



Memorandum

To: Planning Commission
From: Steve Bennett, Planning Director
Date: August 31, 2021
Re: September 14, 2021 Meeting Agenda Materials (first installment)
Attachment: 1. Draft Amendments to Accessory Dwelling Unit (ADU) and Accessory Structure Regulations being considered by the Planning Commission (PC) at the Sept. 14, 2021 Meeting

At the July 13, 2021 meeting, Commissioners reviewed draft amendments to LFPMC Ch. 18.50.060 (Accessory Structures) and discussed which provisions of Ch. 18.50.050 (Accessory Dwelling Units) regulations should be the focus of recommended amendments to the Council.

At the August 10th meeting, draft amendments, options for potential amendments, and policy questions pertaining to both LFPMC Ch. 18.50.060 (Accessory Structures) and Ch. 18.50.050 (Accessory Dwelling Units) were reviewed and discussed by the Commission. Attachment 1 is an updated set of amendments to Chapters 18.50.050 and 18.50.060 that reflects staff's interpretation of Commissioners' guidance at the August 10th meeting.

At the August 10th meeting, the Commission directed staff to use the City's social media platforms to reach out and encourage public comment on the draft changes in Attachment 1 at the September 14th regular meeting. To assist those who may not have been following the Commission's discussions, the comment column of Attachment 1 includes explanations of the draft changes and notes on any linkages to other changes.

After the public engagement portion of the meeting, Commissioners can discuss whether any additional changes are warranted based on public comments and potentially vote on a recommended set of amendments. If Commissioners do not feel they are ready to make a recommendation to Council, it may be advisable to schedule a second meeting in September.

1 **Draft Amendments to Accessory Dwelling Unit (ADU) and Accessory Structure**
2 **Regulations being considered by the Planning Commission (PC) at the Sept. 14,**
3 **2021 Meeting**

4 **18.50.050 Accessory dwelling units.**

5 Accessory dwelling units, as defined by this title, may be permitted on lots of at least 7,200
6 square feet, and provided they meet the following development criteria:

7 A. Only one accessory dwelling unit will be permitted per residential lot, ~~except that one~~
8 ~~attached and one detached accessory dwelling unit may be permitted on lots with an area over~~
9 ~~one acre;~~

10 B. The accessory dwelling unit floor area ~~must be at least 300 square feet, but~~ may not exceed 50
11 percent of the total area of the principal residence or 1,000 square feet, whichever is less;

12 C. Accessory dwelling units on lots less than ~~15,000~~10,000 square feet in area must be ~~developed~~
13 ~~within the existing primary residence~~attached;

14 D. Accessory dwelling units on lots of ~~15,000~~10,000 square feet or greater may be ~~developed as~~
15 ~~an accessory structure~~detached or part of an accessory building; provided, however, that the
16 accessory dwelling unit shall meet the requirements of LFPMC [18.50.060](#);

17 E. Either the primary residence or the accessory dwelling unit must be owner-occupied;

18 F. Garage space may be converted only if the same number of off-street parking spaces are
19 provided elsewhere on the property;

20 G. One off-street parking space per accessory dwelling unit, in addition to that required for a
21 single-family dwelling, shall be provided ~~except no off-street parking is required for accessory~~
22 ~~dwelling unit(s) when it can be demonstrated that some portion of the subject parcel is within ¼~~
23 ~~mile of a transit stop located in the SR 522 right-of-way;~~

24 H. The total number of people who may occupy principal residence and the accessory unit,
25 together, shall not exceed the number of people who may occupy a one-family dwelling.

26 **18.50.060 Accessory structures and buildings.**

27 Accessory buildings and structures are permitted uses in single-family dwelling zones, provided:

28 A. The total combined ~~lot coverage of accessory buildings shall occupy or cover no floor area of~~
29 ~~all accessory buildings shall not occupy~~ more than 10 percent of the total area of the lot up to a
30 maximum of ~~1,000~~1,500 square feet;

Commented [SB1]: Draft language provided in response to PC discussion allowing one attached and one detached ADU on lots greater than one acre.

