



# Accessory Dwelling Units Urgency Ordinance

January 28, 2020

# Request

1. Adopt urgency ordinance regulating accessory dwelling units (ADUs)
2. Adopt resolution initiating amendments to the Thousand Oaks Municipal Code concerning ADUs



# What is an ADU?

- Independent of the main dwelling unit
- Has a separate kitchen from the main dwelling
- Three types:
  - Junior
  - Attached
  - Detached



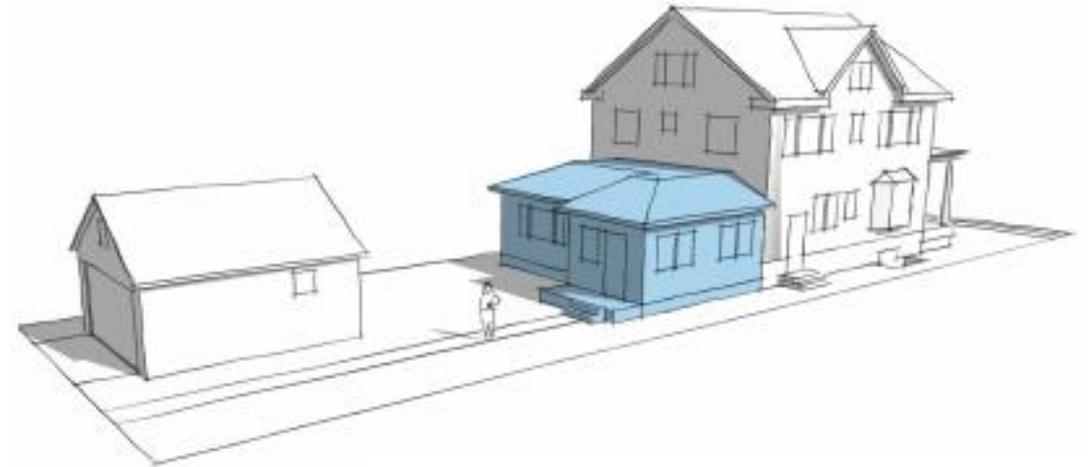
# Junior ADU

- Conversion of existing living area located entirely within main dwelling structure
- Must have efficiency kitchen (with or without sink) separate from main dwelling
- May have full separate kitchen
- May have separate or shared bathroom from main dwelling



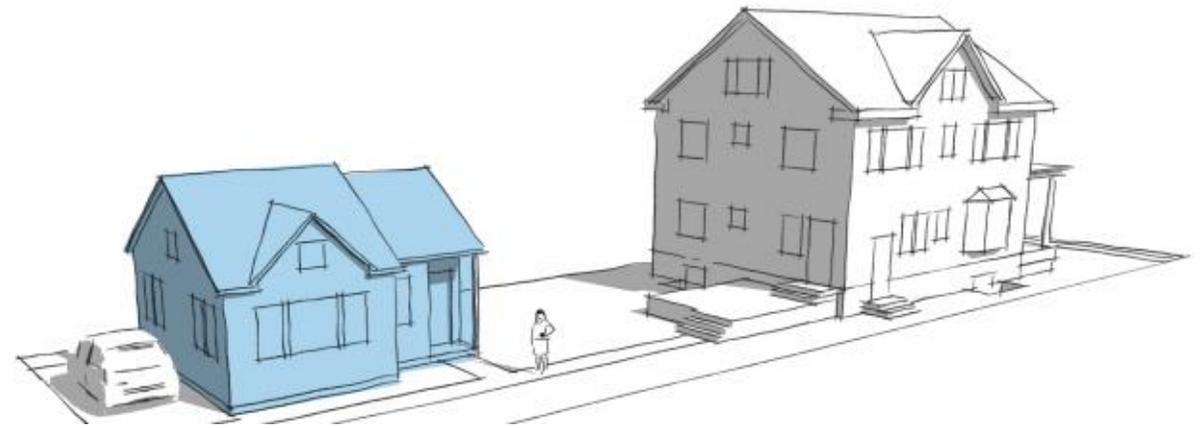
# Attached ADU

- Attached to main dwelling
- New construction, conversion of existing living area, and/or conversion of attached garage
- Separate full kitchen and bathroom from main dwelling



