

# Accessory Dwelling Unit Ordinance



Planning Commission  
Public Hearing  
May 4, 2017



# Introduction

- Revisions to the City's regulations pertaining to Accessory Dwelling Units (ADUs)
  - Zoning Code Amendment
  - Local Coastal Program Amendment
- In response to two bills adopted in 2016 revising Gov. Code Sec. 65852.2 (State ADU Law)
  - SB1069
  - AB2299

# What is an ADU?

- An Accessory Dwelling Unit is a secondary dwelling unit with independent living facilities.
- Two types:
  - New Construction (attached or detached)
  - Conversions (repurposed existing space)



# Intent & Purpose of Law

- Lack of affordable housing production in State
- Alternative to government subsidized housing
- Low cost option to create in-fill housing for range of people
- Potential additional income for homeowner through rental of ADU
- Reduce development barriers to creation of ADUs
- Law does not restrict HOA's powers or prohibitions in CC&Rs



# Current City Regulations

- Law enacted in 1982
- Encourage the creation of ADUs, but afforded local flexibility
  - Including prohibition upon finding adverse impacts
- City adopted finding in 1988 and prohibited ADUs, with the exception of “Granny Units”
- Current City regulations are now null and void

# Interim State Standards

- ADUs must be approved ministerially in all single-family and multi-family zones where only a single-family units is present.
- Subject to minimal development standards
- City may adopt additional regulations pertaining to location, lot size, parking, and aesthetics, provided the regulations are not arbitrary, excessive, and burdensome and that unreasonably restrict the creation of ADU



