

BLUE FOLDER ITEM

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CITY COUNCIL MEETING October 6, 2020

- L.1** PUBLIC HEARING TO CONSIDER THE PLANNING COMMISSION'S RECOMMENDATION TO AMEND TITLE 10 CHAPTER 2 (ZONING ORDINANCE) AND TITLE 10 CHAPTER 5 (COASTAL LAND USE PLAN IMPLEMENTING ORDINANCE) OF THE MUNICIPAL CODE AND THE LOCAL COASTAL PLAN PERTAINING TO ACCESSORY DWELLING UNITS IN RESIDENTIAL ZONES CONSISTENT WITH STATE LAW INTRODUCE BY TITLE ONLY ORDINANCE NO. 3206-20 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING TITLE 10 CHAPTER 2 OF THE MUNICIPAL CODE PERTAINING TO ACCESSORY DWELLING UNITS IN RESIDENTIAL ZONES CONSISTENT WITH STATE LAW. FOR INTRODUCTION AND FIRST READING. INTRODUCE BY TITLE ONLY ORDINANCE NO. 3207-20 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING TITLE 10 CHAPTER 5 OF THE MUNICIPAL CODE PERTAINING TO ACCESSORY DWELLING UNITS IN RESIDENTIAL ZONES IN THE COASTAL ZONE, CONSISTENT WITH STATE LAW. FOR INTRODUCTION AND FIRST READING. ADOPT BY TITLE ONLY RESOLUTION NO. CC-2010-072, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, REQUESTING CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION OF AMENDMENTS TO THE COASTAL LAND USE PLAN IMPLEMENTATION ORDINANCE (TITLE 10, CHAPTER 5 OF THE MUNICIPAL CODE) AND REQUESTING REVIEW OF THE AMENDMENTS BY THE STATE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PERTAINING TO ACCESSORY DWELLING UNITS, CONSISTENT WITH STATE LAW, WHICH IS INTENDED TO BE CARRIED OUT IN A MANNER FULLY IN CONFORMITY WITH THE COASTAL ACT; AND PROVIDING THAT THE AMENDMENTS TO THE CITY'S LOCAL COASTAL PROGRAM WILL TAKE EFFECT AUTOMATICALLY UPON COASTAL COMMISSION APPROVAL PURSUANT TO PUBLIC RESOURCES CODE SECTION 30514 AND TITLE 14, SECTION 13551 OF THE CALIFORNIA CODE OF REGULATIONS.

PROCEDURES:

- a. Open the Public Hearing, take testimony; and
- b. Close the Public Hearing; and
- c. Introduce Ordinances 3206-20 & 3207-20 by title only; and
- d. Adopt Resolution No. CC-2010-072 by title only.

CONTACT: BRANDY FORBES, COMMUNITY DEVELOPMENT DIRECTOR

- PowerPoint Presentation

ZONING AMENDMENTS FOR ACCESSORY DWELLING UNITS (ADUS)

CITY OF REDONDO BEACH CITY COUNCIL

OCTOBER 6, 2020

BACKGROUND ON LEGISLATION

- State Senate and Assembly adopted bills related to ADUs in 2019
- Governor signed bills into law in October 2019
- New regulations effective January 1, 2020
- California Department of Housing and Community Development (HCD) issued regulations with guidance memo on January 10, 2020
- Community Development staff coordinated with City Attorney's office to prepare ordinances
- Planning Commission public hearing on September 17, 2020 – recommend adoption of ordinances

BASIC KEY CHANGES TO THE LEGISLATION

- Must allow ADUs in all areas zoned to allow residential, including multi-family and mixed use.
- Junior ADUs must be allowed in certain streamlined conditions.
- Minimum lot size requirements cannot be required.
- Owner-occupancy restrictions are not permitted (sunsets in 2025).
- Jurisdictions may prohibit rentals of less than 30 days in all ADUs.
- Setbacks, heights, unit sizes, and parking all vary based on whether streamlined or non-streamlined.

