

Scott Kinsey

Subject: FW: R-1-N modification

From: allancrawford@mindspring.com [<mailto:allancrawford@mindspring.com>]

Sent: Tuesday, May 30, 2017 10:30 AM

To: 'Suzie Price' <Suzie.Price@longbeach.gov>

Cc: amy.bodel@longbeach.gov; craig.chalfant@longbeach.gov; Laura Lindgren <lindgrenl@yahoo.com>; 'Allan Crawford' <allancrawford@mindspring.com>; 'Maureen Neeley' <bhcaneley@att.net>; dianne.sundstrom@verizon.net

Subject: R-1-N modification.

Council Member Price,

The purpose of this e-mail is to express my opposition to changing the zoning in the Belmont Heights area, which would allow an Accessory Dwelling Unit (ADU's) of up to 1,200 square feet with no parking requirement.

Several years ago Belmont Heights residents, working to preserve the unique and historic character of the neighborhood, aligned with the City to get the area rezoned from R2 to R-1-N. The neighborhood fought hard to get this change; but now the zoning that prohibits ADU's is in jeopardy.

It is surprising that with little or no neighborhood consultation or input and after years of planning by the City and input from the residents, the efforts would be dismissed out-of-hand with the potential to drastically alter the character our neighborhood.

There is a long history in our City of changes to zoning that allowed increased density in areas where it was not appropriate. As a result multifamily housing units were placed next to historic bungalows. Density was increased and the character of neighborhoods perinatally altered. Now the City is once again proposing to alter the zoning, which will have a permanent impact on Belmont Heights. Unfortunately, once these changes are made, and units constructed, it is impossible to reclaim what was lost.

The current and recently revised Land Use Element addresses, on a thoughtful basis, the need for more affordable and denser housing in some areas. Allowing "units" on an ad hoc basis in an R1 neighborhood will not resolve the housing issue in any meaningful way, but will destroy the neighborhood.

History and the Land Use Element

In 1998, as a result of the desire to preserve the historic character of the neighborhood, the residents of Belmont Heights worked with the [City to change the zoning from R-2 to R-1](#). Since that time the community has continued to work with the City to ensure that this character is preserved. Most recently members of the community reviewed and commented on the proposed Land Use Element to ensure that it would preserve the historic quality of our neighborhood.

The Land Use Element outlines the vision for the City's use of the wide variety of neighborhoods across the city. In areas such as Belmont Heights the Element specifically calls for "retaining the character and quality of residential neighborhoods."

I ask you to stand by what has been outlined in the Land Use Element for our Neighborhood.

As stated in the [Land Use Element](#) (page 9) retaining the character and quality of our residential neighborhoods is a priority. This proposed change will do the opposite of that.

This Land Use Element responds to many conditions the community can anticipate:

- » Accommodating a population expected to reach 484,485 by 2040 a 3.2 percent increase from a population of 466,255 in 2012.
- » Continuing municipal finance challenges and the need to allocate limited resources to provide routine community services and infrastructure maintenance.
- » Sustaining a diverse and competitive local economy.
- » Increasing interest in sustainable development practices and approaches to environmental protection.
- » Retaining the character and quality of residential neighborhoods.
- » Providing many options for housing, mobility and lifestyle choices.

Land Use Element, 2017

And specifically with regard to the "Founding and contemporary neighborhoods," of which Belmont Heights neighborhood is a prime example, the Land Use Element (page 75) outlines a strategy that will "Maintain the unique and sound housing stock of each neighborhood" and "Respect the low scale of existing homes..."

Land Use Strategies.

1. Maintain the unique and sound housing stock and character of each neighborhood using appropriate zoning and building standards, updated design guidelines, active code enforcement, community development programs and other appropriate measures. Respect the low scale of existing homes within the Founding and Contemporary Neighborhood PlaceType and assure that new development is appropriate in terms of scale and massing in relation to its neighborhood context and PlaceType.

Land Use Element, 2017

And finally the strategies outlined in the Land Use Element specifically call for amending the Municipal Code to protect low-density development.

Neighborhood Preservation and Enhancement

LU- M-32

Amend Title 21 of the Municipal Code to include compatibility development standards and urban form strategies that protect low-density development from higher density/intensity developments. Measures may include stepping down building height, reducing building mass, decreasing the number of stories and window placement, among others.

Responsible Department: Development Services

Related Policies: LU Policy 6-8, 8-1

The new regulation would accomplish none of these goals set out for the Belmont Heights area in the 2017 Land Use Element.

Instead the new regulation would increase density, change the long established character of the neighborhood and eliminate valuable green space.