# New Construction Standards

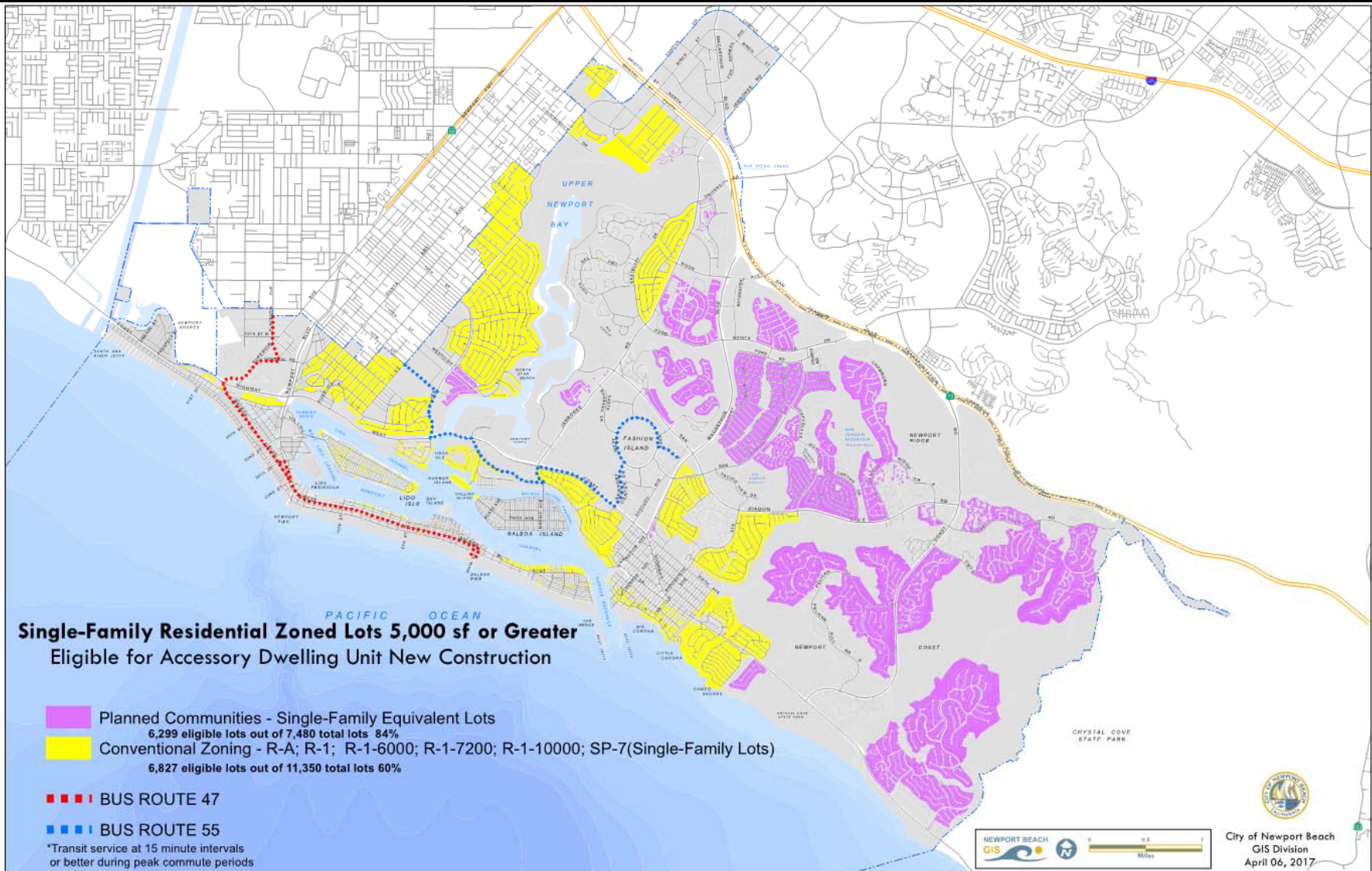
## Location and Lot Size

Standard	State Standards	Modified City Standard
Location	Single-family and multi-family residential lots	Single-family residential lots only
Lot Size	No Standard	5,000 square feet

### Reason

- Areas with concentration of sub-standards lots impacted by on-street parking
- Most R-2 and RM zoned properties in coastal neighborhoods with substandard lots
- Unbuilt density and capacity exists, but redevelopment should occur in conformance with current parking standards to ensure neighborhood compatibility and preservation of on-street parking for existing residents and visitors to coast

# Eligible Properties for New Construction





# New Construction Standards

## Unit Size

Standard	State Standards	Modified City Standard
Unit Size	<b>Attached ADU-</b> 50% of existing living area, with a max of 1200 sf  <b>Detached ADU-</b> 1200 sf	750 sf maximum, or 50% of existing living area, whichever is less

### Reason

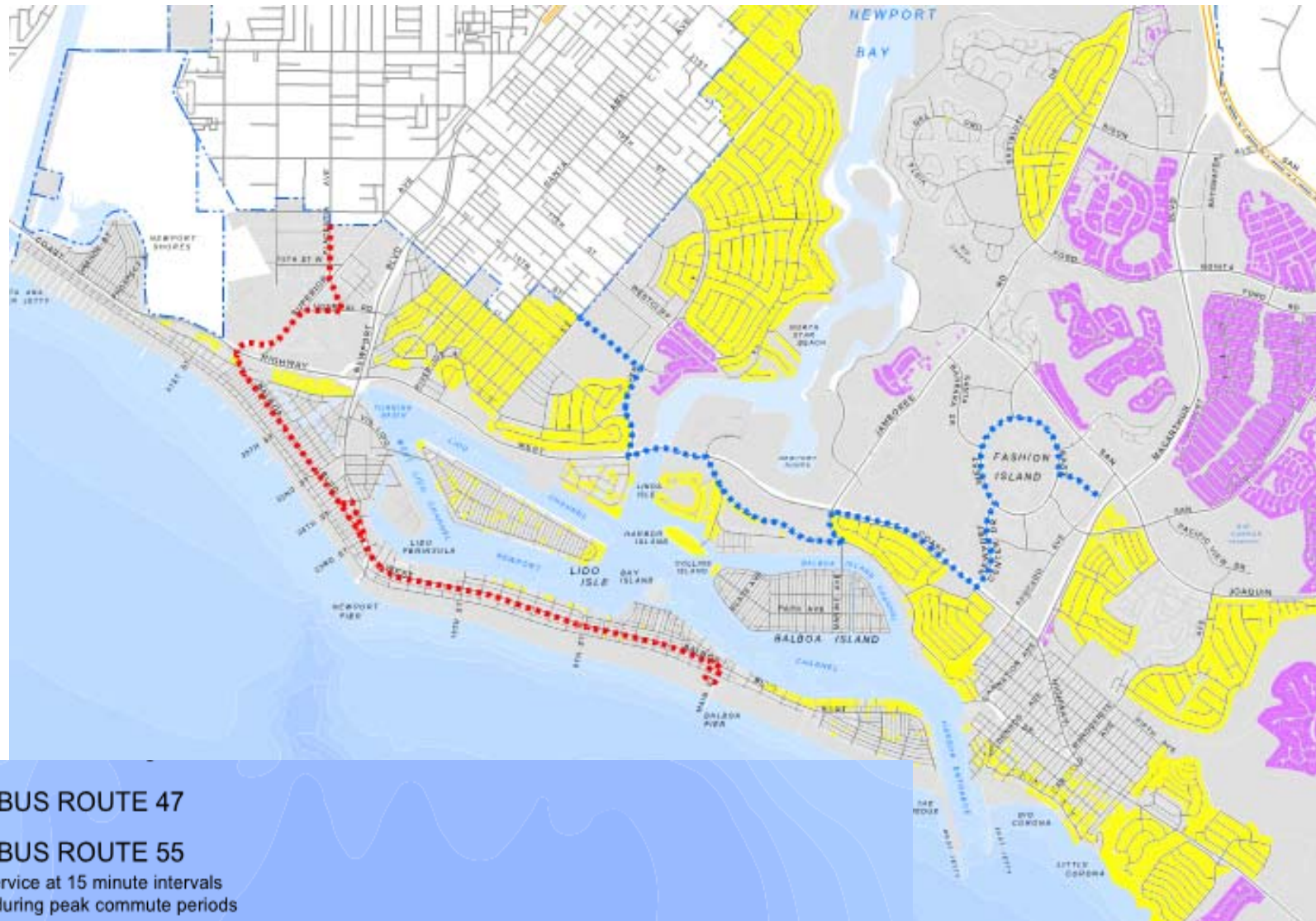
- To ensure ADU remains subordinate to principal dwelling
- Retain character of single-family neighborhood
- 110 sf larger than previously “granny units”