STREAMLINED CATEGORIES

- Four categories of streamlined ADUs, as provided in California Government Code Section 65852.2(e).
- Regardless of any other provisions, if a streamlined ADU meets those very basic standards stated in the State regulations, a City must approve the application, and may not impose any other standards.

STREAMLINED CATEGORIES (CONT.)

I. Single Family “Wholly Within” in 10-2.1506(b)(2)

- One ADU or Junior ADU (JADU) is allowed
- To be on lot with existing or proposed single family residence (SFR)
- ADU or JADU must be wholly within existing or proposed SFR or existing attached accessory structure, with an expansion of up to 150 square feet (sf) if expansion is to accommodate ingress/egress
- Direct exterior access is required
- Side and rear yard setbacks must be sufficient for fire safety
- No ADU size limit can be imposed
- JADU limits can be imposed (500 sf limit; recorded deed restriction prohibiting separate sale, limiting size, and allowing rental of only one of the units; owner occupancy requirement)

STREAMLINED CATEGORIES (CONT.)

2. Single Family “New Detached” in 10-2.1506(b)(3)

- One ADU is allowed
- An ADU under this section may be combined with one JADU under “Wholly Within” category
- To be on lot with existing or proposed SFR
- Residential or mixed-use zoning
- Detached from the SFR
- New construction (conversion of detached accessory structure would constitute non-streamlined)
- 4 ft. side and rear yard setbacks
- 800 sf limit
- 16 ft. height limit
- 5 ft. minimum distance between structures for fire protection or otherwise meet fire code (City of Redondo Beach requirement)

STREAMLINED CATEGORIES (CONT.)

3. Multi-Family “Non-livable Space Conversion” in 10-2.1506(b)(4)

- At least one ADU and up to 25% of existing units in multi-family dwelling (MFD) are allowed
- To be on lot with existing MFD
- ADU is to be a conversion of non-livable space of existing structure, (i.e., storage rooms, boiler rooms, passageways, attics, basements, garages)
- ADU must be wholly within existing MFD, but can only be conversion of non-livable space
- No ADU size limit can be imposed

STREAMLINED CATEGORIES (CONT.)

4. Multi-Family “New Detached” in 10-2.1506(b)(5)

- Not more than two detached ADUs are allowed
- To be on lot with existing MFD
- Detached from the MFD
- 4 ft. side and rear yard setbacks
- No ADU size limit can be imposed
- 16 ft. height limit
- 5 ft. minimum distance between structures for fire protection or otherwise meet fire code (City of Redondo Beach requirement)

CONDITIONS FOR ALL STREAMLINED

Parking:

- In inland zone, the City cannot require parking for streamlined ADU or JADU.
- In coastal zone, possibility that one parking space per ADU or JADU, provided on same lot as the ADU or JADU, could be required. The City of Redondo Beach is proposing this, but Coastal Commission and HCD have to agree.
- City cannot require replacement parking of converted parking spaces.
- Parking in tandem or in setbacks must be allowed.

CONDITIONS FOR ALL STREAMLINED (CONT.)

Coastal Development Permit (CDP):

- Currently CDP is required.
- Similar to the ordinances the City approved but were not certified last year, City can regulate it so that no CDP and public hearing would be required if ADU within existing SFR and does not affect major structural components.
- If CDP required, in such case where the ADU is not wholly within the existing SFR, City can regulate it so the public hearing waived if
 - ADU meets development standards for streamlined project
 - ADU has no potential to adversely impact coastal resources
 - Project is consistent with City's Local Coastal Program
 - ADU has no adverse effect on access to coast
 - City does not receive a request for public hearing within 15 working days after notice of hearing waiver issued

NON-STREAMLINED

As proposed, for all non-streamlined ADUs:

- ADUs limited to SFR zoning
- No minimum lot size can be imposed
- City cannot require owner occupancy of ADU or main unit (sunsets January 2025)
- ADU may be within, attached to, or detached from existing SFR
- City is proposing to limit so the ADU can only be on a lot with existing or proposed SFR (not MFR)
- City can require that no existing ADU or JADU to be located on the site
- City can require ADU to comply with building height, setback, site coverage, floor area ratio, building envelope, and payment of any applicable fees. These architectural design standards are under **10-2.1506(c)(4)**



NON-STREAMLINED (CONT.)