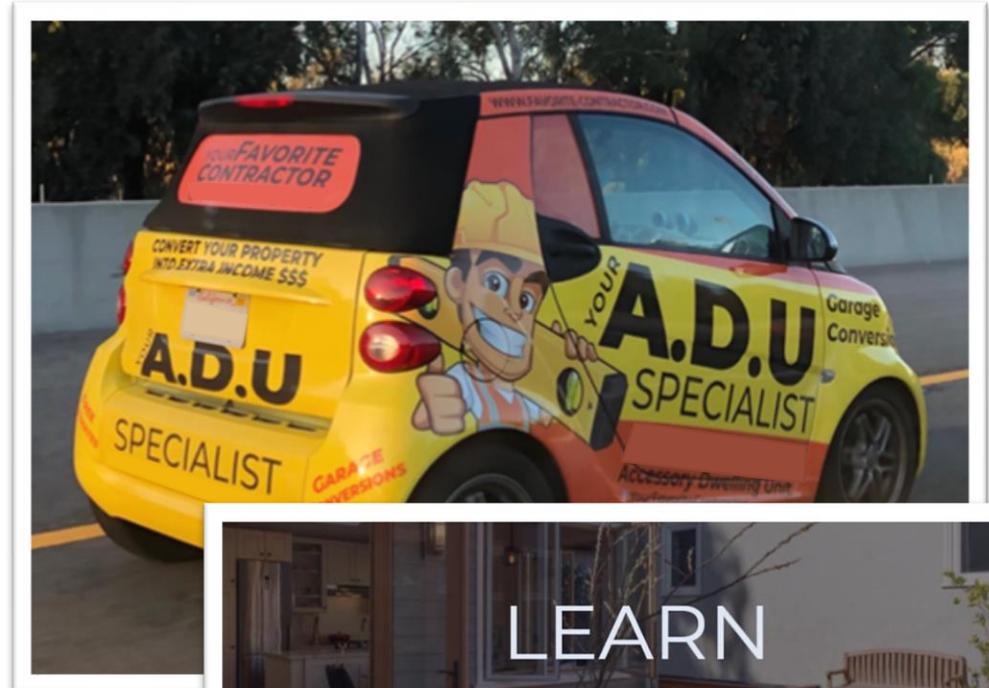
# Detached ADU

- Not attached to main dwelling
- May be freestanding or attached to garage or other accessory structure
- New construction or conversion of existing or rebuilt accessory structure or garage
- Separate full kitchen and bathroom from main dwelling



# Background

- State has progressively restricted cities' ability to regulate ADUs
- Changes effective January 1, 2017 to reduce parking and facilitate conversion of existing structures
- TO and other cities have seen major increase in public inquiries and ADU applications since 2017; additional interest now with new legislation
  - 53 ADU applications
  - 22 ADUs constructed



# New Legislation

- Five new bills effective January 1, 2020: AB 68, AB 671, AB 881, SB 13, SB 587
- Legislation is complicated; multiple bills created conflicts and ambiguities yet to be resolved
- Legislation explicitly voids all inconsistent city ordinances effective January 1, 2020 and defaults to State law



# Notable Changes to ADU Standards

- Larger size
- Reduced parking
- Reduced or no impact fees
- Shorter timeframe for City action on ADU applications
- Owner occupancy not required
- ADUs allowed in multi-family zones
- More ADUs allowed per lot
- More flexibility for conversion



# Maximum ADU Size

- Junior ADU
  - 500 square feet
- Attached ADU
  - 50% of primary dwelling, no less than 800 square feet
- Detached ADU
  - 850 square feet for studio or 1 bedroom
  - 1,000 square feet for 2+ bedrooms



# Parking Required

- No ADU parking or replacement parking for main dwelling required for converted garage
- No parking required for
  - Junior ADU
  - Attached or Detached studio ADU
  - Existing or rebuilt accessory structure converted to ADU
  - Specific situations including within ½ mile of public transit
- 1 parking space required for new construction ADU with 1 or more bedrooms
  - Parking may be uncovered and may be tandem in driveway



# Side and Rear Setbacks

- 4-foot side and rear setbacks
- Existing structures may be converted to ADU even if existing setbacks are less than 4 feet
- Structures may be demolished and rebuilt within the same footprint and still qualify with previous setback
- Structures may be expanded by up to 150 s.f. with previous setback



# Other Notable Changes

- 16-foot height limit for Detached ADUs
- Owner occupancy not required
- No impact fees for ADUs less than 750 s.f.; impact fees for larger ADUs proportional to main dwelling
- Maximum 60 days for approval; must be ministerial (no discretion or notice)
- 2 ADUs allowed per lot in single-family zones (1 Junior and 1 other)
- Multiple ADUs allowed per lot in multi-family zones
- HOA and CC&R prohibitions on ADUs are void



# Urgency Ordinance

- Current City ordinance void due to inconsistency with new laws
- ADU approvals subject only to minimum State standards
- Inability to apply City standards threatens neighborhood character and property values
- Urgency ordinance effective immediately upon adoption by 4/5 vote of City Council



# Regular Ordinance

- Council resolution to initiate regular Municipal Code Amendment
- Opportunity to address conflicts and ambiguities once resolved
- Planning Commission public hearing with recommendation to City Council
- City Council public hearing with introduction and second reading
- Effective 31 days after adoption



# Recommendation

1. Read ordinance in title only, further reading be waived, and adopt urgency ordinance regulating ADUs (4/5 vote required)
2. Adopt resolution initiating amendments to the Thousand Oaks Municipal Code concerning ADUs



