



## Legislation Text

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**File #:** 17-0448, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Anne McIntosh, Community Development Director

Laurie B. Jester, Planning Manager

Angelica Ochoa, Associate Planner

**SUBJECT:**

Issuance of an Alleviation Report for the Extension of an Urgency Ordinance for Accessory Dwelling Units (ADU's) Citywide (Community Development Director McIntosh).

**ISSUE REPORT**

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**RECOMMENDATION:**

Staff recommends that the City Council issue the attached report pursuant to Government Code Section 65858(d).

**FISCAL IMPLICATIONS:**

No fiscal implications associated with the recommended action.

**BACKGROUND:**

On December 20, 2016, the City Council adopted Urgency Ordinance No. 16-0038-U prohibiting accessory dwelling units (ADUs) except those that satisfy specified standards. The Urgency Ordinance was extended on January 17, 2017 with the adoption of Urgency Ordinance No. 17-0001-U and will expire on December 19, 2017. Staff is continuing to study, research and develop permanent standards for ADU's and therefore will return with an extension of the Urgency Ordinance on December 5, 2017. Staff will return with a permanent ordinance at a future City Council hearing, after Planning Commission review and recommendation through the public hearing process.

**DISCUSSION:**

Pursuant to Government Code Section 65858, within ten days prior to the expiration or extension of an interim ordinance, the City Council shall issue a written report describing the measures taken to alleviate the condition which led to the adoption of the ordinance. In order to comply with this section, the City has prepared the attached report.

The following measures have been taken to alleviate the conditions that led to the adoption of the Urgency Ordinance:

1. City staff has set regulations related to setbacks, parking requirements, square footage,

height, owner-occupant and rental terms as defined in the Urgency Ordinance (16-00038-U and 17-0001-U).

2. City staff is researching other cities standards as well as California Coastal Commission comments related to accessory dwelling units.
3. An extension of the Urgency Ordinance is scheduled for consideration and adoption for the December 5, 2017 City Council meeting.

**CONCLUSION:**

Staff recommends that the City Council issue the attached report pursuant to Government Code Section 65858(d).

**Attachment:**

1. Government Code Section 65858(d) Written Report