Below is what a 1,200 square foot unit looks like on a typical 40x150 foot Belmont Heights lot. This will not promote "Retaining the character and quality" of our unique and historic Belmont Heights neighborhood.



In the past we have a history of changing zoning regulations...and then living to regret them. You are now being asked to change the zoning and the character of our historic neighborhood.

Please fight this change and help preserve the beautiful and historic Belmont Heights neighborhood.

Regards,

Allan Crawford
275 Park Ave
310-994-1619

From: [Amy Bodek](#)
To: [Alexis Oropeza](#); [Scott Kinsey](#); [Linda Tatum](#)
Subject: FW: ADUs on the Planning Commission agenda June 1
Date: Wednesday, May 31, 2017 1:42:07 PM

FYI.

From: bhcaneeley@att.net [mailto:bhcaneeley@att.net]
Sent: Wednesday, May 31, 2017 1:39 PM
To: Amy Bodek <Amy.Bodek@longbeach.gov>
Subject: RE: ADUs on the Planning Commission agenda June 1

Amy,

For sure we knew this was coming and I can read where you and your staff have tried to soften some of the implementation. Much appreciated.

I am hoping it is possible to use some of our other ordinances and general plan components to make any added units less destructive to the environment (water circ and heating the climate) by requiring more open space with each ADU. Less concrete. I think the option to build atop the garage is a good one and less intrusive.

Other ideas may come forth. Unfortunately I'll be on vacation June 1-8 and can't attend the PC mtg. Others from BHCA hope to attend. I do hope there will be more opportunities to help shape how we carry out this state mandate? That would be most helpful.

Thanks,
Maureen

Maureen Neeley
Belmont Heights Community Association
Sent from Yahoo Mail on Android

On Wed, May 31, 2017 at 12:54, Amy Bodek
<Amy.Bodek@longbeach.gov> wrote:

Thanks, Maureen. I hope you understand this is State law now, and we do not have discretion on saying no to conforming ADUs.

From: Maureen Neeley [mailto:bhcaneeley@att.net]
Sent: Tuesday, May 30, 2017 1:21 PM
To: Amy Bodek <Amy.Bodek@longbeach.gov>
Subject: ADUs on the Planning Commission agenda June 1

Sorry, Amy, this bounced back. Misspelled your name.

Maureen

Maureen Neeley

President

Belmont Heights Community Association

facebook.com/mybelmontheights/

5/285-3860

SAVE THE DATE: Next resident meeting is Wednesday, June 14th when we'll be "Talking Trash" with Diko Melkonian, the City's Environmental Services Director. Thank you to our June sponsor, The Grain Cafe. 6:30 Social | 7:00 Program. 317 Termino Avenue.

----- Forwarded Message -----

From: Maureen Neeley <bhcaneeley@att.net>

To: 'Suzie Price' <Suzie.Price@longbeach.gov>; "amy.bodel@longbeach.gov" <amy.bodel@longbeach.gov>; "craig.chalfant@longbeach.gov" <craig.chalfant@longbeach.gov>

Cc: Douglas Forasté <dforaste@gmail.com>; Linda Pemberton <pembertonlindaj@gmail.com>; William Cullen <williamkcullen@aol.com>; Laura Lindgren <lindgrenl@yahoo.com>; William J. Davis <wjdavis207@earthlink.net>; "dianne.sundstrom@verizon.net" <dianne.sundstrom@verizon.net>; "allancrawford@mindspring.com" <allancrawford@mindspring.com>; Sydney Simon <sydeyl@aol.com>

Sent: Tuesday, May 30, 2017 1:18 PM

Subject: ADUs on the Planning Commission agenda June 1

Dear Suzie, Amy and Craig,

We've been anticipating the city's response to this state mandate, but did not receive advanced notice of this PC meeting. I am hoping and assuming the staff report to the Planning Commission on Thursday June 1 will be the first of several public discussions.

Our concerns in Belmont Heights are represented well by an email sent earlier by Allan Crawford, BHCA member and mobility advocate, though we would like to also mention a greater need for open space than that recommended by staff to accompany any added ADUs.

As you know, we were involved with the Land Use Element, remaining generally supportive about appropriate places for density along our corridors; however, adding more

density throughout our R-1-N lots without additional open space on those lots could be problematic. I know staff is recommending a certain amount of open space per unit, but we do not believe it is enough.

ADUs - especially conforming ADUs - coming on top of the the LUE increases - would severely impact the character, groundwater circulation, parking (of course), school enrollment, sewer and water usage, etc.

I am sure the Planning Commission will be addressing and ways to mitigate these impacts and more. We look forward to joining our voice to the conversation.

