



City Council

October 10, 2017

Accessory Dwelling Units (Citywide)

**Zoning Code Amendment (ZCA17-010), Local Coastal Program
Amendment (LCPA17-002)**

Application No. 1702-04



What are Accessory Dwelling Units?

- A second dwelling unit on a lot developed with one existing single-family dwelling (SFD) in a residential zone.
- ADUs must provide complete independent living facilities for one or more persons, and may be attached or detached to the primary dwelling.



Photo Credit: Christy Cassano-Meye,
Retrieved from www.accessorydwelling.org

Per State law, ADUs do not count as a unit for density purposes.



Background

- First State law addressing ADUs was enacted in 1982.
- A number of amendments have been made to State law over the years; each time increasing the permissibility for ADUs and reducing local control.
- ADU regulations were first adopted by Long Beach in 1988 as the “Secondary housing units (“granny flats”)” code section.



Kristy Lakin ADU, photo credit: Portland Photos
Retrieved from www.accessorydwelling.org



Background

In response to the State's Housing Crisis

- Effective January 1, 2017, SB1069 and AB2299 streamlined the approval process, established minimum standards, and reduced cities' abilities to restrict ADUs.
- Long Beach's existing local ADU regulations are now null and void.
- Until adoption of a new, compliant local ordinance, only State law applies.



Kristy Lakin ADU, photo credit: Portland Photos
Retrieved from www.accessorydwelling.org



Proposed Zoning Code Amendment

- Adopt new ADU regulations, and update other areas of the Zoning Regulations for consistency.
- Establish that existing regulations will remain in effect within the Coastal Zone (only), until a Local Coastal Program Amendment implementing the new ADU regulations is adopted.
- New ordinance will be consistent with State law, while establishing standards customized to Long Beach to protect and preserve existing neighborhoods, while allowing additional housing production.



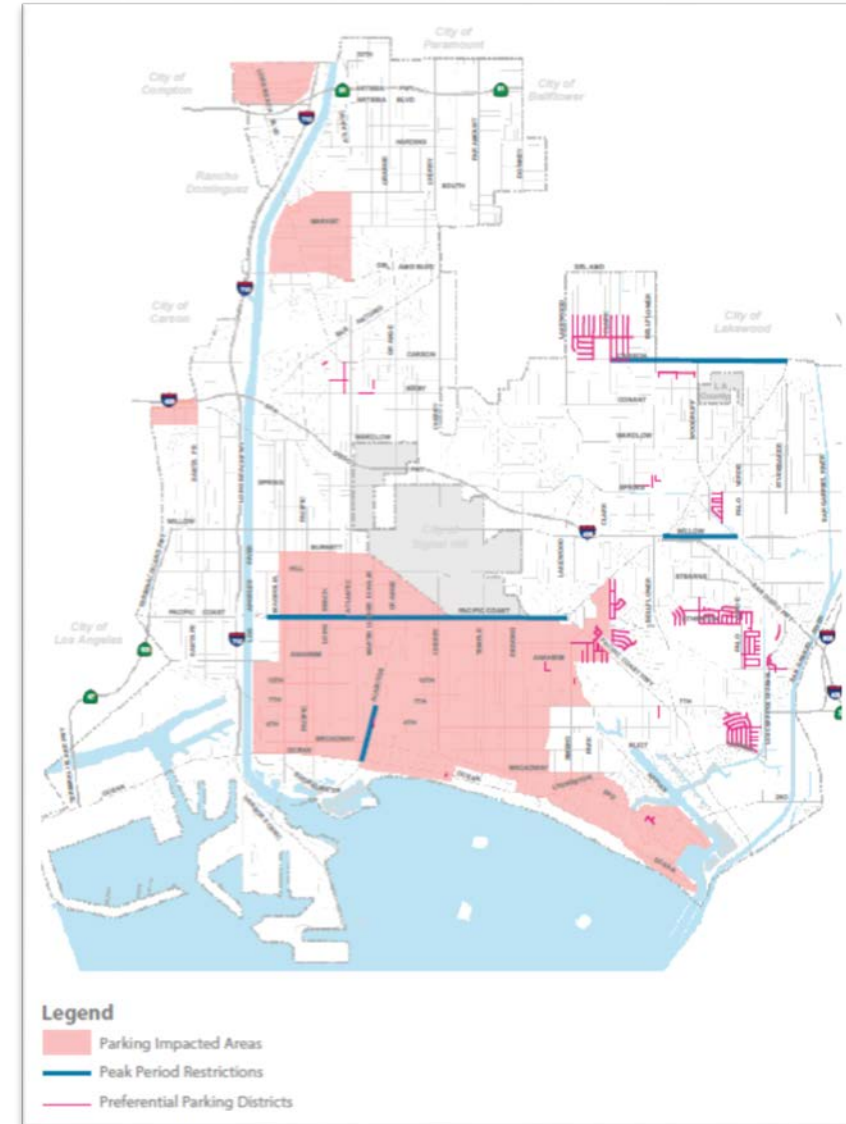
Differences Between State and Proposed Local Regulations

