



Planning and Development Department  
**LONG RANGE PLANNING DIVISION**

# ACCESSORY DWELLING UNIT (ADU) ORDINANCE AMENDMENTS

Board of Supervisors

August 14, 2018

# Background

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- September 2017: BOS (6 issues)
- January 2018: MPC
- March 2018: CPC

# Permit Required

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- Issue: “ministerially without discretionary review”
- Recommendation: No Land Use Permit
- Allow ADUs with:
  - ▣ Exemption
  - ▣ Zoning Clearance

# Exemption 1

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- Within one-family dwelling or accessory building
- Lot zoned one-family use
- Independent exterior access
- Sufficient setbacks
- No additional standards

# Exemption 2

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- ☑ Within one-family or multiple-family dwelling or accessory building
- ☑ Lot zoned one-family or multiple-family use
- ☑ Few exterior alterations and within size limit
- ☐ Subject to additional standards

# Zoning Clearance

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- ☑ Partially within existing building or new building
- ☑ Lot zoned one-family or multiple-family use
- ☑ Complies with design, height, size, parking, etc.
- ☐ Director may request HLAC or MBAR Chair review
- ☐ Subject to additional standards

# OWTS Regulations

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- Issue: Clarify OWTS regulations
- Recommendation: All ADUs require public sewer or approved OWTS
- County Building Code: Approval required prior to issuance of a building permit

# 1 20-Day Application Review Period

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- Issue: Clarify start of 1 20-day period
- Recommendation: Approve/deny within 1 20 days of submittal
  - ▣ Planning and/or building permits
  - ▣ Deadline removed from ordinances

# HCD Review

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- Issue: Submit amendments to HCD
  - ▣ Verbal comments April 18, 2018
  
- Recommendation:
  - ▣ Allow ADUs on lots zoned multiple-family use
  - ▣ Require setbacks per California Fire Code
  - ▣ No planning permit for ADUs in existing buildings

# MPC vs. CPC Proposed Amendments

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- Issue: Inconsistencies between MPC and CPC
- Recommendation: CPC's recommendations
  - ▣ Exception: MBAR Chair provide comments

# MPC vs. CPC Proposed Amendments

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- Removed:
  - Lot coverage
  - Owner occupancy
  - Site preparation
- Revised:
  - Allow parking lifts
  - Allow ADUs in RMZ
  - Director may send applications to HLAC
  - Determine location by lot size
  - Max. size: 8% net lot area, up to 1,200 SF

# AB 2890 (pending)

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- Prohibits standards for lot size or lot coverage
- Shortens application review from 120 to 60 days
- Increases min. size from 150 to 800 SF
- Expands ADUs exempt from planning permits
- Allows multiple ADUs on qualifying lot

# Environmental Review

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- CEQA Guidelines § 15282(h) – LUDC, MLUDC, Uniform Rules
  - ▣ Adoption of ordinances per GC § 65852.2
  
- CEQA Guidelines § 15265 – Article II and Uniform Rules
  - ▣ Preparation of LCP amendments

# Recommended Actions

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1. Make required findings for approval, including CEQA findings
2. Determine project is exempt from CEQA per CEQA Guidelines § 15282(h) and § 15265
3. Adopt ordinances amending the LUDC, MLUDC, and Article II, and a resolution amending the Uniform Rules

# Revisions

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- Additional standards for fees, rental/sale, etc.
  - ▣ Apply to ADUs in existing buildings
  
- Special Problems Areas
  - ▣ Special Problems Committee review
  - ▣ Director may approve *Mission Canyon* ADUs

# Recommended Actions

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1. Make required findings for approval, including CEQA findings
2. Determine project is exempt from CEQA per CEQA Guidelines § 15282(h) and § 15265
3. Adopt the ordinances amending the LUDC, MLUDC, and Article II attached to the staff memo dated August 10, 2018
4. Adopt the resolution amending the Uniform Rules



# ADU Data

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## ADU Planning Permits and Exemptions (Filed Jan. 1, 2017- Aug.10, 2018)

Status	2017	2018	Total
Filed	99	61	160
Exempt	29	19	48
Approved	38	32	70
Issued	32	27	59

# ADU Data

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## ADU Building Permits (Filed Jan. 1, 2017- Aug.10, 2018)

Status	2017	2018	Total
Filed	46	34	80
Issued	16	35	51