Maureen

Maureen Neeley

President

Belmont Heights Community Association

facebook.com/mybelmonthheights/

5/285-3860

SAVE THE DATE: Next resident meeting is Wednesday, June 14th when we'll be "Talking Trash" with Diko Melkonian, the City's Environmental Services Director. Thank you to our June sponsor, The Grain Cafe. 6:30 Social | 7:00 Program. 317 Termino Avenue.

From: [Amy Bodek](#)
To: [Alexis Oropeza](#); [Scott Kinsey](#)
Subject: FW: City is developing guidelines for "Granny flats" on single family lots
Date: Tuesday, June 06, 2017 9:17:56 AM
Attachments: [ADU Planning commission letter.pdf](#)
[ADU page 8.pdf](#)
[2016-12-12-ADU-TA-Memo.docx.pdf](#)

From: Dianne Sundstrom [<mailto:dianne.sundstrom@verizon.net>]
Sent: Tuesday, June 6, 2017 9:11 AM
To: 'Dianne Sundstrom' <dianne.sundstrom@verizon.net>
Subject: City is developing guidelines for "Granny flats" on single family lots

Good morning,

I'm not sure how many of you know that the Planning Commission met last week where the issue of "granny flats" or "secondary units" on single family lots was discussed. I attended the meeting and am very concerned about the Planning staff's proposal. The PC listened to concerns from the community and asked for a month's delay with staff coming back to the PC with additional information.

There is a State mandate allowing accessory dwelling units (ADUs) and the City is responding to that mandate. It appears that 87% of the city will be eligible for secondary units, most without the burden of adding parking (unless the street is in a parking-impacted zone or in the Coastal Zone).

The item is being positioned under the recommendation that each new project won't have to go through CEQA or Coastal Commission.

Items of note:

- Ordinance is encouraging people to add over the garage in order to preserve open space below. Height cannot exceed 25' total.
- Open space requirements are the same, though if an actual new building is added, there is additional open space for that unit required.
- FAR stays the same, per current zoning.
- An owner must live on the property, in one of the units, and the ADU cannot be used for short term rentals.
- **Limited** ADUs pertain to those 'new' units that are being constructed out of existing buildings (like our bird aviary now a rumpus room in our backyard or atop a garage). These are called Limited ADUs. Limited to 180'sq.
- **Conforming** ADUs are new construction and can be up to 50% of the Gross Floor Area of the primary dwelling, or 1,200' whichever is less. Conceivably, if you have a small house (1,200'sq-1,400'sq) on a 6000' sq lot, the ADU could actually be bigger.

Here's a link to the item on Legistar: [City of Long Beach - File #: 17-035PL](#)

With her permission, I am attaching a letter sent by a resident of Belmont Heights to our Councilwoman, the PC and Planning staff as well as some documents summarizing the State's bills on this issue.

If this is of concern, please let your Council rep know as well as PC and Planning staff.

Thanks,
Dianne Sundstrom
Belmont Heights

From: [Carrie Tai](#)
To: [Scott Kinsey](#)
Subject: Fwd: Accessory Dwelling Units on R-1-N properties - Planning Commission
Date: Thursday, June 01, 2017 5:14:27 PM

Carrie Tai, AICP
Current Planning Officer

Long Beach Development Services I Planning Bureau
T [562.570.6411](tel:562.570.6411) **F** [562.570.6068](tel:562.570.6068)
[333 West Ocean Blvd., 5th Floor I Long Beach, CA 90802](#)
carrie.tai@longbeach.gov I www.lbds.info

Begin forwarded message:

From: <dianne.sundstrom@verizon.net>
Date: June 1, 2017 at 17:05:54 PDT
To: Amy Bodek <Amy.Bodek@longbeach.gov>
Cc: Suzie Price <Suzie.Price@longbeach.gov>, Suzie Price
<suzie@suzieaprice.com>, Maureen Neeley <bhcaneley@att.net>, Carrie Tai
<Carrie.Tai@longbeach.gov>
Subject: Re: Accessory Dwelling Units on R-1-N properties - Planning Commission

Thanks Amy for the clarification. I've also found other documents that make the law easier to comprehend. I do have concerns but need to organize those into a coherent message.

Dianne

Sent from my iPhone

On Jun 1, 2017, at 3:19 PM, Amy Bodek <Amy.Bodek@longbeach.gov> wrote:

Dear Dianne,

Sorry for the delay in getting back to you but I've been offsite most of the day.

Absolutely, we're happy to clarify this distinction. Section 65852.2(a)(1)

allows cities to adopt an ordinance (i.e., indicated by the use of the word “may”) to allow for Accessory Dwelling Units (ADUs), and then further specifies what the ordinance must allow in 65852.2(a)(1)(A through D).

