



Office of the Mayor

ACTION CALENDAR

March 24, 2015

TO: Members of the City Council

FROM: Mayor Tom Bates

SUBJECT: Accessory Dwelling Units

RECOMMENDATION:

Request the City Manager incorporate the following requirements to allow Accessory Dwelling Units (ADUs) as-of-right and return to Council with appropriate ordinance language to implement.

ADUs not conforming to these standards may be considered with an Administrative Use Permit.

Requirements

Lot size: Minimum of 3800 square feet

Size: 250 square foot minimum to 750 square foot maximum not to exceed 50% of the size of the main dwelling unit. ADU and main dwelling unit cannot exceed 40% of total lot coverage combined.

Height: 14 foot maximum height at peak of roof, 10 foot maximum at eave of roof. Not to exceed 10 feet at property line.

Setback: 4 foot minimum side and rear setback from property line. No side or rear setback required if ADU will replace preexisting buildings on the property line

Parking: Tandem parking is allowed. If within ¼ mile of North Berkeley or Ashby BART parking may be waived with an AUP. No Residential Parking Permit will be issued to an ADU under this circumstance.

Other

Legal property owner shall live in main dwelling unit or ADU.

If ADU is built on property line, doors and windows cannot face neighbors' property.

Should be excluded from use as short term rentals.

ADUs are prohibited in the Environmental Safety Residential (ESR) zone

ADUs may be allowed with an AUP on lots on streets that do not meet minimum fire access requirements.

ADU may be allowed only if the fire flow and water pressure meet minimum fire safety requirements.

BACKGROUND:

ADUs provide one type of dwelling in a diverse housing market. They are often needed for an aging parent or family member in transition, particularly in Berkeley's tight and expensive housing market.

On April 13, 2013 the City Council requested the Planning and Transportation Commissions investigate the feasibility of reducing barriers to the development of ADUs referring ten specific recommendations for consideration. On September 16, 2014 staff presented proposed zoning ordinance changes to the City Council reflecting modifications to the Council referral after staff analysis and Planning Commission discussion.

The Planning commission recommendations varied slightly from the items originally suggested with regard to lot size, ADU size, setbacks, height, parking, lot coverage, and eligibility in the Hill Overlay, and permit expediting. See attached link: http://www.cityofberkeley.info/Clerk/City_Council/2014/09_Sep/Documents/2014-09-16_Item_04_Zoning_Amendments.aspx for the original City Council report.

Council commented extensively on the proposed ordinance. This recommendation consolidates the input from the Council and the Planning commission.

ENVIRONMENTAL SUSTAINABILITY

The proposed zoning changes are consistent with city Climate Action Plan goals pertaining to increased residential density near transit opportunities to reduce transportation emissions. Additionally, new residential construction is subject to more stringent energy efficiency standards and will therefore assist in reducing per-capita greenhouse gas emissions from building energy use.

FINANCIAL IMPLICATIONS:

None

CONTACT PERSON:

Mayor Tom Bates

510-981-7100