

Accessory Dwelling Unit Ordinance (2018 Revision)



Planning Commission
ZC and LCP Amendment
August 9, 2018



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)



ADU Law Background

- Law enacted in 1982 to encourage the creation of ADUs, but afforded local flexibility
- City adopted finding of adverse impacts in 1988 and prohibited ADUs, with the exception of “Granny Units”
- ADU Law overhauled in 2016 (eff. Jan. 2017)
 - Eliminated prohibitions
 - City regulations voided
 - Established State Standards for ADUs

2017 City Ordinance

ADU Conversions

- Per State Standards (no modifications permitted)

Standard	State Standards
Location/Lot Size	Within any existing single-family dwelling or accessory structure <u>on a single family zoned lot</u>
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

2017 City Ordinance

New Construction Standards

- State Standards pertaining to location, lot size, parking, and aesthetics, may be modified provided the regulations are not arbitrary, excessive, and burdensome and that unreasonably restrict the creation of ADU

Standard	Adopted Regulation
Location	Single-Family Zoning Districts
Lot Size	5000 SF minimum
Unit Size	750 sf maximum, or 50% of existing living area, whichever is less
Aesthetics	Similar design to principal dwelling with respect to architectural style, roof pitch, color, and materials
Height	<ul style="list-style-type: none">Detached units restricted to one story and 14 feetAttached units or above garage subject to standard zoning
Parking	1 space per bedroom (2 max) May be provided as uncovered, tandem, or mechanical lifts. No parking if located within ½ mile of transit stop or one block of car-share vehicle program.

Current Amendment Request

- Revisions to the City's regulations pertaining to Accessory Dwelling Units (ADUs)
 - Zoning Code Amendment (City-Wide)
 - Local Coastal Program Amendment (Coastal Zone)
- In response to two bills adopted in 2017 revising Gov. Code Sec. 65852.2 (State ADU Law)
 - SB229 and AB494
 - Effective 2018
 - Purpose to clarify intent of law

Amendments Needed

■ New Construction ADUs

- To reduce parking requirement to a maximum of one space regardless of bedroom count (parking exceptions apply).

■ ADU Conversions

- To allow within existing single-family dwelling on single-family **and multi-family zoning districts** (e.g., R-2 lot with a single-family home)

Additional Recommended Revision

(New Construction - Location Standard)

Allow in conjunction with single-family dwelling on single-family **and multi-family zoning districts.**

- Ease of implementation (consistent w/ conversion standards)
- Limited to 5000 SF lots (14% of lots)
- Limited to 2 units total
- Limited to 750 SF unit size and 1 parking space appropriate
- Maintains rental unit opportunity and promotes owner-occupancy
- Prohibits short-term rentals

Recommendation and Next Steps

- **Zoning Code Amendment**
 - Recommend adoption to City Council
 - Submit ordinance to HCD (ability to review and comment)

- **LCP Amendment**
 - Recommend City Council authorize submission to Coastal Commission



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