structure, garage excluded, from SFHA. No special floodplain administration requirements. (Not to be used for garage conversions)
Yes - Is there modification to the existing structure in addition to the proposed ADU?	
<input type="checkbox"/>	"A" No - ADU shall meet Requirement 1 below.
	YES - Is Modification considered a Substantial Improvement? Applicant shall complete original structure portion of Flood Valuation Worksheet. Building Department shall provide initial assessment of project construction value. (Additional review time can be expected.)
	<input type="checkbox"/> Pending Valuation Worksheet from applicant. Floodplain administration requirements are to be determined.
<input type="checkbox"/>	"B" Yes, only a doorway is provided to a lateral addition and no work on the existing structure - Addition to existing structure and ADU shall meet Requirement 1 below.
<input type="checkbox"/>	"C" Yes, exterior wall will be removed and/or vertical addition and/or work on existing structure is proposed – Entire existing structure plus addition and ADU shall meet Requirement 1 below.
<input type="checkbox"/>	"D" No - ADU shall meet Requirement 1 below.
<input type="checkbox"/>	"E" No – No special floodplain administration requirements. ADU is conversion of existing space only and is not a substantial Improvement.
<b>REQUIREMENT 1:</b> meet all floodplain administration requirements including raising lowest floor (R322.2.1) and equipment (R322.1.6) to a minimum elevation of 1' above BFE and provide proper flood openings if required. Elevation Certificate(s) (Construction Drawing) shall be part of building plan. Elevation Certificate(s) (Finished Construction) shall be submitted and approved prior to building permit sign-off.	



2. GRADING PLAN

Is there modification to the existing structure in addition to the proposed ADU?			
Yes - Is your modification defined as a new building/substantial remodel by Building Division? <input type="checkbox"/> YES Building Division Initial _____ <input type="checkbox"/> NO			
<input type="checkbox"/>		Yes – Precise Grading Plan is required.	
No- No- Is the ADU being added to one single-family dwelling in a residential zoning district where the existing dwelling unit is the ONLY dwelling unit of the land parcel?			
<input type="checkbox"/>		Yes – Precise Grading Plan is NOT required.	
No- Are you increasing the total footprint by 1000SF or more?			
<input type="checkbox"/>		Yes – Precise Grading Plan required.	
<input type="checkbox"/>		No – Precise Grading Plan is NOT required.	

3. WATER QUALITY PLAN

Is this ADU part of ONE single-family residence or part of a multi-family residence?			
<input type="checkbox"/>	If part of ONE single-family residence, no Water Quality (WQ) requirement.		
If part of a multi-family residence, is there an existing Water Quality Management Plan (WQMP) approved for the site that needs to be revised?			
<input type="checkbox"/>	Yes - WQMP is required.		
No - Are you adding or replacing 5000SF or more of impervious surface?			
<input type="checkbox"/>	Yes - WQMP is required.		
NO - Is a grading plan required? (see section 2 above)			
<input type="checkbox"/>	Yes - A Non-Priority Water Quality Plan is required.		
<input type="checkbox"/>	No - No WQ requirement.		

DETERMINATION	
Based upon a review of the provided plans, the ADU application is:	
<input type="checkbox"/> <b>Ready to submit</b> to the Building Division for formal plan check	<input type="checkbox"/> <b>Not ready to submit</b> to the Building Division for formal plan check due to the missing items listed above in Section 1 – Floodplain Administration.
<b>APPLICANT ACKNOWLEDGEMENT</b>	
By signing, applicant acknowledge that requirements regarding floodplain administration, grading, and water quality were explained to the applicant based on the plan reviewed. Any changes to the plan may cause requirements to be revised. Applicant understands that if grading plan and/or water quality plan is required, such plan must be submitted to and approved by Engineering Division prior to the issuance of any Building Permits.	
APPLICANT NAME: _____ DATE: _____	
SIGNATURE: _____	