State Law	Proposed City Standard
Mandates that the City allow ADUs in single-family zoning districts.	Allow ADUs in 17 residential zones, and single-family areas in Planned Development Districts (PDs) and Specific Plans (SPs) on properties developed with only a single-family residence. Exceptions apply for locations in the Parking Impacted Area and the Coastal Zone.
City may optionally allow ADUs in multi-family districts.	
City may designate areas that ADUs are allowed, based on criteria such as adequacy of water and sewer service, and the impact on traffic flow and public safety.	



Parking Impacted Area

- Established by City Council in 1988.
- Established based on on-street parking conditions negatively impacting the health, safety, and welfare of the community, as well as impeding and obstructing traffic flow.
- Last updated as part of Mobility Element in 2013.
- Ordinance will prohibit ADUs in Parking Impacted Area unless parking is provided for the ADU.



(City of Long Beach, Mobility Element)



Coastal Zone

- State law does not supersede or lessen the requirements of the Coastal Act, except to mandate that public hearings cannot be required for ADUs.
- Staff finds that development of ADUs without on-site parking is inconsistent with the Local Coastal Program.
- Ordinance will prohibit ADUs in Coastal Zone, unless parking for the ADU is provided.
- Zoning Regulations must be amended to add ADUs to the list of Coastal Permit Categorical Exclusions so that a public hearing is not required.



(City of Long Beach, Draft Land Use Element)



Proposed Development Standards

Standard	State Law	Proposed City Standards	
		Conversion	New Construction
Minimum Lot Size	No Standard	4,800 sq. ft.	
Minimum Lot Width	No Standard	27 ft.	
Maximum Lot Coverage	No Standard	N/A	Same as zoning district.
Floor Area Ratio (FAR)	No Standard	N/A	Same as zoning district.
Side Yard	<ul style="list-style-type: none"> No setback for existing structure 5' above garage 	N/A	Same as zoning district or 5', lesser of.
Rear Yard		N/A	5' (detached only).
Building Height	No Standard	N/A	Same as zoning district or 25'/2-story.



Proposed Development Standards

Standard	State Law	Proposed City Standard
Maximum Unit Size	<p><u>Attached ADU</u> 50% of the existing living area of the primary dwelling, with a maximum of 1,200 sq. ft.</p> <p><u>Detached ADU</u> 1,200 sq. ft.</p>	<p>50% of the living area of the primary dwelling, or 1,000 sq. ft., <u>whichever is less.</u></p> <p>Except that an ADU up to 640 sq. ft. is permitted if the primary dwelling is less than 1,280 sq. ft.</p>



