



COMMUNITY DEVELOPMENT DEPARTMENT

ACCESSORY DWELLING UNIT ORDINANCE

Ordinance Committee – February 27, 2018

Purpose of Hearing

- Receive Public Comment
- Review and Consider the Draft Accessory Dwelling Unit (ADU) Ordinance Establishing Regulations for ADUs
- Refer the ADU Ordinance to the full Council



Staff Presentation

- Brief Background and Work Effort to Date
- City Council Direction
- Revised Draft ADU Ordinance Provisions and Planning Commission Recommendations
- Next Steps



City's Overall Goals

- Adopt an ADU Ordinance compliant with state law and the City's long standing commitment to affordable housing and sound community planning
- Allow as much housing as possible within resource limits to provide an array of lifestyle options for a demographically and economically diverse resident population
- Promote high quality designs that are compatible with the surrounding neighborhood



Background

- SB 1069 and AB 2299 – Signed in 2016
 - Amended Government Code §65852.2
 - Nullified and voided sections of City's ordinances
 - In effect until City adopts an ADU ordinance
- SB 229 and AB 494 – Signed in 2017
 - Minor clarifying amendments to §65852.2



ADU Ordinance Process to Date

- **April 2017**
 - *Staff directed to prioritize work on ADU Ordinance*
- **June 2017**
 - *Rincon Consultants hired to assist staff*





ADU Ordinance Process to Date (cont.)

- **July 2017**

- *Preliminary outreach with Allied Neighborhood Association and AIA*
- *SFDB and HLC Review of preliminary amendments to the Single Family Design Board (SFDB) General Design Guidelines*



ADU Ordinance Process to Date (cont.)

- **September 2017**
 - *Planning Commission hearing on Initial Draft ADU Ordinance*
- **October 2017**
 - *City Council hearing to Initiate SBMC Amendments for ADUs, including Title 14 (water metering)*

ADU Ordinance Process to Date (cont.)

- **November - December 2017**
 - *City Council Approves Title 14 Amendments*
 - *HCD Review of Draft ADU Ordinance*
- **November 2017- February 2018**
 - *Continued Outreach with AIA Members*

ADU Ordinance Process to Date (cont.)

- **January 2018**
 - *Planning Commission Hearing with Recommendation to City Council*
- **February 2018**
 - *SFDB and HLC Input on Administrative Design Criteria*



City Council Direction

1. Zone Districts Allowing ADUs

Council: Allow in single/multi-unit zones or in all zones that allow residential uses

Response: Draft ordinance allows ADUs in all zones that allow residential uses

1. Housing and Community Development (HCD)

Council: Send draft ordinance to HCD for preliminary review

Response: Minor verbal comments addressed by staff



City Council Direction (cont.)

3. Minimum Lot Size

Council: Lower the minimum lot size to less than 5,000 sq. ft.

Response: Draft ordinance allows ADUs/JADUs on any lot size

4. Maximum ADU Size

Council: Increase allowable ADU size using a sliding scale

Response: Draft ordinance uses a sliding scale based on lot size

City Council Direction (cont.)

5. High Fire Hazard Areas

Council: *Strategically allow ADUs in some High Fire Hazard Zones*

Response: *Draft ordinance allows ADUs/JADUs in Coastal and Coastal Interior High Fire Hazard Zones*

6. Owner Occupancy Covenant

Council: *Require recordation of owner occupancy covenant*

Response: *Draft ordinance requires owner occupancy with recordation of covenant*



City Council Direction (cont.)

7. Water Meter Ordinance

Council: Amend Title 14 to reduce or eliminate the requirement for a separate water meter for ADUs

Response: Title 14 amendment adopted by City Council.

8. ADU Parking

Council: Allow ADU/replacement parking in interior setback

Response: Draft ordinance eliminates parking requirement for ADUs. Uncovered replacement parking allowed in front and interior setback.

City Council Direction (cont.)

9. Junior Accessory Dwelling Units (JADUs)

Council: Allow JADUs

Response: Draft ordinance allows JADUs

10. 30-Day Minimum Rental Requirement

Council: Keep the minimum 30-day rental requirement

Response: Draft ordinance retains 30-day minimum rental requirement



City Council Direction (cont.)

