



Study Session Accessory Dwelling Units Zoning Code Sec.'s 44-10,78,111,363

CITY COUNCIL MEETING

APRIL 3, 2018



Background

- **Accessory Dwelling Units are known by many different names such as “Second Units”, “Granny Flats”, “In-Law Units” or “Accessory Apartments”.**
- **State has adopted new Accessory Dwelling Unit (ADU) laws.**
- **City ADU regulations are null and void until it adopts an ordinance that complies with the State ADU laws.**



Summary

- **La Palma Zoning Code (ZC) addresses Accessory Dwelling Units and regulations in four Sections of the Zoning Code.**
 - 1. Zoning Code Section 44-10 Definitions**
 - 2. Zoning Code Section 44-78 Allowable Uses**
 - 3. Zoning Code Section 44-111 Second Unit Residences**
 - 4. Zoning Code Section 44-363-364. Residential Parking Standards and Calculations**



Proposed Definition Changes

- **Zoning Code Section 44-10 Definitions**
- **In La Palma Zoning Code- *Accessory Dwelling Units* are described as *Residence Second Unit*.**
- **Propose revising the term and expand the definition of *Residence Second Unit* to be consistent with State Law.**



Proposed Definition Changes

- **Accessory Dwelling Unit (ADU), means an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling home is situated**



Proposed Definition Changes

- An accessory dwelling unit generally takes four (4) forms:
 1. Detached: The unit is separated from the primary structure.
 2. Attached: The unit is attached to the primary structure.
 3. Repurposed Existing Space: Space (e.g., master bedroom) within the primary residence is converted into an independent living unit.



Proposed Definition Changes

- 4. Junior Accessory Dwelling Unit (JADU): Means a unit that is between 150 to 500 square feet in size and contained entirely within an existing single-family structure. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing structure.**



Proposed Allowable Uses Changes

■ Zoning Code Section 44-78 Allowable Uses

LAND USE	R-1 DISTRICT	R-3 DISTRICT	STANDARDS IN SECTION
Secondary Dwelling Units <u>Accessory Dwelling Units (ADUs)</u>	P	P	44-111



General Intent of State Regulatory Text Changes

- To clarify that an accessory dwelling unit within an existing space, including garage shall be permitted ministerially with a building permit.
- To provide minimum and maximum sizes and standards for Accessory Structures (Attached or Detached) that conform to the residential zone where located and be permitted ministerially with a building permit



Important ADU Regulations

- **Site and design regulations.**
- **Sale and rental regulations.**
- **Permit requirement regulations.**
- **Parking standard regulations.**
- **Deed restriction regulations.**



Proposed Regulatory Text Changes

- **Zoning Code Section 44-111 Second Unit Residences**
- **a) Site and Design Standards within Existing Space**
- **b) Site, Size, Design and Parking Standards for Attached or Detached Structures**
- **c) Ownership and Sale Prohibition Restrictions**
- **d) Building Permit Requirements**
- **e) Junior Accessory Dwelling Units (JADU) Site, Size, Design, Parking Standards, Required Deed Restrictions and Fee Waivers**



a) Site and Design Standards within Existing Space

- **Independent exterior access required.**
- **Sufficient side and rear setback for fire safety required.**
- **Compliance with Building and Safety Codes required.**
- **Must be located within an existing primary structure, garage, or other accessory structure.**



b) Site, Size, Design and Parking Standards for Attached or Detached Structures

- **Attached or detached to home not to exceed 50% of the living area with a 1,200 square foot max size.**
- **ADU must comply with zoning standards and architecture.**
- **Detached ADU height limit is 16 feet.**
- **New or separate utilities connections are not required.**



c) Ownership and Sale Prohibition Restrictions

- **ADU may be rented but not for individual sale, transfer or assigned separately from the main house.**
- **Homeowner shall occupy either the main house or the ADU.**
- **Main house and ADU may not be rented simultaneously or for terms less than 30 days.**
- **Deed restriction affirming this is required prior to approval.**



d) Building Permit Requirements

- **City has 120 days to ministerially approve if ADU is in compliance with this Ordinance.**
- **Community Development Department will issue a building permit or zoning certificate for the ADU.**



e) Junior Accessory Dwelling Units (JADU) Site, Size, Design, Parking Standards, Required Deed Restrictions and Fee Waivers

- **JADU must be created within existing walls of main house between 150 and 500 square feet.**
- **Existing interior and separate exterior entrances required.**
- **An efficiency kitchen is required and may share a bathroom with the main house.**
- **No additional parking required.**



Proposed Regulatory Text Changes

- **Zoning Code Section 44-363 to 364 Residential Parking Standards and Calculations.**
- **One parking space per ADU bedroom that is not located within existing space.**
- **Uncovered (tandem in driveway) space or ancillary space (side of the driveway).**
- **Covered (garage) space in addition to a home's standard two car garage.**



Proposed Changes

- **One parking space per ADU bedroom waived if:**
 - **ADU is within .5 mile from public transit.**
 - **ADU is part of existing residence.**
 - **ADU is in parking permits are that excludes ADU.**
 - **ADU is located within a block of a car share area.**



Recommendations:

- (A) Approve the updated ADU definitions in Zoning Code Section 44-10. Definitions (Attachment 1)**
- (B) Approve the updated ADU land use description in Zoning Code Section 44-78. Allowed Uses (Attachment 2)**
- (C) Approve the updated ADU site and design standards in Zoning Code Section 44-111. Second Unit Residences (Attachment 3)**
- (D) Approve the updated ADU residential parking standards in Zoning Code Section 44-363 to 364 (Attachment 4)**



Study Session

Accessory Dwelling Units

Zoning Code Sec.'s

44-10,78,111, 363 to 364

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Recommended Actions:

- (A) Review and discuss the proposed modifications to the Zoning Code Sections 44-10. Definitions, 44-78. Allowed Uses, 44-111. Second Unit Residences and 44-363-4. Residential Parking Standards & Calculations.**
- (B) Provide staff direction to prepare the documents necessary for City Council consideration of an Amendment to Zoning Code Sections 44-10. Definitions, 44-78. Allowed Uses, 44-111. Second Unit Residences and 44-363-364. Residential Parking Standards & Calculations to incorporate the City Council desired changes.**