However, several further sections read as follows:

- <!--[if !supportLists]-->• <!--[endif]-->Section 65852.2(b) states that if there is no ordinance, the city must approve or disapprove an ADU ministerially without discretionary review within 120 days, under State regulations.
- <!--[if !supportLists]-->• <!--[endif]-->Section 65852.2(d) states that whether or not there is an ordinance, cities are prohibited from requiring parking for ADUs if the ADU location meets five conditions listed in 65852.2(d)(1 through 5).
- <!--[if !supportLists]-->• <!--[endif]-->Section 65852.2(e) states that in any case, a city must approve an ADU if it is created out of existing space of an existing single family home or accessory structure (includes garages, rumpus rooms, workshops, etc), with exterior access and side and rear setbacks.

This said, the terms of Section 65852.2 ties the cities hands with regard to ADUs – we cannot prohibit them. However, adopting a local ordinance provides the City with the ability to guarantee certain quality of life standards for ADUs, like minimum and maximum unit sizes, height limits, setbacks, parking requirements in the Coastal Zones and Parking Impacted Areas, open space, and probably most significantly, replacement parking for the primary residential home if the garage is converted.

The intent of the local ordinance is to add specific regulations where State law is silent. Without a local ordinance, we are mandated to approve ADUs under the State’s limited regulations, without the quality of life standards that are important to maintain the character of residential neighborhoods. I hope this clarifies language and stresses the importance of getting this local ordinance adopted.

Amy

From: Dianne Sundstrom [<mailto:dianne.sundstrom@verizon.net>]

Sent: Thursday, June 01, 2017 10:01 AM

To: Amy Bodek <Amy.Bodek@longbeach.gov>; Suzie Price

<Suzie.Price@longbeach.gov>; 'Suzie Price' <suzie@suzieaprice.com>

Cc: 'Maureen Neeley' <bhcaneley@att.net>

Subject: RE: Accessory Dwelling Units on R-1-N properties - Planning

Commission

Dear Amy and Councilwoman Price,

I've been reading through some of the documents relative to the ADU presentation at the PC tonight. In the City documents the wording is that the "State mandates that cities allow ADUs in single family zones". When I read through AB 2299 I find the following language with the word "may"here is a portion of the bill.....

SECTION 1. Section 65852.2 of the Government Code is amended to read: 65852.2. (a) (1) **A local agency may, by ordinance, provide for the creation of accessory dwelling units in single-family** and multifamily residential zones. The ordinance shall do all of the following: (A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on criteria, that may include, but are not limited to, the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. (B) Impose standards on accessory dwelling units that include, but are.....

Can you provide clarification please? It seems like an important distinction.

Thanks,
Dianne Sundstrom

From: Amy Bodek [<mailto:Amy.Bodek@longbeach.gov>]
Sent: Wednesday, May 31, 2017 5:14 PM
To: Maureen Neeley; Suzie Price; Craig Chalfant
Cc: William J. Davis; Linda Pemberton; Dianne Sundstrom; Sydney Simon; Douglas Forasté; William Cullen
Subject: RE: Accessory Dwelling Units on R-1-N properties - Planning Commission

Maureen,
We are under the gun to get the new ordinance approved, as State law went into effect January 1st and our existing ordinance is null and void. We can coordinate a community meeting, but a study session isn't feasible given our timing.

From: Maureen Neeley [<mailto:bhcaneeley@att.net>]
Sent: Wednesday, May 31, 2017 3:40 PM
To: Suzie Price <suzie@suzieaprice.com>; Amy Bodek <Amy.Bodek@longbeach.gov>; Craig Chalfant <Craig.Chalfant@longbeach.gov>

Cc: William J. Davis <wjdavis207@earthlink.net>; Linda Pemberton <pembertonlindaj@gmail.com>; Dianne Sundstrom <dianne.sundstrom@verizon.net>; Sydney Simon <sydey1@aol.com>; Douglas Forasté <dforaste@gmail.com>; William Cullen <williamkcullen@aol.com>

Subject: Accessory Dwelling Units on R-1-N properties - Planning Commission

Dear Suzie and Amy,
Just a quick note to share that I have been getting emails from residents concerned about how the State's requirement that most R-1 parcels allow a second unit (ADU) will play out in Long Beach.

I know there is a Planning Commission meeting tomorrow night and staff will present their report to the Commission. The report is fairly comprehensive and a good effort to lessen the impact that having two homes on a lot will do to parcels as little as 4,800' sq., even in our historic districts.

I would like to ask that a Study Session be scheduled sooner than later to allow the community to discuss in a public forum how best to manage this drastic change to our residential zoning throughout the city.