11. ADU Design Guidelines

Council: *Include design guidelines as ministerial requirement*

Response: *Draft ordinance includes ministerial design criteria*

12. ADU Ordinance Effective Date

Council: *Allow ADU projects submitted prior to ordinance effective date to be processed under state law*

Response: *Staff recommends **complete** applications submitted prior to ordinance effective date to be processed under state law*

DRAFT ADU REGULATIONS & PLANNING COMMISSION DIRECTION

Proposed ADU Ordinance

- February 2018 draft reflects input to date:
 - City Council
 - Planning Commission
 - HCD
 - Public



Planning Commission Discussion

- Owner Occupancy Requirement
- High Fire Hazard Zones
- Maximum Floor Area
 - Maximum ADU Size
 - Open Yard
- Effect of City's Ordinance on Applications in Process

Proposed ADU Ordinance – Owner Occupancy

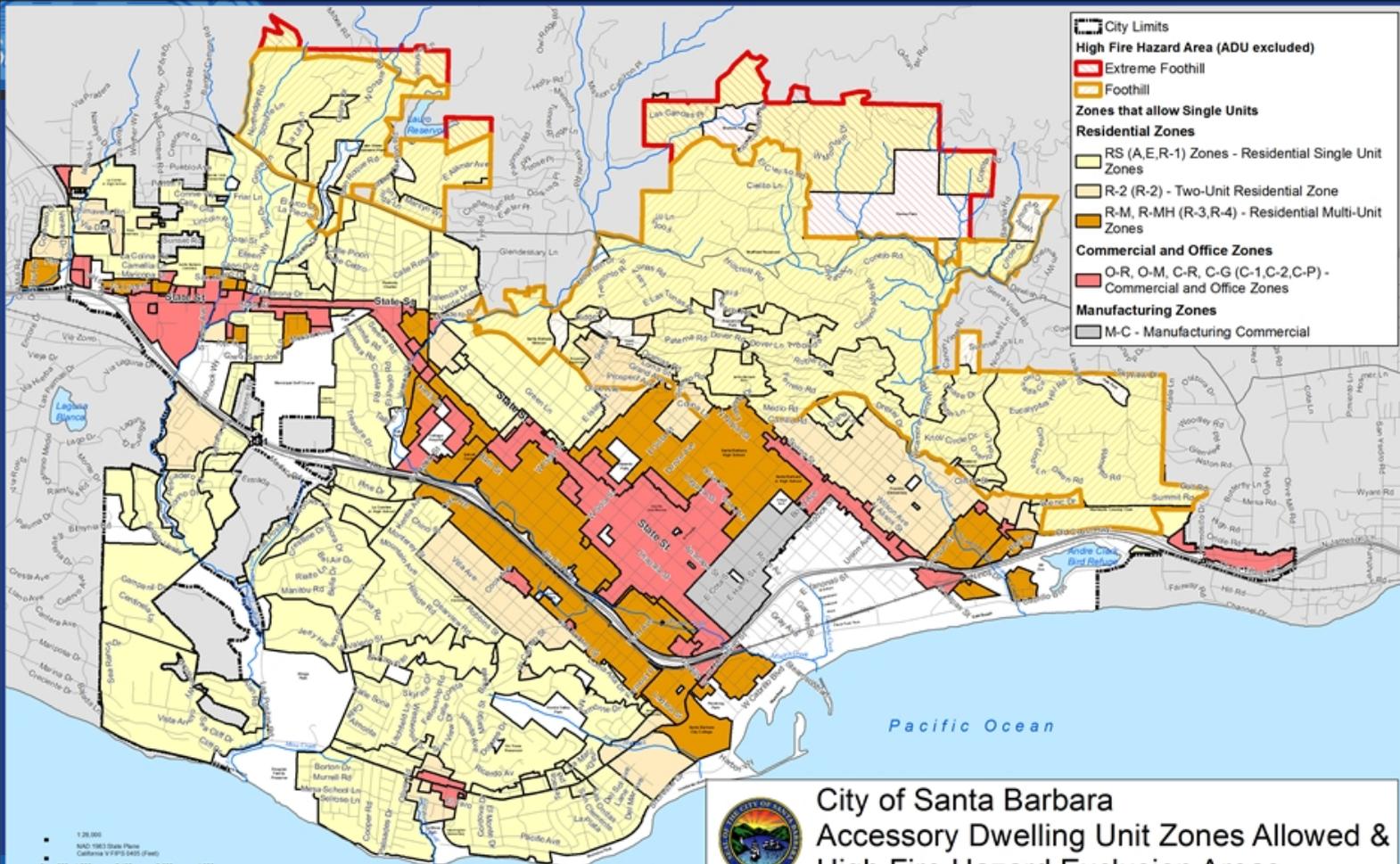
Planning Commission Discussion:

- *Amend the owner-occupancy requirement*
- *Unable to pass motion on recommended amendments*
- Staff recommends retaining owner-occupancy requirement with recordation of a covenant
 - *3-year hardship waiver amended to include additional personal situations to qualify for hardship*

Proposed ADU Ordinance – High Fire Hazard Areas

Planning Commission Recommendation:

- *Allow ADUs in High Fire Hazard Areas (HFHAs), with Fire Dept. review and additional parking requirements*
- Staff recommends retaining prohibition in Foothill and Extreme Foothill HFHAs




City of Santa Barbara
Accessory Dwelling Unit Zones Allowed & High Fire Hazard Exclusion Areas
 Map prepared by City of Santa Barbara, Planning Division, A/JN December, 2017



Proposed ADU Ordinance – Unit Size

Planning Commission
Recommendation:

- *Increase ADU size based on lot size as recommended by AIA members*
- Sliding scale amended as recommended by PC



Proposed ADU Ordinance – Unit Size (cont.)

Lot Size (sq. ft.)	Maximum ADU Size (sq. ft.)
<i>< 5,000</i>	Up to 600
<i>5,000 - 9,999</i>	Up to 800
<i>10,000 - 14,999</i>	Up to 1,000
<i>15,000 or larger</i>	Up to 1,200

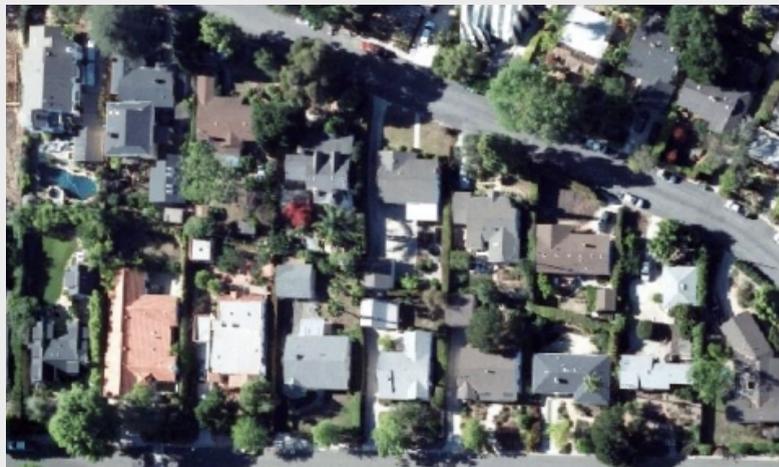
Proposed ADU Ordinance – Unit Size (cont.)

Lot Size (sq. ft.)	Maximum ADU Size (sq. ft.)	Max Total Accessory Bldgs Per Lot (sq. ft.)
< 5,000	600	1,000
5,000 - 9,999	800	1,300
10,000 - 14,999	1,000	1,500
15,000 - 19,999	1,200	1,750
20,000 or larger	1,200	1,950

Proposed ADU Ordinance – Open Yard

Planning Commission
Recommendation:

- Allow encroachment of ADUs into an open yard and explore options for flexibility





Current Open Yard Requirement

Lots developed with single and two-unit residences:

- Minimum Open Yard Area
 - 800 sq. ft. on lots less than 5,000 sq.ft.
 - 1,250 sq. ft. on lots 5,000 sq. ft. or greater
- Minimum Open Yard Dimensions: 20 ft. long x 20 ft. wide
- Open Yard Location: One or multiple areas meeting minimum dimension. May include setbacks, except front setback



Proposed ADU Ordinance – Open Yard (cont.)

