



Development Code Amendment 22-07 (Accessory Dwelling Units – 2022 Update)

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Background:

- **May 2021** – MC-1559 adopted establishing standards for Accessory Dwelling Units in compliance with Government Code sections 65852.2 and 65852.22.
- **September 2022** – Governor signed into law SB 897 further amending Government Code sections 65852.2 and 65852.22.
- Effective **January 1, 2023**: Existing location ordinances not in compliance will be null and void.



Significant Changes:

- Requires the City to allow certain ADUs to be higher — up to 18 or 25 feet, depending the situation,
- Requires the City's front setback to yield for certain ADUs,
- Requires the City to justify a denial with a full set of detailed comments describing the deficiencies in the application and explaining how to remedy them, and
- Removes the automatic repeal in 2025 (now the ADU statute is permanent).



Recommendation:

That the Mayor and City Council:

- Adopt Urgency Ordinance No. MC-XXXX approving Development Code Amendment 22-07 amending Chapter 19.04 (Residential Zones); Section 19.04.030(2)(P) (Accessory Dwelling Units); and finding such action statutorily exempt under the California Environmental Quality Act.