

CITY COUNCIL REGULAR SESSION

Ordinance to amend Land Use Code chapter 20.20.120, Accessory Dwelling Units, to remove the three-year wait period to establish an Accessory Dwelling Unit in new single-family home construction; providing for severability; and establishing an effective date.

Mike Brennan, Director, 452-4113
Trisna Tanus, Consulting Attorney, 452-2970
Nick Whipple, Senior Planner, 452-4578
Development Services Department

EXECUTIVE SUMMARY

On February 1, after discussion in Study Session, Council directed staff to finalize this Ordinance for approval. Consistent with the Planning Commission recommendation, this Ordinance is a Land Use Code Amendment (LUCA) to amend Land Use Code (LUC) 20.20.120, Accessory Dwelling Units (ADUs), to remove the three-year wait period to establish an ADU in a new single-family home. This LUCA advances the City's Affordable Housing Strategy (AHS) Action B-2, which calls for updating the ADU standards in the LUC to increase the overall supply of ADUs in the City.

RECOMMENDATION

Move to adopt Ordinance No. 6567.

BACKGROUND/ANALYSIS

This ADU LUCA will amend LUC 20.20.120 to remove the three-year wait period to establish an ADU in a new single-family home. This LUCA advances AHS Action B-2, which calls for updating the City's ADU standards to increase the overall supply of ADUs in the City. A final strike-draft of the recommended LUCA is provided as Attachment A.

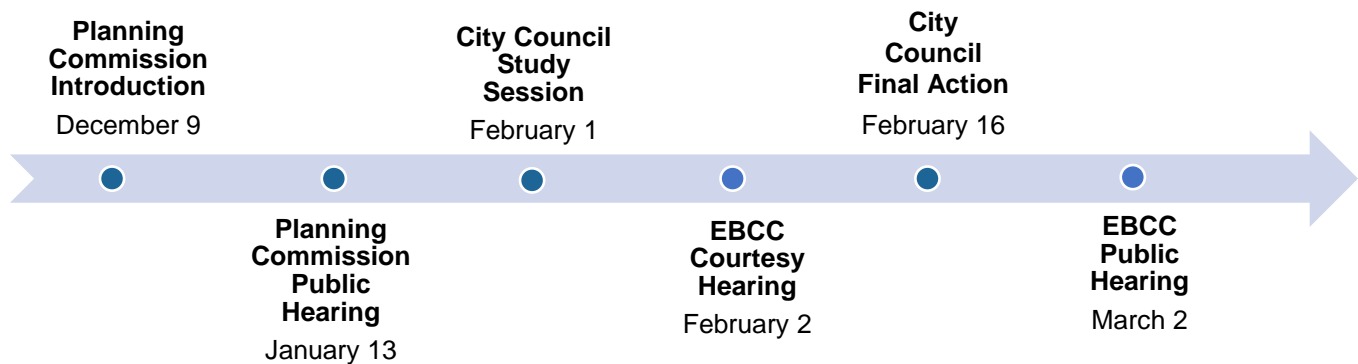
The LUC currently restricts the establishment of an attached ADU until three years after the final building permit inspection of new construction. Removing this "3-Year Rule" will allow for the construction and permitting of ADUs at the time of new construction and make ADUs more cost-effective and feasible to build. ADUs provide diversity in housing size, type, geographic location, and cultural options to help ensure all residents are welcomed, and to ensure that long-term residents can remain in the City. The anticipated outcome of this LUCA is an increase of this type of housing option in residential neighborhoods.

On February 1, Council considered the LUCA to remove the "3-Year Rule." Council reviewed the Planning Commission recommendation to adopt this LUCA without modification, including the Commission's conclusion that the LUCA complies with the decision criteria in LUC 20.30J.135. Council was informed of the broad support for this LUCA that occurred during the January 13 public hearing on the LUCA held by the Planning Commission.

During this February 1 Study Session, Council also considered the benefits ADUs provide in increasing housing supply and allowing residents to age in place, and this LUCA's alignment with the AHS. In

addition, Council discussed potential future changes to the City's ADU regulations, which were also raised during the Planning Commission public hearing, including removing owner-occupancy requirements, adjusting minimum parking standards, and future changes to the City's restriction on detached ADUs; as well as concerns regarding the impacts of these changes, such as an increase of transient (Airbnb) rental activity in the City's single family neighborhoods. Following Council deliberation, Council directed staff to finalize an Ordinance for the LUCA, as drafted, for approval.

Review Process



POLICY & FISCAL IMPACTS

Policy Impact

The proposed LUCA will advance the AHS and other City policies which support a range of housing choices throughout the City.

Fiscal Impact

There is no fiscal impact associated with implementing the proposed LUCA.

OPTIONS

1. Adopt the Ordinance to amend Land Use Code chapter 20.20.120, Accessory Dwelling Units, to remove the three-year wait period to establish an Accessory Dwelling Unit in new single-family home construction; providing for severability; and establishing an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

A. LUCA Final Strike-Draft
Proposed Ordinance No. 6567

AVAILABLE IN COUNCIL LIBRARY

N/A