Several options for providing a flexible open yard requirement were explored

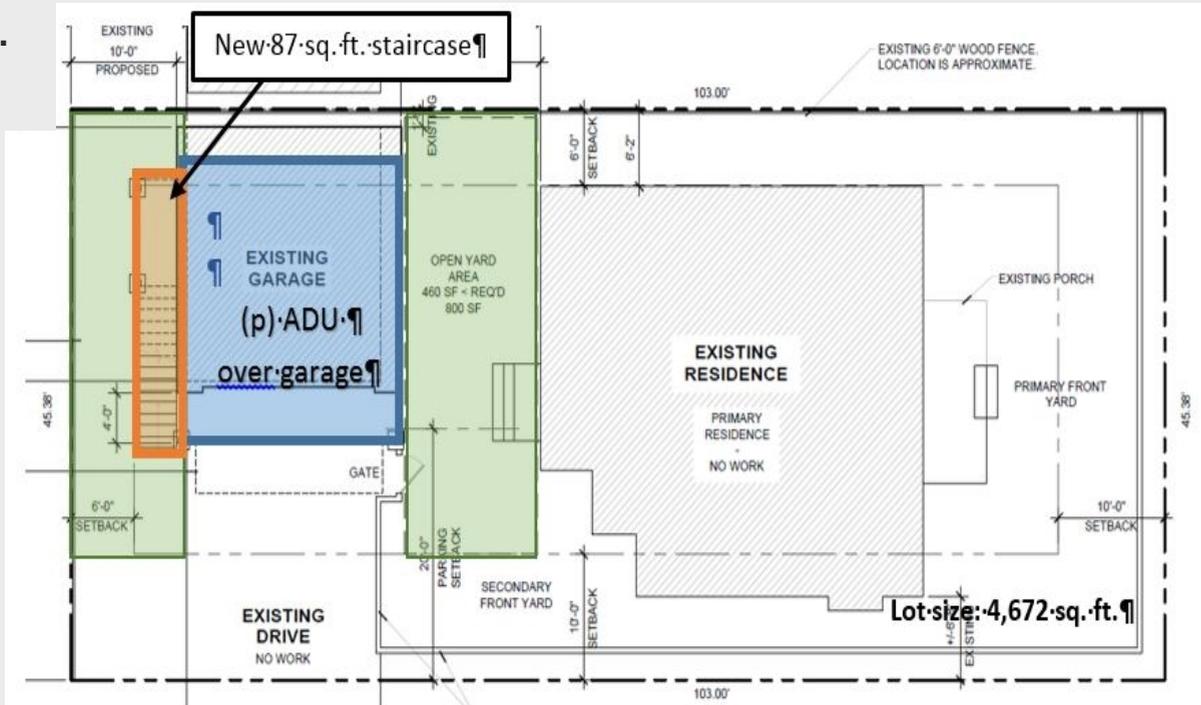
- Staff recommends allowing ADUs to encroach a maximum of 20% into the conforming or nonconforming open yard, or 150 sq. ft., whichever is greater