# New Construction Standards

## Parking

Standard	State Standards	Modified City Standard
Parking	<p>1 space per bedroom or unit</p> <p>Spaces may be provided as covered, uncovered, tandem parking on driveway, or through mechanical lifts</p> <p>No parking if within:</p> <ul style="list-style-type: none"> <li>• ½ mile of public transit stop</li> <li>• 1 block of car-share program</li> <li>• Historic district</li> <li>• Area where on-street parking permits required by not offered to occupants of ADU</li> </ul>	<p>Per State Standards, except parking rear alley setback prohibited and additional clarifications added:</p> <ul style="list-style-type: none"> <li>• “Public transit stop”- 15-minute intervals or better during peak periods</li> <li>• “Car-share”- Established program in a fixed location and available to public</li> </ul>

# Map of Eligible Bus Routes



# New Construction Standards

## Aesthetics

Standard	State Standards	Modified City Standard
Aesthetics	No standard	<u>Height</u> <ul style="list-style-type: none"><li>• Detached units restricted to one story and 14 feet</li><li>• Attached units or above garage subject to standard zoning</li></ul> <u>Design</u> <ul style="list-style-type: none"><li>• Designed similar to principal dwelling on lot with respect to architectural style, roof pitch, color, and materials</li></ul>

### Reason

- Preserve character, minimize appearance of multiple units, and ensure design of ADU remains subordinate to principal dwelling

# New Construction Standards

## Miscellaneous

Standard	State Standards	Modified City Standard
Setbacks	<p>Not required for existing garage conversion</p> <p>No more than 5 feet from a side or rear lot line for ADU constructed above garage</p>	Per Zoning Code, except as modified by State Standards
Passageways (Building Code Provision)	Not required	Per State Standard
Fire Sprinklers	Not required if not provided for principal dwelling	Per State Standard
Utilities	Connection fees/charges must be proportionate to impact of ADU	Per State Standard