Would you share this request with the Planning Commissioners, please? I will be out of town until June 8, but I know we'll have some Belmont Heights residents there to listen and share concerns.

Thank you both.

Maureen

cc: BHCA Board

*Maureen Neeley
President
[Belmont Heights Community Association](#)
[facebook.com/mybelmontheights/](https://www.facebook.com/mybelmontheights/)
5/285-3860*

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John W. McKenna
659 Euclid Avenue
Long Beach, CA 90814

June 12, 2017

Councilwoman Susie Price
340 Nieto Ave.
Long Beach, CA 90814

Dear Councilwoman Price:

This letter is intended to call to your attention some of my concerns with the proposed law to allow secondary dwelling units (ADU's) in most single family zones in the city. I appreciate that state law is pretty forceful in mandating that accessory dwellings are desirable as a way of addressing California's housing shortage. Charter cities however, have more latitude than General Law cities in enacting such provisions... I am surprised that staff is proposing that such an amendment to the zoning code can be considered exempt from CEQA as the amendment certainly has the potential to impact the quality of life in Long Beach substantially.

Not all residential zones in this city can easily accommodate second dwelling units, principally because of the shortage of reasonable off street parking in many areas. I am particularly concerned with those areas of the city that were not zoned for and developed strictly as single family areas. Many areas south of 7th Street in the 3rd district were developed with multiple dwellings at a time when parking space was not a requirement, leading to the current "over-reliance" on the public streets for the parking needs of the residents. Some of these areas have only been re-zoned Single family in the past several years. I propose that these areas should be specifically excluded from consideration for ADU's. If this is not possible, a street-by-street assessment should be undertaken in neighborhoods that currently contain a mix of multiple and single family dwellings in order to exempt those properties that would be impacted by the additional demand for on-street parking space. Many residents of property on Euclid Avenue between Sixth and Seventh Streets in particular rely on the use of the street for all of their parking needs. If additional dwelling units are allowed, those residents too will need to use the street for their parking needs.

As I understand the city's resources, there is currently no database to distinguish between "owner-occupied property" and property that is not owner occupied. If the proposed Accessory Dwelling Unit law is passed as proposed, what prevents someone from developing a legal ADU, and a few years later, either moving elsewhere and renting out the two units or selling the property to someone who has no intention of living on-site? The proposed law may well create an "enforcement nightmare" for the future in sorting out on a complaint by complaint basis which properties are "legally" being used as "owner occupied with an Accessory Dwelling Unit, and which are simply being used illegally as two units on a lot where the owner is an absentee land lord. If the law is passed as proposed, the City should establish a database to require that whenever a single family residential property changes ownership or a change of utility billing takes place, that the property be registered as either owner occupied, or absentee owner to

facilitate the legality of any ADU's that may exist on the site. The ADU law, as proposed makes no provision for assuring that once an ADU is built, that the property will remain "owner occupied". As I further understand current law, garages are inspected upon property sale to determine whether the garages are useable or not, however no effort is expended to ensure that garages remain useable for parking cars on a regular basis. This lack of enforcement staffing contributes to the current over-demand on our streets for use for residential parking space. I fear that without attention to the details of on-going inspection many of our single family zones will simply become two family zones.

If the City is to enact the proposed ADU law, staff should explore, and provide a means for the funding of the additional expenses the law will create in administering the inspection and documentation of such properties for the future. Once a ADU is built, there should be a way of ensuring that it remain on an owner occupied property. If this proposed law is passed without such provisions, it is simply converting our single family zones into multiple family zones.

Thank you for considering these points of view.

Very truly yours,

John McKenna
jmckenna@znet.com

cc: Dianne Sundstrom, Maureen Neeley, BHCA

From: [Amy Bodek](#)
To: [Heidi Eidson](#); [Alexis Oropeza](#); [Scott Kinsey](#)
Subject: FW: Accessory Dwelling Units
Date: Tuesday, June 06, 2017 10:03:38 AM
Attachments: [image001.png](#)
[ADU Planning commission letter.pdf](#)

From: Turigliatto, Jon [mailto:jturigliatto@cgdrblaw.com]
Sent: Tuesday, June 06, 2017 9:58 AM
To: Amy Bodek <Amy.Bodek@longbeach.gov>
Cc: Suzie Price <Suzie.Price@longbeach.gov>
Subject: Accessory Dwelling Units

Dear Ms. Bodek,

I am a homeowner at 253 Nieto Avenue. I am writing to you in support of the comments set forth in the attached letter to the Planning Commission by Laura Lindgren regarding the potentially adverse impact of the ADU law on our neighborhoods if the Commission does not thoroughly examine the law and the approaches pursued by other California cities. I strongly urge the Commission to consider and adopt the limitations set forth in Ms. Lindgren's letter prior to issuing its proposed resolution to the Council.