Nonconforming Yard Example: New Staircase

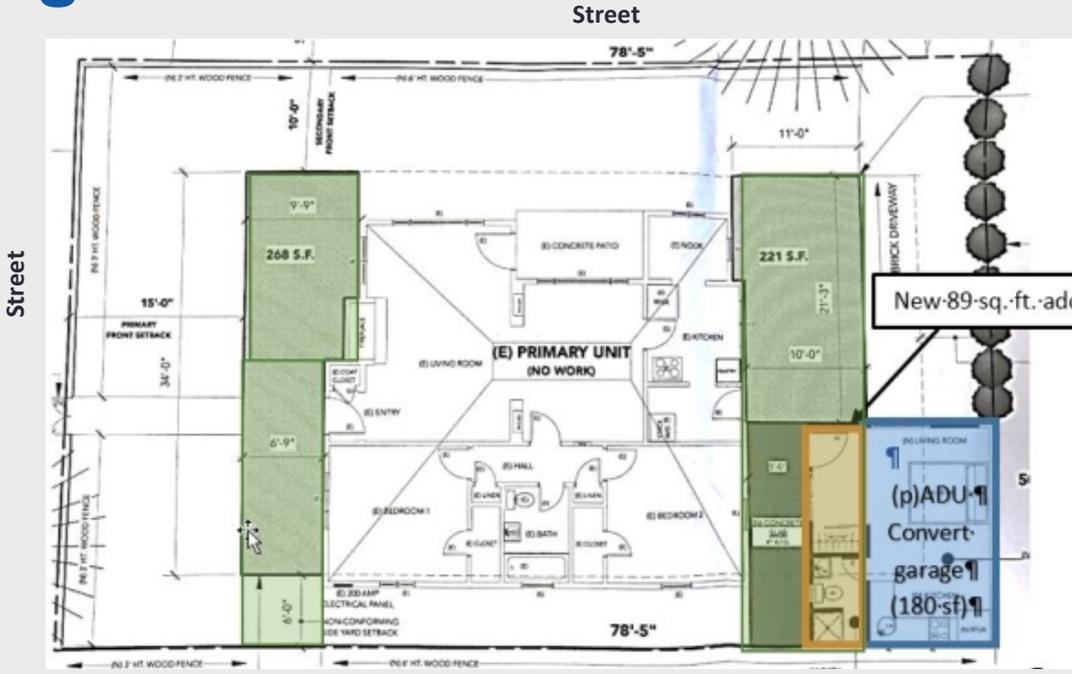
Lot size: 4,672 sq. ft. (R-M Zone)

(e) open yard = 845 sq. ft.





Nonconforming Yard Example: Convert 1-Car Garage to ADU



Lot size: 3,925 sq. ft. (R-2 Zone)

(e) open yard = 400 sq. ft.

Proposed ADU Ordinance – Applications

Planning Commission Recommendation:

- ADU applications submitted prior to ordinance adoption be allowed to proceed under state law
- Staff recommends complete applications be allowed to proceed under state law
 - *Complete means all required information necessary for project analysis and decision has been provided*



Proposed ADU Ordinance – Design Criteria

- Developed with input from AIA members, SFDB, HLC
- Project Meets Criteria
 - *Approved ministerially*
- Project Does Not Meet Criteria
 - *Referred to SFDB or HLC as appropriate*



Proposed ADU Ordinance – Design Criteria (cont.)

- No shiny roofing/siding [SBMC 28.15] and “bubble” skylights [SFRDG Ch.14]
- No clay S-type roofing materials [SFRDG Ch.15]
- No glass guardrails [SFRDG Ch. 16]



Proposed ADU Ordinance – Design Criteria (cont.)

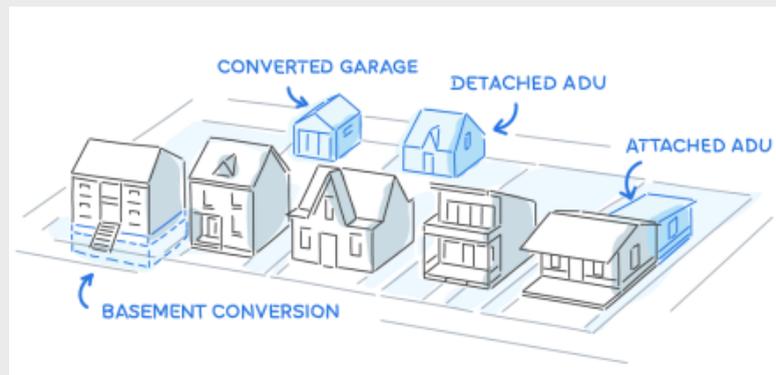
- Garage conversions shall replace vehicle door(s) with siding, or residential windows and doors