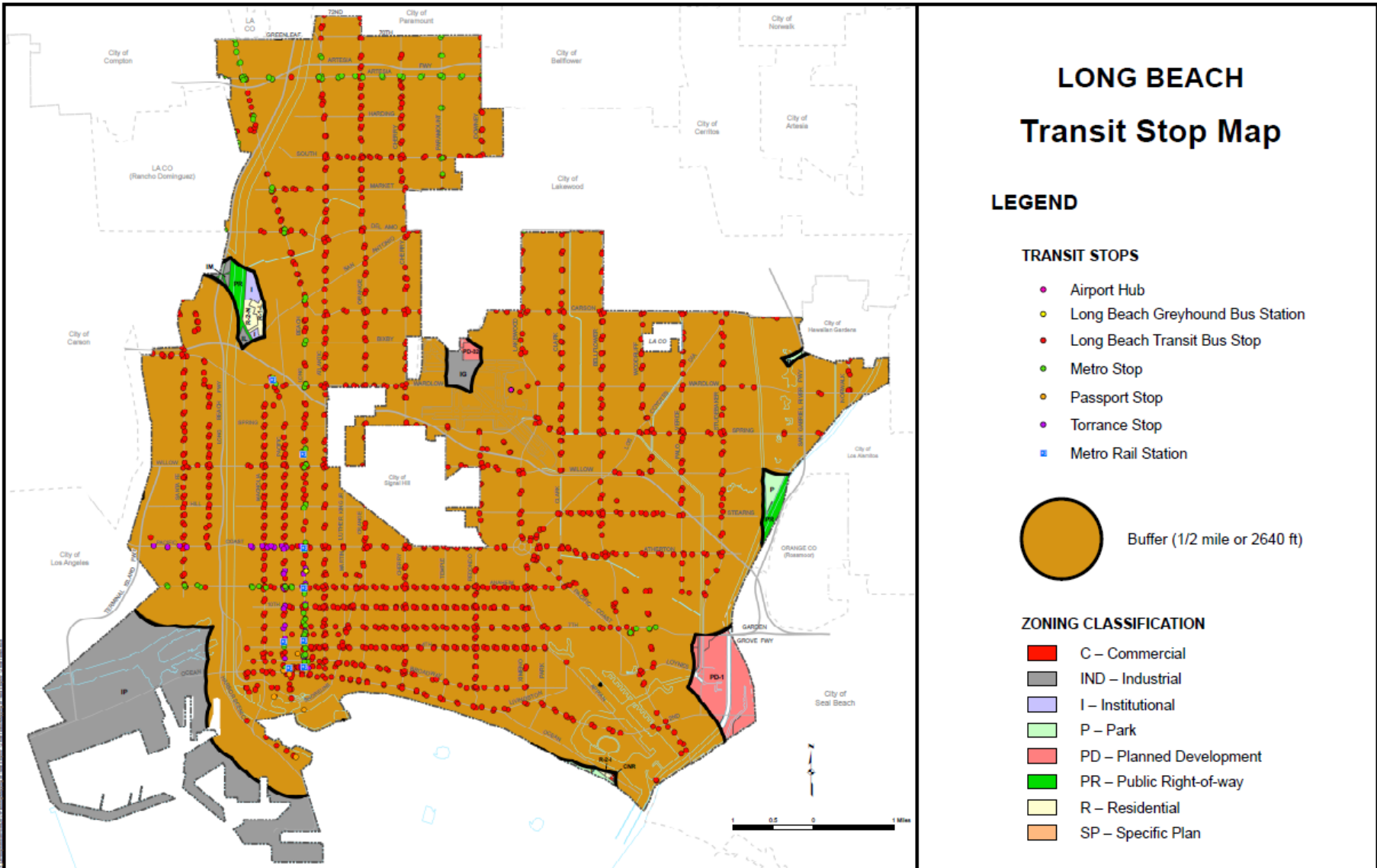
Parking

State law prohibits cities from requiring parking when an ADU is any one of the following:

- located within one-half mile of public transit.
- located within an architecturally and historically significant district.
- part of an existing primary dwelling or accessory structure.
- on-street parking permits are required but not offered to ADU occupant.
- within one block of a car share vehicle



Areas of City within 1/2 Mile of Public Transit



Parking

- No parking required for an ADU, except in Coastal Zone and Parking Impacted Area

Coastal Zone / Parking Impacted Area Parking Standard

ADU Size	Spaces Required
≤ 640 Sq.ft.	1 space
> 640 Sq.ft.	2 spaces

- Replacement parking for primary unit is required.
- State requires flexibility in how parking is provided.



Covenants

State law allows deed restrictions on properties with ADUs to help to maintain the character of the single-family property.

The ordinance proposes:

- Requiring the property be owner-occupied;
- Requiring the ADU not be sold separately from the primary dwelling;
- Requiring the continued availability of on-site parking;
- Prohibiting short-term rentals; and
- Restricting the status and size of the ADU.



Development Impact Fees

- New development generates demand for new services including:
 - Police
 - Fire
 - Transportation
 - Parks and Recreation Facilities.
- State law reestablishes that Development Impact Fees should be proportionate to their impact.
- Staff is recommending the adoption of an interim Fee Resolution to ensure that ADUs are charged a fee proportionate to their size.



Planning Commission Action

On July 6, the Planning Commission recommended that the City Council adopt the proposed Zoning Code Amendment, modifying the requirements that ADUs be a maximum of 1,000 square feet and recommending additional parking be required for certain ADUs.

Recommendation

Adopt the Zoning Ordinance adopting local standard for ADUs as proposed by the Planning Commission.

Modify the established development impact fee structure for Accessory Dwelling Units in accordance with California Government Code Section 65852.2 pertaining to Accessory Dwelling Units.