ADDRESS REQUEST FORM

Contact Information

Applicant name: \_\_\_\_\_ Application Date: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Site Information

Parcel Number(s): \_\_\_\_\_

Existing Address: \_\_\_\_\_

Proposed New Address (if known): \_\_\_\_\_

Reason for Request:

New Address (currently no address)  Change Address (delete existing address)  Additional Address

Attachment (may be required):

Site Plan with building footprint, unit outline, unit main entrance, and driveway or property's main access to street, and existing addresses throughout the site

Floor Plan (needed for multi-floor & multi-suite buildings) with existing addresses on each floor

A Valid Driver's License \_\_\_\_\_

Letter of Property Owner Authorization (if not property owner or contractor)

Address Type:

Residential

Commercial

Single Family

Condo

Utilities

Office Building

Industrial

Duplex

Apartment

Park Site

Retail

Other: \_\_\_\_\_

Second Residential Unit

Will new water meter(s) be needed for any of the address(es)?  Yes  No

Owner's Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

Internal Use Only

Address Reviewed By: \_\_\_\_\_ Approved Date: \_\_\_\_\_

Approved Address: \_\_\_\_\_

Related Building Permit Number(s): \_\_\_\_\_ Related Planning Case Number: \_\_\_\_\_



## **NOTICE: RESIDENTIAL DEVELOPMENT PARK IMPACT FEES PER ORDINANCE No. 2560**

The availability of parks and open space deeply impacts quality of life, and makes neighborhoods more desirable. As we add new residential units to the community, the demand for parks increases. As a result, the City Council adopted [Ordinance No. 2560](#) on September 11, 2019 to create a development impact fee program requiring residential projects to contribute their fair share towards the development or improvement of parks and recreational facilities. Ordinance No. 2560 was amended by [Resolution No. 5057](#) on July 28, 2021 to establish a maximum park development impact fee of \$4,000 for Accessory Dwelling Units (ADUs).

### **Who Must Pay the Fees and When?**

The developer/owner of a residential project that adds a net total of one (1) or more residential units is subject to this impact fee, unless the project is exempt per Ordinance 2560. Park impact fees are due when the project submits construction documents to the Building Division. For projects with a vesting tentative map, the park fee is due when the application is deemed complete.

### **Are There Exemptions?**

The following projects are exempt from the development impact fee:

- 1) Housing projects where there is a net increase of zero (0) units on a lot.
- 2) Room additions and re-occupancy of square footage in an existing building/structure with no change of use.
- 3) Multi-family residential housing projects developed by a nonprofit housing provider who is receiving financial assistance through a public agency. The multi-family rental housing project must be an affordable housing project where rent restrictions are secured by an agreement/recorded covenant with the City for a minimum period of fifty-five years.
- 4) Affordable housing units deed restricted to extremely low, very-low income, or low income households.
- 5) Accessory Dwelling Units (ADUs) when they are smaller than 750 square feet.

### **What Happens If My Project Expires, Is Vacated, or Voided Before Start of Construction?**

If the project is expired, vacated, or voided before the start of construction, the developer will be entitled to a refund of the park impact fee paid, less a portion of the fee used to cover the cost of collection and administration of the fee paid. A request for refund must be submitted in writing to the Community Development Director within one year from the date that the permit expires, or is vacated or void.

### **How Are Development Park Impact Fees Calculated?**

The fees were originally calculated in a 2019 Nexus Study which determined the amount of revenue required to properly maintain Westminster's parks and recreation development. To account for annual increases in construction costs, these fees are adjusted on July 1st of each year based on the Construction Cost Index published by Engineering News Record. To combat the negative economic impact of the COVID-19 pandemic, the planned adjustment for 2020 was suspended. The adjustments have resumed in 2021 and will adjust every year thereafter.

