

# Accessory Dwelling Unit Zoning Code Update

Planning Commission Hearing

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## The Housing Action Plan:

- City Council accepted Fall 2016.
- Program #2 includes an action to remove barriers to ADU construction.
- Remove owner-occupancy deed restriction requirements, and revise parking requirements.

# Accessory Dwelling Unit

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- Independent dwelling unit on a property containing a single-family residence. Includes complete living facilities.
- May be detached, attached, or internal conversion.

- Reduced requirements for some ADUs from:
  - Parking requirements
  - Setback requirements
  - Fire sprinkler requirements
  - Water/sewer connection fees
- Creation of optional Junior ADU standards

# Proposed Code Revisions

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## Additional City Code Revisions:

- Remove owner-occupancy deed restriction
- Remove square footage and bedroom limitations
- Reduce setback requirements for some ADUs
- Remove permanent foundation requirement
- Require rental duration no less than 30 days
- Add provisions for development of Junior ADUs
- New standards for hillside and historic areas

- Newly constructed ADUs: one off-street space, unless any of the following are present:
  - Within a half-mile of transit
  - Within a historic preservation district
  - Within one block of a car-share vehicle
- No parking required for internal conversion.

- New one-story: Accessory structure setbacks.
- New additions and two-story: Setbacks for primary residence.
- No setback for conversion of an existing structure.

# Other Requirements

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- Newly constructed ADUs
  - Still pay demand fees and separate meter
- Conversion of existing living space and accessory structures to ADU
  - No longer pay demand fees or separate meter



- Interior conversions of a single-family residence:
  - 500 square foot maximum
  - May utilize an existing bedroom
  - Access to the primary residence and exterior
  - Owner occupancy required
  - Limited kitchen facilities required
  - No utility fees or parking space required.

- City's regulations were superseded on the 1<sup>st</sup> of January. Interim guidance is in effect.
- Director informational interviews with media.
- E-mail outreach to CAB and housing groups.
- Presented at a community meeting held on February 8, 2017.
- City Council hearing proposed for July.

# Community Comments

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- Approximately 20 written comments received.
- Removing the owner occupancy deed restriction would negatively affect neighborhood character.
- Requirement for separate water connection unnecessary.
- Permit fees are cost prohibitive.
- Supplemental income generated by vacation rentals

# Environmental Review

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- Exempt from California Environmental Quality Act (CEQA) per Section 15282(h).
- Adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county is statutorily exempt.

# Recommendation

- Recommend that the Planning Commission recommend to City Council approval of an ordinance amending Zoning Code Sections 20-22.030, 20-36.040, 20-42.130, and 20-70.020 to allow for Accessory Dwelling Units and Junior Accessory Dwelling Units