

## Other text amendments for ADU Ordinance

Underline red text = additions, ~~strikethrough red text~~ = deletions.

### Chapter 21.15 (Definitions)

**21.15.045 – Accessory dwelling unit.** “Accessory dwelling unit” means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. An accessory dwelling unit is an accessory use and not a principal use of land. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation, and shall be located on the same lot as the single-family dwelling to which it is subordinate (the primary dwelling), and shall have a separate exterior entrance. An accessory dwelling unit also includes the following:

A. An efficiency unit, as defined in Section 17958.1 of the California Health and Safety Code.

B. A manufactured home, as defined in Section 18007 of the California Health and Safety Code.

**21.15.050 – Accessory building, accessory structure.** “Accessory building or structure” means a detached or attached building or structure, the use of which is subordinate and customarily incidental to that of the main building or structure, or to the main use of the land. An accessory building or structure must be located on the same lot as the main building or structure.

**21.15.063 – Accessory use, residential.** “Accessory residential use” means a residential use that is customarily incidental and/or necessarily related to ~~the a~~ principal nonresidential use of land, building, or structure. An accessory residential use is located on the same lot as the principal nonresidential building or use and is dependent upon the principal nonresidential use for the majority of its use or activity. The occupant of an accessory residential use is employed in or routinely conducts business in the nonresidential space. Accessory residential uses include, but are not limited to, a caretaker's or night watchman's residence (Section 21.15.445) an artist's studio and residence (Section 21.15.240), and parsonage (Section 21.15.2005). “Accessory residential use” does not include accessory dwelling units (Section 21.15.045).

**21.15.447 – Carport.** “Carport” means a permanent roofed structure over a driveway, built for the purpose of sheltering an automobile. A carport is supported by attachment to a building and/or freestanding posts, and is open on all sides that are not attached to a building. A carport may have a solid or trellised roof. “Carport” does not include “porte cochere,” or any temporary or non-permanent structure.

**21.15.915 – Dwelling unit, accessory.** See “Accessory dwelling unit.”

**21.15.930 – Dwelling, one-family.** See “single-family dwelling.” “~~One-family dwelling~~” means a residential unit designed and intended for occupancy by one (1) family. A ~~one-family dwelling~~ contains one (1) kitchen for central preparation of meals. This definition includes ~~manufactured housing (when placed on a foundation for permanent residency) and group homes.~~

**21.15.935 – Dwelling, primary.** “Primary dwelling” means a single-family dwelling that is not an accessory dwelling unit. A primary dwelling is a principal use of land.



**21.15.1720 – Manufactured housing.** ~~"Manufactured housing" means a dwelling unit certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et seq.) and pursuant to Section 18551 of the Health and Safety Code. (Ord. C-6533 § 1 (part), 1988)~~ "Manufactured housing" means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification and complies with the standards established under California Health and Safety Code, Division 13, Part 2. "Manufactured home" includes a mobile home subject to the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C., Sec. 5401, et seq.).

**21.15.1770 – Mobile home.** ~~"Mobile home" means a manufactured dwelling unit capable of being transported to a site on a trailer or on wheels. A mobile home is not considered a building, as defined by the Building Code. (Ord. C-6533 § 1 (part), 1988)~~ See "Manufactured housing."

**21.15.2165 – Primary dwelling.** See "Dwelling, primary."

**21.15.2400 – Secondary housing unit.** ~~"Secondary housing unit" means a dwelling unit, accessory to the principal dwelling, provided as an addition to or conversion of an existing single-family dwelling. See "Accessory dwelling unit."~~

**21.15.2410 – Single-family dwelling.** A single-family dwelling is a residential unit designed and intended for occupancy by one (1) family. A single-family dwelling contains one (1) kitchen for central preparation of meals. This definition includes manufactured housing (when placed on a foundation for permanent residency) and group homes. A single-family dwelling may be attached or detached, as follows:

- A. Detached. "Detached single-family dwelling" means one (1) dwelling unit located on a single lot with yard areas that separate that dwelling from other dwellings.
- B. Attached. "Attached single-family dwelling" means one (1) dwelling unit on a single lot with one (1) side wall in common with a dwelling on an adjoining lot.

#### **Amendments to Ch. 21.25 (Specific Procedures), Division IX (Local Coastal Development Permits)**

**21.25.903 – Permit required.** All development in the coastal zone shall be required to obtain either a coastal permit pursuant to Section 21.25.904 or a coastal permit categorical exclusion pursuant to Section 21.25.906. Such approval must be issued prior to the start of development and shall be required in addition to any other permits or approvals required by the City.

- A. Coastal Permit Issued by the Coastal Commission. Developments on tidelands and submerged lands require a permit issued by the California Coastal Commission in accordance with the procedure as specified by the California Coastal Commission.