**How Much Are The Impact Fees?**

The table below indicates how impact fees must be computed:

<h2 style="text-align: center; background-color: #1a3d54; color: white; padding: 10px;">Development Park Impact Fees Per Unit</h2>		
<b>Non-ADU Units</b>	Single-Family	\$15,548 per unit
	Multi-Family (Includes senior housing)	\$11,478 per unit
<b>Accessory Dwelling Units (ADUs)</b>	ADUs 750 sq. ft. or greater constructed with a single-family primary dwelling onsite	Proportional to the square footage of the primary dwelling (e.g. if living area is 25% of the living area for the main house, then fees are 25% of the primary unit fees of \$15,548). A maximum fee of \$4,000 will be charged if the proportional square footage fee calculation is greater than \$4,000.
	ADUs 750 sq. ft. or greater constructed with a multi-family primary dwelling onsite	Proportional to the square footage of the primary dwelling. (e.g. if living area is 25% of the living area for the main house, then fees are 25% of the primary unit fees of \$11,478). A maximum fee of \$4,000 will be charged if the proportional square footage fee calculation is greater than \$4,000.  <b>Note:</b> For detached ADUs or converted ADUs not located directly within a primary unit, use the average square footage of all the primary units as the basis for identifying the square footage of the primary dwelling.

See worksheet for assistance on calculating the fees.

# Park Impact Fee Worksheet (Single Family)

1) Determine the net total number of units to be developed on the lot:

$$\begin{array}{rcccl}
 & & \text{(Minus)} & & \\
 \underline{\hspace{2cm}} & - & \underline{\hspace{2cm}} & = & \underline{\hspace{2cm}} \\
 \text{\# of New Units} & & \text{\# of Demolished Units} & & \text{Net Total of New Units}
 \end{array}$$

2) Determine the park fee due based on the net total of new units on lot and the type of dwelling unit being constructed:

**Single-Family Dwelling:**  $\underline{\hspace{2cm}}$  X  $\underline{\$15,548}$  =  $\underline{\hspace{2cm}}$

Net # of New Units
Fee for Single Family Unit
TOTAL FEE

**Accessory Dwelling Units 750 square Feet or Greater on Lots With A Single Family Dwelling:**

Calculate the percentage of the proposed total living area of the ADU to the total living area of the primary dwelling and multiply that percentage by the park fee required of the primary unit.

$$\begin{array}{rcccl}
 \underline{\hspace{2cm}} & / & \underline{\hspace{2cm}} & \times 100 = & \underline{\hspace{2cm}} \\
 \text{Living Area of ADU} & & \text{Living Area of Primary Dwelling} & & \text{ADU \% of Primary Unit}
 \end{array}$$

$$\begin{array}{rcccl}
 \underline{\hspace{2cm}} & \times & \underline{\$15,548} & = & \underline{\hspace{2cm}} \\
 \text{ADU \% of Primary Unit} & & \text{Fee for Single Family Unit} & & \text{Park Fee for ADU Unit}
 \end{array}$$

3) Compare the calculated park fee to the maximum fee, \$4,000.

If "Park Fee for ADU Unit" is **less than** \$4,000, then it **does not change**.

If "Park Fee for ADU Unit" is **more than** \$4,000, then the fee will be **charged at the rate of \$4,000**.

4) Add up the TOTAL FEES if applicable (new construction with different unit types)

GRAND TOTAL  $\underline{\hspace{2cm}}$

# Park Impact Fee Worksheet (Multi-Family)

1) Determine the net total number of units to be developed on the lot:

$$\begin{array}{rcccl}
 & & \text{(Minus)} & & \\
 & & - & & \\
 \underline{\hspace{2cm}} & & \underline{\hspace{2cm}} & = & \underline{\hspace{2cm}} \\
 \text{\# of New Units} & & \text{\# of Demolished Units} & & \text{Net Total of New Units}
 \end{array}$$