Best,

JON TURIGLIATTO

jturigliatto@cgdrblaw.com | [Download vCard](#) | www.cgdrblaw.com

CHAPMAN GLUCKSMAN

Chapman, Glucksmann, Dean, Roeb & Barger
11900 W. Olympic Boulevard Suite 800
Los Angeles, California 90064
Telephone: (310) 207-7722
Facsimile: (310) 207-6550



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Laura Lindgren

275 Park Ave, Long Beach, CA 90803 | LindgrenL@yahoo.com

June 5, 2017

Dear Ms Amy Bodek and Planning Commissioners:

I am following up on the concerns raised last week about the new state law (Gov. Code section 65852.2), which allows Alternative Dwelling Units (ADUs) in almost all R1 and other single family zone areas. This law has the potential to reverse years of zoning, planning and progress in preserving our neighborhoods. However, the recommendations included at the end of this letter will help preserve the character and integrity of the neighborhoods throughout Long Beach.

While the law contains a number of very troubling mandates, it does permit the City to enact its own regulations and gives the City discretion in a number of areas that could go a long way towards preserving the character of our neighborhoods and alleviating some of the overwhelming parking issues that the state law will otherwise cause. I urge the staff and Commission to consider and adopt the language set out below.

Unit Size

The ADU law provides that ADUs may be up to a maximum of 1200 square feet, or one half the size of the original dwelling, whichever is smaller. The critical words are "may be up to." Thus, the City is entitled to limit the size of the allowable units, and many cities have done just that (see table with some examples below). Long Beach should only allow what is commonly called a "granny unit" that is in keeping with the nature of the neighborhood, not an entire full-sized, second house.

The staff proposal presented at the Planning Commission meeting allows a 1200 foot "unit", which is, in fact, the equivalent of a full additional house. A 1200 square foot unit could have two or more bedrooms with several tenants and multiple cars. (In Cal Heights and the Shore, I have been in a number of full size 2-bedroom houses that only take up 800 feet. 1200 feet is far beyond what is contemplated or reasonable as a "granny" or "accessory" type.) Units this size will severely and adversely impact the appearance of the neighborhood, the quality of life and the ability to park.

Limitation to a reasonable size of 700 to 750 square feet is even more critical in Long Beach, where most of our streets are parking impacted. Under the new law, in most of the area there will be **no** requirement at all for **any** additional parking. It is therefore critical that the size of an ADU be limited, rather than allowing the maximum size.

Subsequent to the Planning Commission meeting, we looked into regulations regarding unit size and found that numerous cities have enacted regulations responding to the new state law and limiting the size of ADUs. Some of those are listed below, and reflect that 700 to 750 square feet is a reasonable requirement here:

City	ADU size limit
Newport Beach	750 square feet
Santa Monica	650 square feet

Oakland	800 square feet
Sacramento County	400-600 square feet depending on size of lot
San Jose	600-800 square feet depending on lot size. Maximum one bedroom
Beverly Hills	650 square feet
Burbank	500 square feet
Thousand Oaks	220-660 square feet

Parking Restrictions, Design and Setbacks

Other key areas where the City can provide additional protections are by enforcing requirements for new parking when permitted, and enforcing its existing set-backs for non – garage units. The latter is permitted under the state law, and it makes sense to enforce such setbacks for non-garage units; a garage unit by its nature is limited in size and less impactful.

It would also be advisable to require, as other cities have done, that the new unit be in keeping with the nature and style of the original house and neighborhood.

Enforcement and Deed Restrictions

The staff proposal presented at the Planning Commission meeting does require that the owner reside in the original unit in order to construct and lease an ADU, and prohibits short-term rentals (less than 30 days). These are critical requirements to prevent developers from coming in and constructing rental units without regard for the neighborhood. We do need a mechanism to enforce these key requirements, particularly as time goes on and houses are sold to new owners. Other cities enforce these provisions by requiring a recorded deed restriction regarding owner occupancy and rental terms in order to obtain an ADU permit. Long Beach should do the same.