DIMENSIONS:

- Size:
 - Maximums as low as 850 sf limit (studio/1 bedroom) or 1000 sf (>1 bedroom)
 - Must still allow an efficiency unit (minimum 150 sf)
- Height limit:
 - 16 ft. maximum height for detached (cannot go below that)
 - Can limit detached ADU to one-story

NON-STREAMLINED (CONT.)

ACCESSES AND SETBACKS:

- Entrances:
 - Can restrict attached ADUs to have direct (independent) exterior access
 - Can restrict attached ADU to gain access from rear or side only
 - Can restrict detached ADU access to at least 10 ft. from property line
- Setbacks:
 - No setback can be required for existing or replacement structures
 - 4 ft. minimum side and rear yard for new construction and for ADUs that exceed footprint of existing structure or structure being replaced
 - 5 ft. minimum distance between structures

NON-STREAMLINED (CONT.)

PARKING:

- In coastal zone, possibility that one parking space per ADU, provided on same lot as the ADU, could be required regardless of waivers (see inland zone). City is proposing this, but Coastal Commission and HCD must authorize.
- In inland zone, one space can be required per ADU, provided on same lot as the ADU, unless
 - within ½ mile of public transit.
 - in historic district.
 - on-street parking permits required but not offered to ADU occupant.
 - ADU is within or attached to existing SFR or accessory structure.
 - car share vehicle is located within 1 block.
- Parking in tandem or in setbacks must be allowed.
- Replacement spaces for garage or carport demolition or conversion required in coastal zone; replacement cannot be required in inland zone.

NON-STREAMLINED (CONT.)

COASTAL DEVELOPMENT PERMIT:

- Similar to the ordinances City approved but were not certified last year, City can regulate it so that no CDP and public hearing would be required if ADU within existing SFR and does not affect major structural components.
- If CDP required, can regulate it so the public hearing waived if
 - ADU meets development standards for non-streamlined project.
 - ADU has no potential to adversely impact coastal resources.
 - Project is consistent with City's Local Coastal Program.
 - ADU has no adverse effect on access to coast.
 - City does not receive a request for public hearing within 15 working days after notice of hearing waiver issued.

PROCEDURES

a) Open Public Hearing, take testimony; and

b) Close Public Hearing; and

c) Introduce by title only Ordinance 3206-20 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING TITLE 10, CHAPTER 2 OF THE MUNICIPAL CODE PERTAINING TO ACCESSORY DWELLING UNITS IN RESIDENTIAL ZONES CONSISTENT WITH STATE LAW; and

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d) Adopt by title only Resolution NO. CC-2010-072 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, REQUESTING CERTIFICATON BY THE CALIFORNIA COASTAL COMMISSION OF AMENDMENTS TO THE COASTAL LAND USE PLAN IMPLEMENTATION ORDINANCE (TITLE 10, CHAPTER 5 OF THE MUNICIPAL CODE) AND REQUESTING REVIEW OF THE AMENDMENTS BY THE STATE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PERTAINING TO ACCESSORY DWELLING UNITS, CONSISTENT WITH STATE LAW, WHICH IS INTENDED TO BE CARRIED OUT IN A MANNER FULLY IN COMFORMITY WITH THE COASTAL ACT; AND PROVIDING THAT THE AMENDMENTS TO THE CITY'S LOCAL COASTAL PROGRAM WILL TAKE EFFECT AUTOMATICALLY UPON COASTAL COMMISSION APPROVAL PURSUANT TO PUBLIC RESOURCES CODE SECTION 30514 AND TITLE 14, SECTION 13551 OF THE CALIFORNIA CODE OF REGULATIONS..