Commented [SB2]: Draft deletion provided in response to PC discussion regarding removing minimum floor area requirement. Building codes would ensure that no room for habitation is less than 7 ft. by 10 ft. and address other minimum living standards. All dwelling units (including ADUs) must also comply with this zoning definition:

“Dwelling unit” means a single unit providing complete, independent living facilities for one or more persons, not to exceed one family, and which includes permanent provisions for living, sleeping, eating, cooking and sanitation.

Commented [SB3]: PC proposes to amend subsections C. and D to lower this threshold so that lots of 10,000 sq. ft. or larger can have a detached ADU. Lots with an area between 7,200 and 10,000 sq. ft. would only be allowed to have an attached ADU.

Commented [SB4]: With the passage of Senate Bill 6617, it is the City’s understanding that there needs to be an exception to the parking requirements for areas within ¼ mile of the transit stops on SR 522. At Sept. 14 mtg, the PC will be reviewing more information about the areas where this exception may apply.

Commented [SB5]: LFP’s residential zoning provisions generally regulate the horizontal size of buildings through ‘lot coverage’. This change would make it the same for accessory structures. This change will also create flexibility to build a two-story accessory building if it includes an ADU (also see proposed changes in subsections B. and E. below).

Commented [SB6]: This change will allow owners of lots larger than 10,000 sq. ft. to have an additional 500 square feet of lot coverage devoted to accessory buildings while still having to meet the maximum lot coverage for the all buildings on the lot.

1 B. Accessory buildings that do not include an accessory dwelling unit may only be placed in a
2 rear yard;

3 C. Accessory buildings shall be 10 feet or more from the principal-main buildings;

4 D. Accessory buildings may be placed no closer than five feet to the rear lot line, excluding
5 accessory dwelling units, which may be placed no closer than 15 feet to the rear property line;

6 E. Accessory building height shall not exceed 15 feet except those accessory buildings which
7 include an accessory dwelling unit, which can be up to 25 feet in height provided that the
8 building meets all zoning regulations pertaining to the primary or main building. In no case shall
9 the accessory building exceed the height of the primary building.

Commented [SB7]: This change works in tandem with proposed changes to subsections A. and E. to provide more flexibility for accessory buildings that include an ADU. The result of this change is to allow accessory buildings that include an ADU in the side and front yards provided all other setback, lot coverage and height restrictions are met.

Commented [SB8]: This change works in tandem with proposed changes to subsections A. and B. to provide more flexibility for accessory buildings that include an ADU. The result of this change is to allow accessory buildings that include an ADU to be 25 feet in height provided all other setback and lot coverage restrictions are met and that it is no taller than the primary residence.

11 Chapter 18.08 DEFINITIONS

12 18.08.020 Accessory use or accessory building.

13 “Accessory use” or “accessory building” means a subordinate use, structure, building or portion
14 of a building located on the same lot as the main use or building to which it is accessory.

15 18.08.030 Accessory dwelling unit, attached.

16 “Attached A- accessory dwelling unit” means a dwelling unit subordinate to a single-family
17 dwelling unit which:

18 A. Is located within ~~the or attached to a~~ single-family dwelling unit, ~~or~~

19 B. Is located within an accessory building.

20 18.08.033 Accessory dwelling unit, detached.

21 “Detached accessory dwelling unit” means a dwelling unit subordinate to a single-family
22 dwelling unit which is constructed as part of an accessory building.

Commented [SB9]: These changes to the definition section are intended to clarify the differences between attached and detached ADUs.

23 18.08.290 Dwelling, single-family.

24 “Single-family dwelling” means a detached residential dwelling unit, designed for and occupied
25 by one family.

26 18.08.300 Dwelling unit.

1 “Dwelling unit” means a single unit providing complete, independent living facilities for one or
2 more persons, not to exceed one family, and which includes permanent provisions for living,
3 sleeping, eating, cooking and sanitation.