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Planning and Development Department (P&D)
Long Range Planning Division

ADU, SC REZONE, AND MINOR ORDINANCE AMENDMENTS

Board of Supervisors
Hearing on November 7, 2023

Background



- ❑ Board-requested ordinance amendments to:
 - Initiate amendments to comply with recent ADU legislation
 - Update SC Zone to facilitate active commercial centers
 - Prepare other minor amendments to correct and/or clarify existing regulations

2023 ADU Legislation



- ❑ Assembly Bill (AB) 2221 and Senate Bill (SB) 897 went into effect on January 1, 2023 and amended GC Sections 65852.2 and 65852.22 that pertain to ADUs
 - Increased height allowance for certain ADUs
 - Clarified setback requirements, including front setbacks
 - Permits different combinations of ADUs

- ❑ Clarify/update existing regulations based on learned experience and remove barriers to ADU construction

LUDC, MLUDC, and CZO Amendments



□ Proposed ADU Amendments:

- Increased height allowance for certain ADUs, including ADUs stacked above other accessory structures
- Clarified setback requirements including front setbacks
- Clarified floor area calculation including ADU conversions
- Allowance for minor architectural features to be added without triggering additional permit requirements
- Revised lot requirements to allow more than one ADU

Height



	State Law	Proposed Standard
Conversion	N/A (existing structure)	Same as State law
New Construction	<p>Detached ADU: Up to 18 feet (if located within one-half mile walking distance of a major transit stop or on a lot with an existing or proposed multifamily, that is two stories high)</p> <p>Attached ADU: Up to 25 feet (if ADU is attached to the primary dwelling, the height limitation in the local zoning ordinance that applies to the primary dwelling, whichever is lower)</p>	<p>Detached ADU: Same as State law 16 ft (one-story detached ADUs) 25 ft (two-story detached ADUs) and allows stacking</p> <p>Attached ADU: Same as State law and principal dwelling height limit (attached ADUs)</p>

Setbacks



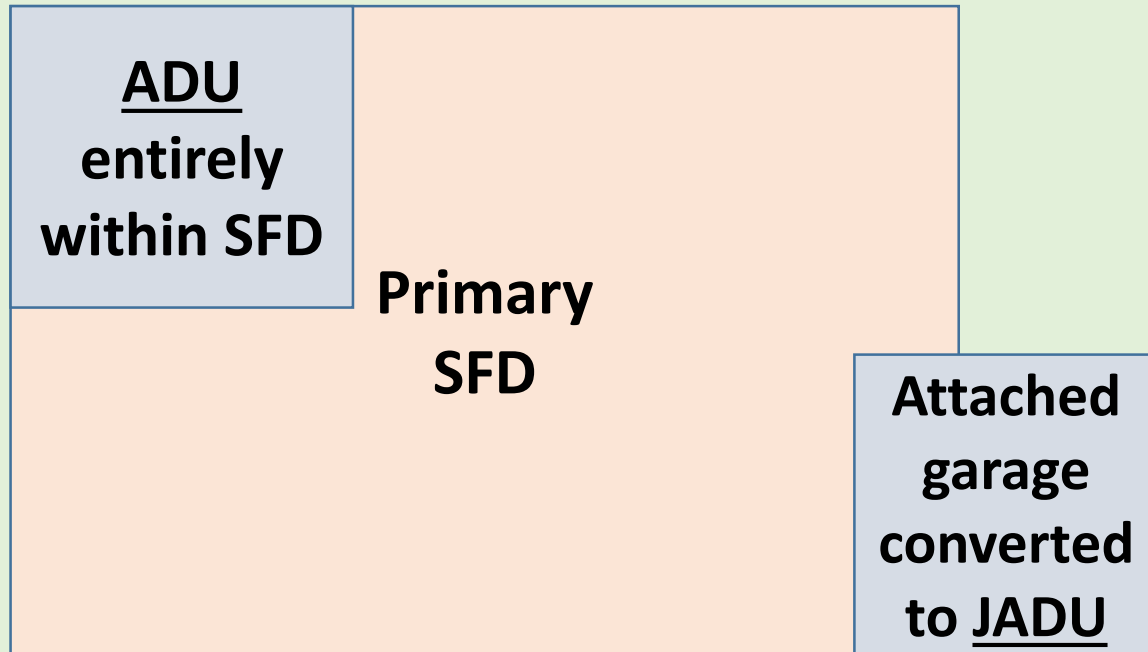
	State Law	Proposed Standard
Conversion	N/A (existing structure)	Same as State law
New Construction	New construction attached and detached ADUs: May encroach into front setback if it prevents the construction of an 800 sq. ft. ADU	New construction attached and detached ADUs: Same as State law

Number of ADUs



	State Law	Proposed Standard
Conversion	Entirely within a one-family dwelling or accessory structure: ADU can be combined with a new detached ADU and JADU	Same as State law
New Construction	New construction detached ADUs: Can be combined with ADU conversion and JADU	Same as State law

ADU Combinations in Single Family Residential Zone



Minimum 4 ft side and rear setback



One ADU entirely w/in SFD can be combined with:

- One JADU and one new construction detached ADU

Other Ordinance Amendments



AMENDMENT TOPIC		APPLICABILITY		
		LUDC	MLUDC	CZO
1	Eliminate references to the Shopping Center (SC) zone district	√		√
2	Eliminate the SC zone district and rezone to Retail Commercial (C-2) zone	√		
3	Clarify that projects that are determined to be exempt from a planning permit by the P&D Director are not subject to appeal	√	√	√
4	Correct and clarify existing development standards related to detached accessory structures (i.e., clarify height restrictions, gross floor area, and footprint limitations)	√	√	√
5	Correct a permit type error on Table 2-22 of Section 35.26.030	√		

Environmental Review



- ❑ CEQA Guidelines Sections 15061(b)(3), 15265, and 15282(h)
 - No significant impacts would occur
 - Consistent with CEQA Guidelines Sections 15061(b)(3), 15265, and 15282(h)

Recommend Actions



□ Board letter, page 1:

- Make the required findings for approval, including CEQA findings (Attachment 1)
- Determine that the proposed ordinance amendments are exempt from the provisions of CEQA pursuant to Sections 15061(b)(3), 15265, and 15301(p); and
- Adopt the ordinances (Attachments 3, 5, 6, and 7)



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THANK YOU

QUESTIONS ?

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