2) Determine the park fee for the net total of primary multi-family dwelling units:

$$\begin{array}{rcccl}
 \text{\underline{Multi-Family Dwelling:}} & \underline{\hspace{2cm}} & \times & \underline{\$11,478} & = & \underline{\hspace{2cm}} \\
 & \text{Net \# of New Units} & & \text{Fee for Single} & & \text{\textbf{TOTAL FEE}} \\
 & & & \text{Multi-Family Unit} & & 
 \end{array}$$

3) Determine the park fee for the net total of Accessory Dwelling Units to be constructed on the lot. If the ADU is a detached ADU or if the ADU is converting a garage space or uninhabitable space of the existing dwelling where the space is not located within one of the units, use section A. The primary dwelling will be the average of all the units. Otherwise Use Section B where the primary dwelling is defined.

**Section A: Detached ADU or ADU is Not Located Within a Single Multi-Family Unit.**

$$\begin{array}{rcccl}
 \underline{\hspace{2cm}} & / & \underline{\hspace{2cm}} & = & \underline{\hspace{2cm}} \\
 \text{Total Living Area of all Primary Units} & & \text{Total Number of Primary Units} & & \text{Average Sq. Ft. of Units}
 \end{array}$$

$$\begin{array}{rcccl}
 \underline{\hspace{2cm}} & / & \underline{\hspace{2cm}} & \times 100 = & \underline{\hspace{2cm}} \\
 \text{Living Area of ADU Unit} & & \text{Average Sq. Ft of Units} & & \text{ADU\% of Primary Unit}
 \end{array}$$

$$\begin{array}{rcccl}
 \underline{\hspace{2cm}} & \times & \underline{\$11,478} & = & \underline{\hspace{2cm}} \\
 \text{ADU \% of Primary Unit} & & \text{Fee for Single Multi-Family Unit} & & \text{Park Fee for ADU Unit}
 \end{array}$$

**Section B: ADU Located Within a Single Multi-Family Unit**

Calculate the percentage of the proposed total living area of the ADU to the total living area of the primary dwelling and multiply that percentage by the park fee required of the primary unit.

$$\frac{\text{Living Area of ADU}}{\text{Living Area of Primary Dwelling}} \times 100 = \text{ADU\% of Primary Unit}$$

$$\text{ADU \% of Primary Unit} \times \text{\$11,478} = \text{Park Fee for ADU Unit}$$

4) Compare the calculated park fee to the maximum fee, \$4,000.

If "Park Fee for ADU Unit" is **less than** \$4,000, then it **does not change**.

If "Park Fee for ADU Unit" is **more than** \$4,000, then the fee will be **charged at the rate of \$4,000**.

5) Add up the TOTAL FEES if applicable (new construction with different unit types)

GRAND TOTAL \_\_\_\_\_



# Applicant/Property Owner Acknowledgement Form Park Fees New Residential Development Applications

For residential development projects, answer the following questions. If you mark yes to any of the questions, your project is subject to park impact fees. If you mark no to all of the questions, your project is not subject to park impact fees.

Yes   No

- I am constructing a new single family or multifamily dwelling unit where the net total number of new units is one (1) or more.
  
- I am constructing a net total of one (1) or more ADUs and at least one or more of the ADUs are 750 square feet or greater.

*I acknowledge that my project is a residential project that is subject to the City of Westminster's park impact fees. I have been informed of the park fees. I certify that I am the owner of the property and will be fully responsible for payment of fee at the time that the fee is due. The fee is due when construction documents are submitted to the Building Division for review and the plan check process will not commence until the park fees are paid. I also understand that the fees are based on the information provided at this time and may be subject to change. The fee calculated on this worksheet may also be slightly different than the computer generated invoice due to a difference in rounding. I also understand that the fee may be different if the net total of new units is modified, the square footages of living area has been modified, or the inputs were inaccurate for my construction project.*

\_\_\_\_\_  
Property Owner/ Applicant Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner/ Applicant Signature

\_\_\_\_\_  
Date