B. Coastal Permits Issued by the City. The following categories of projects require coastal permits in accordance with the procedures set forth in this Division:

1. Development on the first lot located on, adjacent to, across the street from, or abutting the beach, bay, ocean or tidelands, except minor addition to a single-family residence as specified in Subsection 21.25.903.C (categorical exclusion).
2. All development projects which require additional discretionary review (such as a conditional use permit, subdivision map or standards variance).
3. Traffic improvements which do not qualify for categorical exclusion.
4. Public works projects, excluding traffic improvement projects, with an estimated cost of fifty thousand dollars (\$50,000.00) or more.

C. Exemptions. The following categories of projects are exempt from the coastal permit requirement. However, a coastal permit categorical exclusion (CPCE) shall be obtained pursuant to the procedures indicated in Section 21.25.906.

1. Minor additions on existing single-family residences for the first lot located on, adjacent to, across the street from, or abutting the beach, bay ocean or tidelands. Such addition must be less than ten percent (10%) of the existing floor area and shall not create an additional story or loft.
2. All projects (excluding the above) which are consistent with the Zoning Regulations and which do not require any discretionary review (e.g., conditional use permit, subdivision map).
3. Traffic improvements which do not:
  - a. Alter roadway or intersection capacity by more than ten percent (10%) (except stop signs and stop lights); or
  - b. Decrease parking (except by establishing a red curb next to a corner); or
  - c. Impair access to the coast.
4. Public works projects (excluding traffic improvements) with an estimated cost of forty-nine thousand nine hundred ninety-nine dollars (\$49,999.00) or less.
5. Creation or expansion of an accessory dwelling unit in conformance with the requirements of Section 21.51.275 (Accessory dwelling units).

#### **Amendments to Chapter 21.31 (Residential Districts)**

**Table 31-1 Uses in Residential Zones:** see attachment.

#### **21.41.233 – Tandem parking—Residential uses.**

- A. Tandem parking spaces shall be prohibited for required parking except:
1. For valet parking with approval through site plan review;
  2. For low income units when projects include ten percent (10%) or more of the units as on-site low income units;

3. For the provision of required parking for an accessory dwelling unit, and for required replacement of parking for the primary dwelling when a garage is converted or existing parking spaces are otherwise eliminated to create an accessory dwelling unit.

B. For tandem parking allowed in Subsection 21.41.233.A.2, the following standards shall be complied with:

1. Not more than two (2) spaces shall be involved in the tandem arrangement;
2. Both spaces in the tandem arrangement shall be assigned to the same dwelling unit;
3. Handicapped and guest parking shall not be in tandem;
4. Tandem parking shall not be allowed in a parking garage of less than ten (10) parking spaces or when the full turning radius for the tandem parking is not within the garage.

C. For tandem parking allowed in Subsection 21.41.233.A.3 for an accessory dwelling unit, up to three (3) spaces may be in tandem.

#### **21.31.360 – Additional Land Use Restrictions**

Residential PUDs are intended to be primarily residential in nature. In addition to the restrictions set forth for the RP district in Table 31-1, the land uses in a PUD shall be restricted as follows:

A. Residential uses. Each dwelling unit, whether built as a detached or attached single-family dwelling, or duplex, or triplex, or unit within a multifamily building, is intended to be a traditional one-family dwelling unit (as defined in Section 21.15.930), and all other types of residential uses are prohibited.

B. ~~Secondary~~ Accessory dwelling units. ~~Notwithstanding Section 21.51.275 (Secondary housing units ("granny flats"))~~ secondary Accessory dwelling units shall be prohibited in a PUD.

C. Community facilities and parks. Community facilities and parks may be approved as part of the PUD at the time of PUD approval. Changes or additions to these uses after the fact shall require approval from the relevant approval body.

#### **Amendments to Ch. 21.51 (Accessory uses)**

##### **21.51.110 – Use restrictions.**

The following are not considered accessory uses:

A. Additional Dwelling Units. Any use which increases the number of dwelling units in any building or on any lot beyond that permitted in the district, except for ~~secondary housing units~~ accessory dwelling units as described in Section 21.51.275;

B. Alcoholic Beverage Sales. The sale of alcoholic beverages, whether on or off-site, shall not be considered an accessory use to any use, except department stores and florists, regardless of traditional associations or limited proportion of sales. Alcoholic beverage sales shall always be considered a principal use;



C. Gun Repairs and/or Sales. Gun repairs and sales are separate principal uses and shall not be considered accessory uses to any use; or

D. Storage of Inoperative, Dismantled or Wrecked Vehicles in Residential Districts. The storage of more than two (2) inoperative, dismantled or wrecked vehicles shall not be considered an accessory residential land use and shall be prohibited in all residential districts.

**21.51.275 – (see attached full text of amendment to this Section for Accessory Dwelling Units)**

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