# Conversion Standards

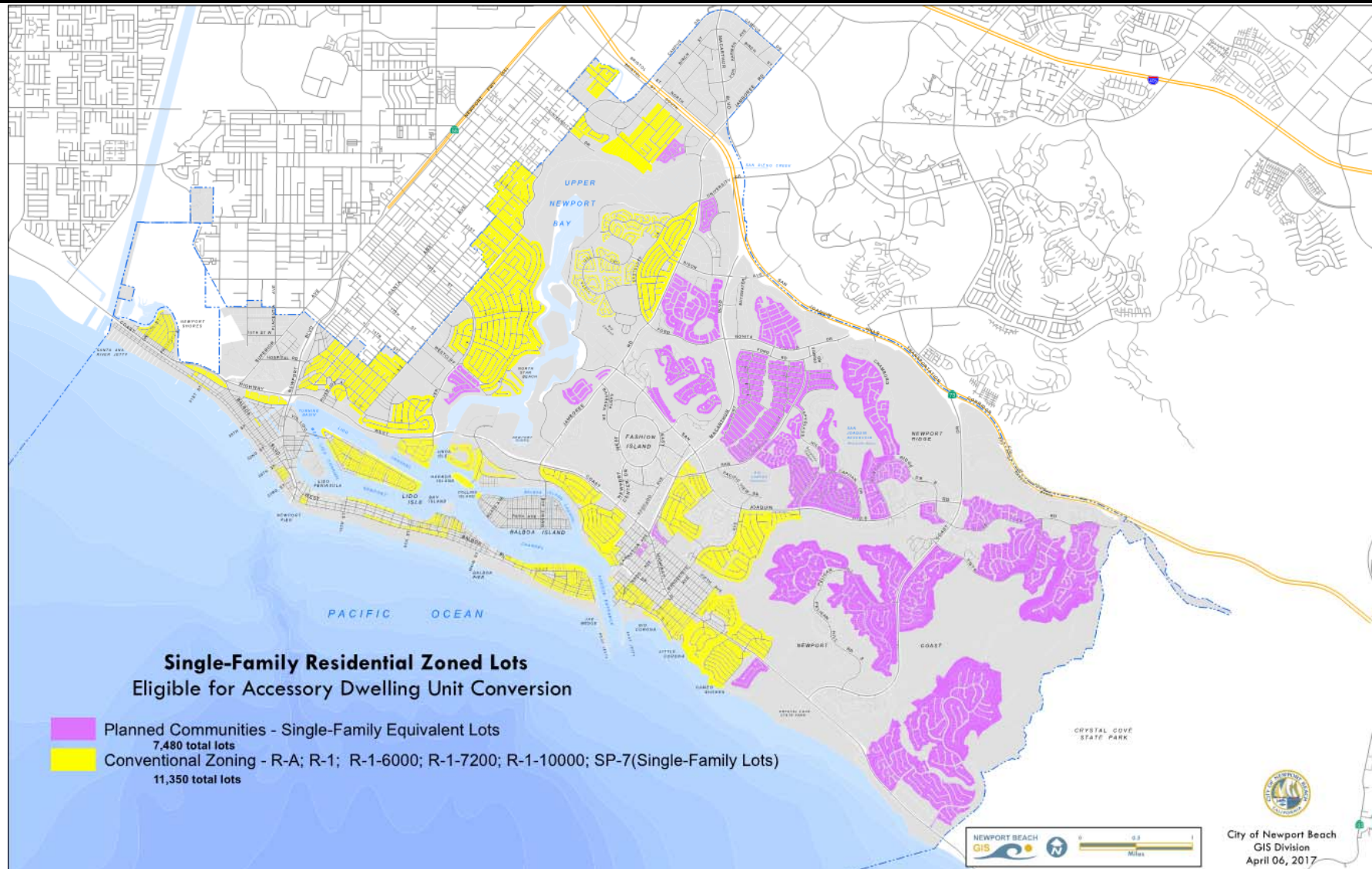
## No Modifications Allowed

Standard	State Standards
Location/Lot Size	Within any existing single-family dwelling or accessory structure on a single family zoned lot
Unit Size	No limitation
Parking	No additional parking required
Utilities	No new fees or utility connections
Access	Separate exterior access
Setbacks	Side and rear sufficient for fire safety

### **\*Clarification Proposed**

- Dwelling or structure to be converted must have legally been permitted and existing for a minimum period of 3 years.
- Prevents immediate conversion of an addition to ADU to avoid standards applicable to new construction

# Eligible Properties for Conversion



# Additional Requirements

With an ordinance, City may also:

- Prohibit rentals for short-term lodging
- Require Owner-Occupancy
- Require Deed Restrictions
  - Recorded on property
  - Notify future owners or restrictions