Long Beach Regulation Language

We believe that the requirements that Newport Beach has put in place serve as a good model for Long Beach. These include the following, directly quoted from that City's regulation:

1. **Unit Size:** The maximum size of an accessory dwelling unit shall not exceed a 750 square feet of floor area, or 50 percent of the existing floor area (excluding garage of the principal unit, whichever is less.
2. **Design:** An accessory dwelling unit shall be similar to the principal dwelling with respect to architectural style, roof pitch, color and materials.
3. **Additional requirements for all accessory dwelling units**
 - a. **Sale of unity:** the accessory dwelling unit shall not be sold separately from the principal dwelling
 - b. **Short Term Lodging.** The accessory dwelling unit shall not be rented for periods of less than 30 days
 - c. **Number of units allowed:** Only one accessory dwelling unit may be located on the lot.
 - d. **Existing development:** A single dwelling unit must exist on the lot or shall be constructed on the lot in conjunction with the construction of the accessory dwelling unit
 - e. **Occupancy:** The principal dwelling unit or the accessory dwelling unit shall be continuously occupied by at least one person having an ownership interest in the lot

4. **Deed restriction and recordation required:** Prior to the issuance of a Building and/or Grading Permit for an accessory dwelling unit, the property owner shall record a deed restriction with the County Recorder's Office, the form and content of which is satisfactory to the City Attorney. The deed restriction document shall notify future owners of the owner occupancy requirements and restrictions on short-term rentals. This deed restriction shall remain in effect so long as the dwelling unit exists on the property.

The suggested revisions above, particularly as to unit size, are imperative to preservation of our neighborhood and fully permitted under the state law. It may be that some residents will argue that they should be permitted to construct much larger units. However, each of those residents purchased a home in an area zoned for single family housing. They knew that construction of second units was not permitted and had no expectation otherwise. If they now choose to construct a unit to profit by the "windfall" provision in the new state law, it is certainly fair and equitable that they do so in a manner that is respectful of their neighbors, preserves the neighborhood and does not result in more cars than can possibly be accommodated.

It is best to address these issues now, so that an appropriate regulation can be presented to City Council and quickly approved so that protections are in place as soon as possible. We are anxious to do whatever is necessary on this important issue to preserve our City. Thank you for consideration of these points.

Regards,

Laura Lindgren

Laura Lindgren

DIANNE SUNDSTROM

4507 E Barker Way
Long Beach, CA 90814
562-438-0682 – home
562-221-5518 - mobile

6/29/2017

Planning Commission and Planning Department
333 W Ocean Blvd
4th Floor
Long Beach, CA

Dear Planning Commissioners and Ms. Bodek:

Re: Alternative Dwelling Unit Guidelines

I attended the June 1, 2017 meeting where Planning staff presented the City's proposed guidelines for allowing Alternative Dwelling Units (ADUs) to conform to the new state law (Gov. Code section 65852.2), which allows ADUs in almost all R1 and other single family zoned areas. As I stated at that meeting, I have many concerns about the impact this law will have on the City generally and, specifically, the neighborhood in which I live, Belmont Heights.

This law and the City's proposed guidelines will reverse years of zoning, planning and progress in preserving our neighborhoods. The law permits the City to enact its own regulations and gives the City discretion in a number of areas that could preserve the character of our neighborhoods and alleviate some of the negative effects this law will otherwise cause.

I encourage the Planning Commission, City staff, and the City Council to consider the following comments and adopt the most stringent regulations/guidelines allowed under this law.

Location of ADUs

Although the law states that ADUs within existing structures must be allowed in all single family residential zones, it does allow local governments to apply development standards and designate where conforming ADUs (new construction) are permitted. (GC Sections 65852.2(a) (1)(A) and (B)). With that in mind, the City should critically evaluate where new construction ADUs will be permitted. Some neighborhoods, such as Belmont Heights, already have a preponderance of ADUs. Additional units and increased density will exacerbate current problems: lack of parking and open space and increased demand on old infrastructure.

Unit Size

The ADU law provides that ADUs may be up to a maximum of 1200 square feet, or one half the size of the original dwelling, whichever is smaller. Thus, the City is entitled to limit the size of the

allowable units, and many cities have done just that (see table with examples below). Long Beach should only allow what is commonly called a “granny unit” that is in keeping with the nature of many of our neighborhoods, not an entire full-sized, second home.

The staff proposal presented at the Planning Commission meeting allows a 1200 foot “unit”, which is, in fact, the equivalent of a full additional house. I live in a 990 sq ft home that has 2 bedrooms and 1 bath. Several homes on my street are smaller in size yet accommodate a family of 2 or 3 persons. A 1200 square foot unit is far beyond what is reasonable as a “granny” or ADU. Units this size will adversely impact the appearance of the neighborhood, the quality of life, and the ability to park. One has only to walk the streets of Belmont Heights (and other adjacent neighborhoods) to see the impact of large, poorly designed secondary units that were allowed before rezoning to R-1-N.

