



Legislation Text

File #: 21-0034, **Version:** 1

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Carrie Tai, AICP, Community Development Director
Talyn Mirzakhani, Planning Manager
Angelica Ochoa, Associate Planner
Eric Haaland, Associate Planner

SUBJECT:

Second Reading and Adoption of Ordinance No. 21-0001 Amending Title 10 of the Manhattan Beach Municipal Code, and Ordinance No. 21-0002, Amending the Local Coastal Program for Citywide Regulations for Accessory Dwelling Units (ADUs); Consideration of Resolution No. 21-0006 Transmitting Local Coastal Program Code Amendments to the California Coastal Commission (Community Development Director Tai).

- a) **ADOPT ORDINANCE NOS. 21-0001 AND 21-0002**
- b) **ADOPT RESOLUTION NO. 21-0006**

RECOMMENDATION:

Staff recommends that the City Council waive further reading and adopt Ordinance No. 21-0001 and Ordinance No. 21-0002 related to accessory dwelling unit (ADU) standards, and adopt Resolution No. 21-0006 authorizing the submission of Ordinance No. 21-0002 to the California Coastal Commission.

FISCAL IMPLICATIONS:

There are no fiscal impacts associated with the adoption of the ordinances.

BACKGROUND:

On January 5, 2021, after conducting a public hearing, the City Council voted unanimously to introduce Ordinance No. 21-0001 (Municipal Code Amendment) and Ordinance No. 21-0002 (Local Coastal Program Amendment) to revise the regulations governing ADUs. The associated Resolution No. 21-0006 authorizes staff to submit Ordinance No. 21-0002 to the California Coastal Commission.

DISCUSSION:

On January 5, 2021, after conducting a public hearing, the City Council unanimously introduced Ordinance No. 21-0001 (Zoning Code Amendment) and Ordinance No. 21-0002 (Local Coastal Program Amendment) to revise ADU standards and requirements involving the following topics:

1. Number of ADU and/or JADUs that can be placed on a property

2. Areas of the City where ADU/JADUs can be located
3. Minimum and maximum sizes for ADUs
4. Building separation requirements applicable to detached ADUs
5. Height for Detached ADU buildings
6. Use of remaining driveways when garages have been converted to ADUs
7. Kitchen standards for ADU/JADUs
8. City non-conforming use regulations affecting the ability to remodel existing development that exceeds permitted density

The City Council conducted the January 5, 2021, public hearing, where no comments from the public were received. Extensive public comment and input was received during the Planning Commission's review of the proposed regulations, which included three study sessions and a public hearing, leading to its recommendation to the City Council. The Council discussed the proposed amendments, asking staff questions about height, setbacks, parking, and public awareness of the State regulations affecting residential development standards. The Council made the following minor changes to the Planning Commission's recommendation:

- The height limit for detached ADU buildings, having garages above or below the ADU, was changed from 25 to 26 feet.
- The detached ADU building height limit was clarified to indicate applicability to the total building height.

The City Council also requested that staff inform the public of the State's new regulations regarding housing in the form of a bulletin or similar method.

Staff recommends that the City Council waive further reading and adopt Ordinance No. 21-0001 and Ordinance No. 21-0002 related to ADU regulations, and adopt Resolution No. 21-0006 authorizing the submission of Ordinance No. 21-0002 to the California Coastal Commission.

ENVIRONMENTAL REVIEW:

The proposed text amendments are exempt from environmental review under the California Environmental Quality Act, (California Public Resources Code §§ 21000, et seq., ("CEQA")) and the CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.) because this zoning ordinance implements the provisions of Government Code Section 65852.2 and is therefore exempt from CEQA pursuant to Public Resources Code Section 21080.17 and California Code of Regulations Section 15282(h). To the extent that any provisions are not exempt pursuant to Section 15282(h), the amendments are not subject to CEQA pursuant to CEQA Guidelines Section 15061(b) (3), because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

LEGAL REVIEW: The City Attorney has approved as to form both ordinances.

ATTACHMENTS:

1. Ordinance No. 21-0001
2. Ordinance No. 21-0002

3. Resolution No. 21-0006