

ACCESSORY DWELLING UNIT ORDINANCE (ADU)

COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF NEWARK

PLANNING COMMISSION MEETING DECEMBER 15, 2020

PROPOSED TEXT AMENDMENTS TO ADU REGULATIONS

- Background
- Types of ADU's
- Zoning and Current ADU's Standards
- Proposed Amendments
- State Mandates not included in Draft ADU Ordinance

BACKGROUND

- In support of addressing the housing needs of the State, In 2019 the California Legislature approved several laws that support the production of ADU's. This is in addition to several bills approved in 2018.
- Effective January 1, 2020 the following bills went into effect AB 68 (Ting), AB 881 (Bloom), and SB 13 (Wieckowski) affected ADU's through the Government Code

TYPES OF ADU'S

- Detached ADU & Attached ADU (formerly SADU's)
- Junior ADU (JADU)
- Converted Space

ZONING AND CURRENT STANDARDS

- Newark's current standards were adopted in 2017 as part of an emergency ordinance.
- In summary current standards allowed ADU's in single family areas:
 - 1 per lot
 - Maximum of 600 SF & 1 bedroom
 - Allows SADU & JADU
 - JADU's required interior connection and efficiency kitchen
 - Requires 1 Parking space for SADU
 - Meet Zoning Setbacks

PROPOSED AMENDMENTS

- Number per lot-2 Units (ADU & JADU)
- Allowed in Multifamily zoning, up to 25% of existing units
- Maximum 4' setback for conversion or new ADU
- Must allow 800 SF or establish a max no greater than 850 SF for a 1 bed unit and 1,000 SF for a two unit
- Max height of 16 feet

PROPOSED AMENDMENTS (CONT.)

- JADU's no longer require efficiency kitchen
- No replacement parking for conversions
- ADU's near transit or car share need not provide parking
- No impact fees for ADU less than 750 SF
- Impact fee for ADU larger than 750 SF must be proportionate with fees for principal structure.
 - Example- A 2,000 SF Main house with a proposed 1,000 SF ADU would equate to an impact fee in the amount of 50% of what was charged for primary dwelling.

PROPOSED AMENDMENTS (CONT.)

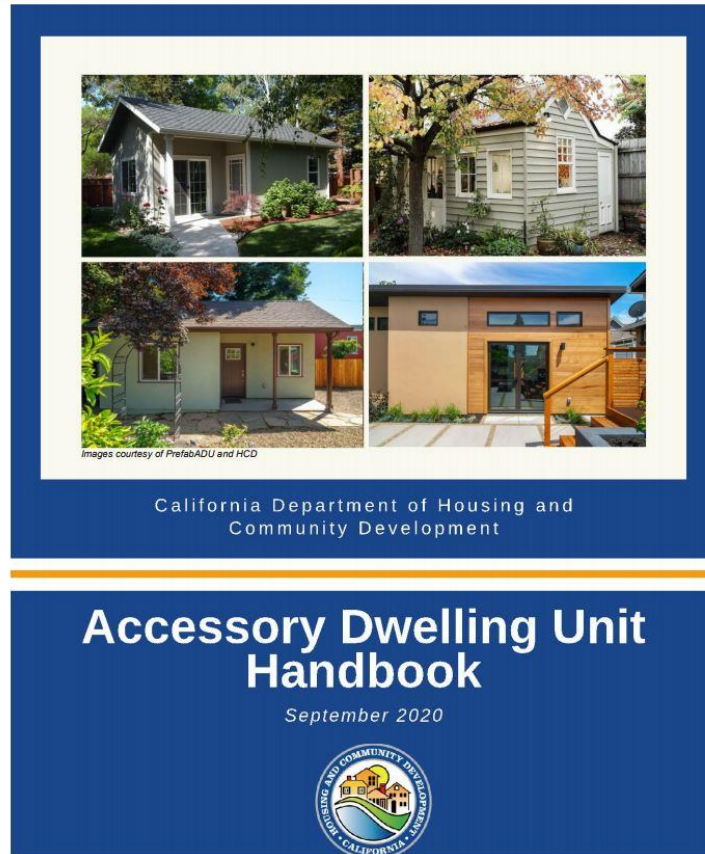
Staff Initiated Amendments

- Limit ADU's to State minimum or 50% of primary residence
- Maximum 1,000 SF for lots up to 10,000 SF or 1,200 for larger lots
- Design standards for Garage conversion

STATE MANDATES NOT INCLUDED IN DRAFT ADU ORDINANCE

- In addition to changes in the Government Code as discussed, the following bills also went into effect in 2020 which affect ADU's through the Health and Safety Code 50504.5
- AB 587 Deed Restricted Sale of ADU
- AB 670 Voids limits of CC&R's
- AB 671 Housing Element Plan & Incentives for ADU's

ADU HANDBOOK BY HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT



QUESTIONS?

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