*Limitation to a reasonable size of 700 to 750 square feet (maximum) is critical to preserve the quality of life and ambience of our neighborhoods. Further, since there will be **no** requirement for **any** additional parking, it is imperative that the size of an ADU be limited.*

Laura Lindgren, a resident of Belmont Heights, looked into regulations from California cities regarding unit size and found that many have limited the size of ADUs. Some of those are listed below and reflect that 700 to 750 square feet (maximum) is a reasonable size:

City	ADU size limit
Newport Beach	750 square feet
Santa Monica	650 square feet
Oakland	800 square feet
Sacramento County	400-600 square feet depending on size of lot
San Jose	600-800 square feet depending on lot size. Maximum one bedroom
Beverly Hills	650 square feet
Burbank	500 square feet
Thousand Oaks	220-660 square feet

Parking Restrictions, Design, Setbacks, and Protections against Short-term Rentals

Other key areas where the City can provide additional protections are by enforcing requirements for new parking when permitted under the law and enforcing existing set-backs for non – garage units. The City of Newport Beach has enacted a set of regulations regarding ADUs that could

serve as a good model for Long Beach. Those guidelines were also provided by Ms. Lindgren; I repeat them here as they outline elements I believe should be adopted. Copied from the Newport Beach regulation, they are as follows:

- 1) **Unit Size:** The maximum size of an accessory dwelling unit shall not exceed 750 square feet of floor area, or 50 percent of the existing floor area (excluding garage of the principal unit, whichever is less.)
- 2) **Design:** An accessory dwelling unit shall be similar to the principal dwelling with respect to architectural style, roof pitch, color and materials.
- 3) **Additional requirements for all accessory dwelling units**
 - a) **Sale of unity:** the accessory dwelling unit shall not be sold separately from the principal dwelling
 - b) **Short term lodging.** The accessory dwelling unit shall not be rented for periods of less than 30 days
 - c) **Number of units allowed:** Only one accessory dwelling unit may be located on the lot.
 - d) **Existing development:** A single dwelling unit must exist on the lot or shall be constructed on the lot in conjunction with the construction of the accessory dwelling unit
 - e) **Occupancy:** The principal dwelling unit or the accessory dwelling unit shall be continuously occupied by at least one person having an ownership interest in the lot
- 4) **Deed restriction and recordation required:** Prior to the issuance of a Building and/or Grading Permit for an accessory dwelling unit, the property owner shall record a deed restriction with the County Recorder's Office, the form and content of which is satisfactory to the City Attorney. The deed restriction document shall notify future owners of the owner occupancy requirements and restrictions on short-term rentals. This deed restriction shall remain in effect so long as the dwelling unit exists on the property.

I would like to emphasize point #2 which addresses design elements. Including such a requirement will hopefully avoid what I consider poorly designed, unattractive secondary units that were built in Belmont Heights and which detract from the ambience of the neighborhood. The following photos illustrate the problem: large, architecturally mundane secondary units built behind old craftsman homes:





Another question I have regarding design is how ADUs will be handled in Historic Neighborhoods. Will a Certificate of Appropriateness be required? Will all building and design guidelines for each Historic Neighborhood be enforced?

The staff proposal presented at the Planning Commission meeting does require that the owner reside in the original unit in order to construct and lease an ADU, and prohibits short-term rentals (less than 30 days). It is critical that a mechanism to enforce these requirements be in place. Other cities require a recorded deed restriction regarding owner occupancy and rental terms in order to obtain an ADU permit. Long Beach should do the same. Without strict enforcement, I envision many of these units ending up on vacation rental sites such as Airbnb.

Although short term rentals (less than 30 days) are not allowed in Long Beach, a report in the Press Telegram (3.24.2017) indicated that there are over 1,100 listings of Long Beach properties on home sharing sites. Further, the report states that 58% of available units on those sites consist of entire homes or apartments. The report details that for the 2016 Grand Prix, Airbnb had 699 guest arrivals and for the Long Beach Pride weekend 893 guest arrivals. Airbnb hosts made a combined \$580,000 in income from these two events. It seems highly unlikely these guests were staying more than 30 days. What is the City doing to enforce the ban on short term rentals? What impact does this market have on housing availability? How can we assure that ADUs do not end up on home sharing sites for short term rentals?

Summary

I encourage staff, the Planning Commission, and Councilwoman Price to review all of these suggestions which are imperative to preserving our neighborhoods. Some residents may argue that they should be permitted to construct large units. However, each of those residents purchased a home in an area zoned for single family housing and should have had an understanding that second units were not permitted. That has changed under the new State law but it is only fair and equitable that building be done in a manner that is respectful of others and preserves the integrity and ambience of our neighborhoods.

I appreciate your careful consideration of my concerns and suggestions.

Regards,

*Dianne Sundstrom
4507 E Barker Way
Long Beach, CA 90814*

cc: Suzie Price, Councilwoman, 3rdDistrict