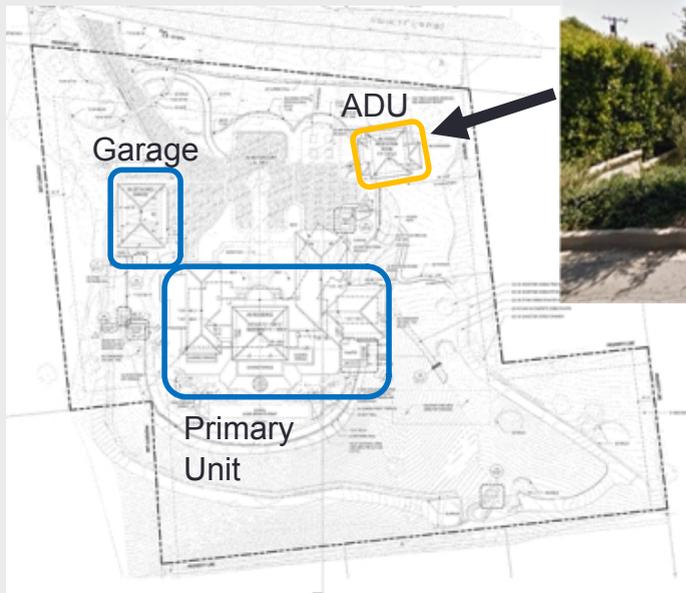


Proposed ADU Ordinance – Design Criteria (cont.)

- Height shall not exceed height or number of stories of primary residential unit or 17 feet, whichever is greater (not including above a garage)



Proposed ADU Ordinance – Design Criteria (cont.)



Detached ADU in front yard: setback, no more than one story, less than 17 feet in height, and screened with landscape or topography. Does not dominate primary residence.

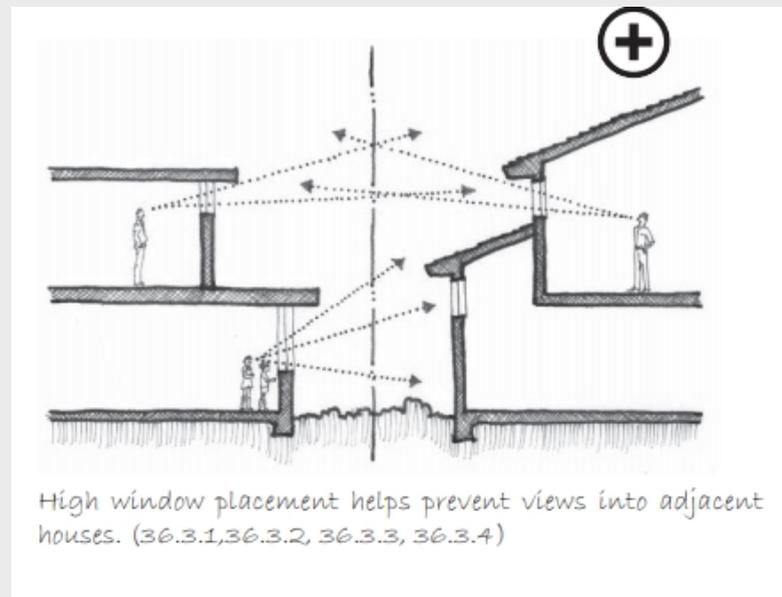


Proposed ADU Ordinance – Design Criteria (cont.)

- New detached or attached ADUs shall match primary residential unit if:
 - Attached to or within 20 feet of primary unit
 - Located in Hillside Design District
 - Two or more stories tall, or 17 feet or taller in height
 - Located on site with designated historical resource
 - Located in front yard

Proposed ADU Ordinance – Design Criteria (cont.)

- ADUs two or more stories tall, or 17 feet or taller in height, shall comply with **privacy standards** regarding placement of unenclosed landings, decks, balconies, and upper story windows





NEXT STEPS



Next Steps – Spring 2018

- City Council Ordinance Introduction and Adoption
- HCD Review
- Coastal Commission Certification (with Title 30)





Recommendation

- Review proposed amendments to the SBMC to establish development regulations for Accessory Dwelling Units and refer the ordinance to the City Council for adoption