

City of Sacramento

Legislation Text

File #: 2020-01266, **Version:** 1

Title:

(Pass for Publication) Interim Ordinance That Extends the Sunset Date on Ordinance 2019-0049 Related to Accessory Dwelling Units (M19-007) [Majority Vote Required]

File ID: 2020-01266

Location: Citywide

Recommendation:

1) Pass a Motion authorizing this ordinance to bypass the Law and Legislation Committee in accordance with Rule 13.B.1.b.ii of the Council Rules of Procedure; 2) review an interim Ordinance that extends the sunset date on Ordinance 2019-0049, relating to accessory dwelling units; and 3) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted November 17, 2020.

Contact: Garrett Norman, Associate Planner, (916) 808-7934; Evan Compton, Principal Planner, (916) 808-5260, Community Development Department

Presenter: None.

Attachments:

- 1-Description/Analysis
- 2-Interim Ordinance (Redline)
- 3-Interim Ordinance (Clean)
- 4-Ordinance 2019-0049 (Original Ordinance)

Description/Analysis

Issue Detail: On December 10, 2019, Council approved Ordinance 2019-0049 (Attachment 5); an interim emergency ordinance that updated the City's zoning requirements (Title 17) related to accessory dwelling units (ADU). The ordinance was adopted on an emergency interim basis because on October 9, 2019, the Governor signed a series of new bills that modified how local agencies can regulate ADUs. The bills were set to be effective on January 1, 2020 and included significant changes that took time for staff to comprehend and mold into the City's current ADU regulations. Because of

the quick January 1 effective date, coupled with the complexity of the text changes in the new bills, staff did not have adequate time to proceed through the normal adoption process for ordinances. As a result, staff requested the Council approve an interim emergency ordinance, which is set to expire December 31, 2020.

Staff is now requesting the Council extend the ordinance (OR2019-0049) to July 31, 2021. Since implementing the ordinance, staff has discovered opportunities to further streamline and refine the regulation of accessory dwelling units, making the code clearer and more concise and thus easier to implement. In addition, new state-adopted legislative changes may require further refinement of the City's ADU regulations, which staff must consider.

Staff is close to finishing the first draft of the new ADU ordinance and will conduct hearings with the Planning and Design Commission and Law and Legislation Committee that will further inform and refine the City's new ADU ordinance.

Policy Considerations: The 2035 General Plan Housing Element includes the following policies related to accessory dwelling units:

- **H-1.2.1 Variety of Housing.** The City shall encourage the development and revitalization of neighborhoods that include a variety of housing tenure, size and types, such as second units, carriage homes, lofts, live-work spaces, cottages, and manufactured/modular housing.
- **H-2.2.7 Suburban Infill and Secondary Units.** The City shall continue to support efforts to provide more varied housing opportunities in existing suburban neighborhoods through infill and intensification on existing available sites, by allowing secondary units on single-family lots, and allowing for additional development on excessively large lots.

Economic Impacts: None.

Environmental Considerations: Pursuant to Public Resources Code section 21080.17, the adoption of an ordinance to implement Government Code section 65852.2 is exempt from the California Environmental Quality Act (CEQA).

Sustainability: The proposed ordinance is consistent with the City's sustainability goals because supporting the creation of accessory dwelling units maximizes limited land resources and existing infrastructure.

Commission/Committee Action: Staff is requesting an extension of the interim and emergency ordinance approved by Council on December 10, 2019 to allow more time to complete the new Accessory Dwelling Unit ordinance. Staff is near completing the draft ADU ordinance and expects to seek recommendation by the Planning and Design Commission followed by the Law and Legislation

Committee by Winter 2021. A separate staff report will be prepared for the new ADU ordinance, in which summaries of both hearings will be captured for Council's consideration.

Rationale for Recommendation: Extending the proposed ordinance will allow staff an opportunity to further refine the City's ADU ordinance and incorporate recent state law changes. Further, as required by City Code section 17.916.010, the City Council can find that the proposed amendments:

1. Complement, support, and facilitate the implementation of the goals, policies, and other provisions of the general plan and the city's specific plans and transit village plans in that they will encourage the construction of accessory dwelling units as a means of affordable housing to meet current and future housing needs consistent with City's Housing Element, including the Housing Element policies H-1.2.1 and H-2.2.7.
2. Promote the public health, safety, convenience, and welfare of the city in that encouraging the construction of accessory dwelling units provides a needed source of affordable housing within existing neighborhoods for homeowners and renters, including family members, renters, the elderly, in-home health care providers, and others.

Financial Considerations: Not applicable.

Local Business Enterprise (LBE): Not applicable.