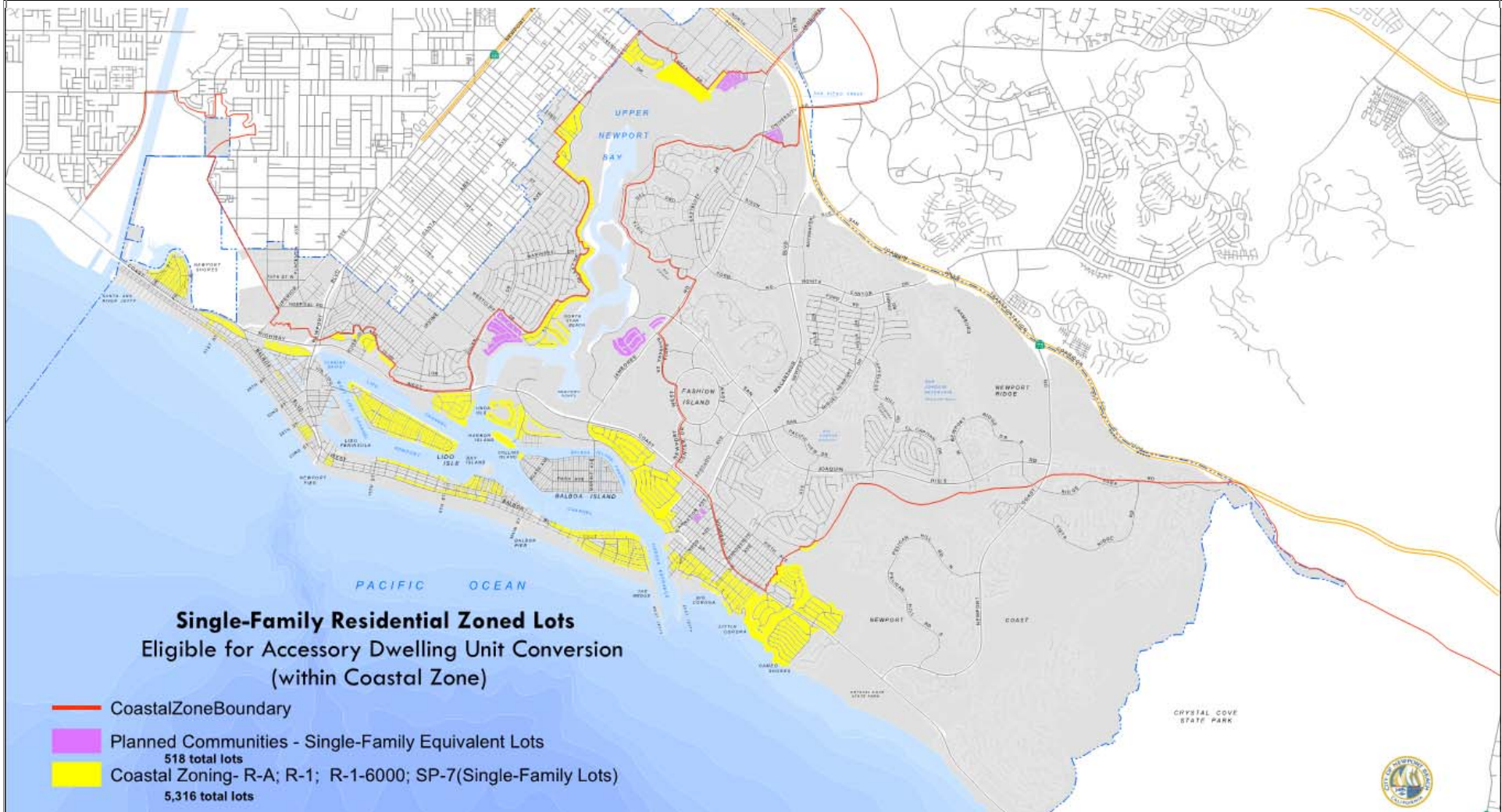
# Local Coastal Program Amendments

- Includes similar development standards in Implementation Plan of LCP
- Clarifies that when a CDP is required, no public hearing
- Adds new Coastal Land Use Plan Policy:

*2.7-5. Administer the provisions of State law relative to the development of accessory dwelling units to increase the supply of lower-cost housing in the coastal zone and meet the needs of existing and future residents, while respecting the architectural character of existing neighborhoods and in a manner consistent with the LCP and any applicable policies from Chapter 3 of the Coastal Act.*



# Affected Properties in Coastal Zone





# Recommendation

- Adopt resolution recommending City Council approve CA2017-003 and submit ordinance to HCD
- Adopt resolution recommending City Council approve LC2017-003 and submit to the California Coastal Commission (CCC)



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