



ADU and SB 9 Local Ordinances

Planning Commission Study Session

January 18, 2024

Agenda

- 1. Project Overview and Process**
- 2. Accessory Dwelling Units (ADUs)**
- 3. Senate Bill 9 (SB 9)**
- 4. ADUs, SB 9 or Combination: Which option or combination is possible?**
- 5. Outreach Process**
- 6. Next Steps**
- 7. Discussion**

State Law & Local Ordinances

State law has mandated local agencies to allow ADUs and SB 9 units.

- **Local ordinance must...**

- Permit the minimum type, size, configuration, and number of ADUs and JADUs and SB 9 units mandated for all local agencies in state law.

- **Local ordinance can...**

- Restate the requirements of State law, plus local regulations, in a way that is easier to understand and use than the codified State legislation.
- Add certain additional local regulations that do not conflict with the mandates of State law, to fit local needs and circumstances.
- Help to forward City's housing production goals, affirm the City's pro-housing policies, and potentially produce more housing units than would be achieved under the minimum requirements mandate of State law.

Project Overview and Process

Goals and Objectives

- **Updated ADU ordinance:**
 - Incorporate recent changes to state ADU laws (AB 2221, AB 561, SB 897);
 - Formalize the City's approach to legalization of unpermitted units using the ADU process, and ADUs within the Coastal Zone;
 - Provide incentives for good ADU development; and
 - Ensure ADU design will benefit future residents and neighbors.
 - Incentivize the incorporation of community-prioritized features
- **New SB 9 ordinance:**
 - Ensure compliance with State law;
 - Customize regulations to suit the needs of Long Beach; and
 - Provide clarity on implementation to residents, builders, and staff.



Local Governments and State Mandates

How are other cities responding to ADU and SB 9 Legislation?

• Implementation

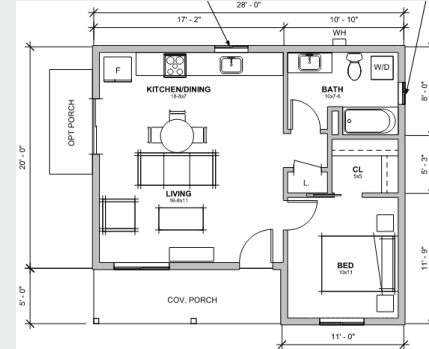
- Code Update: addressing inconsistencies between local ordinances and recent State mandates
- Architectural Inventories: identifying and regulating community-specific styles and materials
- Pre-Approved Site Plans and Construction Documents provide homeowners vetted and cost-effective designs

• Incentives

- "Bonus" ADUs: increasing the allowed number of ADUs if the property owner agrees to an affordable deed restriction
- Waiving Impact Fees

• Community Education

- User Manuals, FAQs, and Videos for prospective applicants and the general public
- Financial Assistance for lower-income homeowners through construction loans and technical assistance

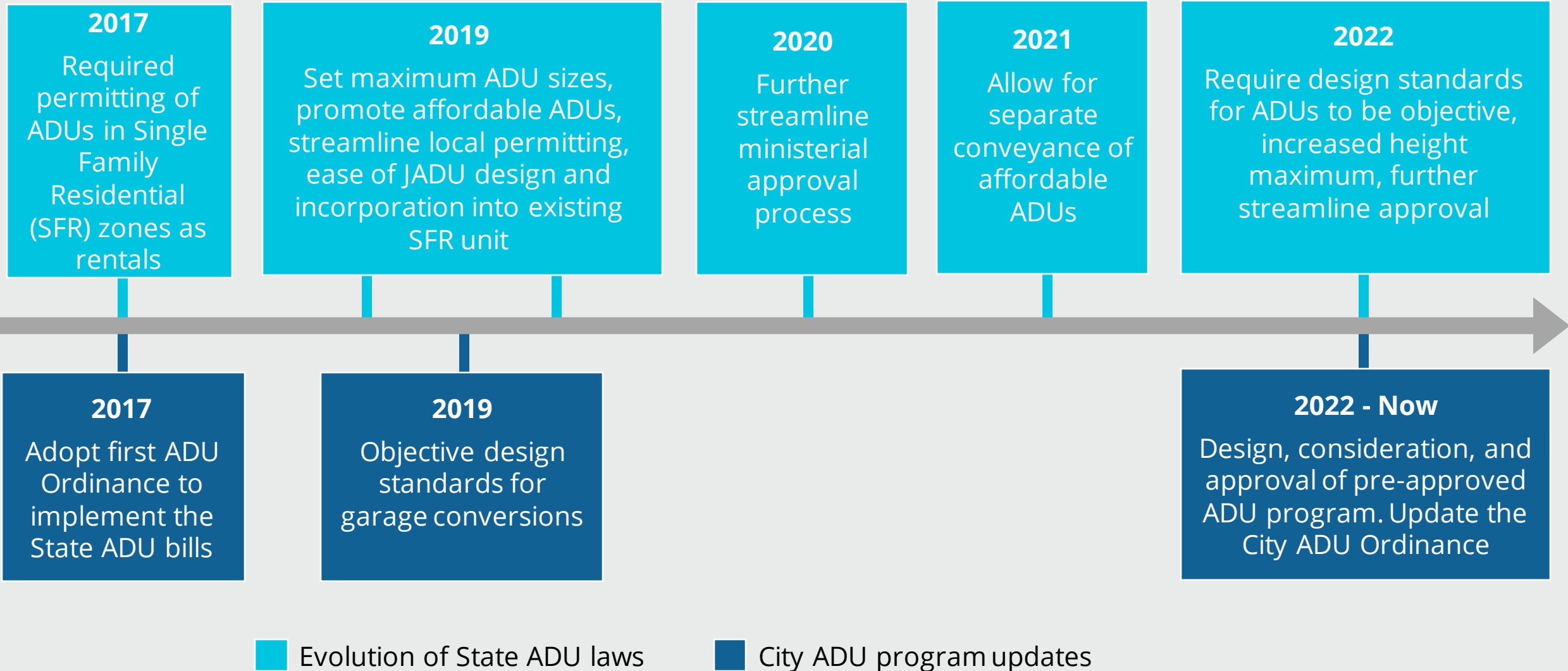


Consider...

- How can we best facilitate housing development through ADUs and SB9 units while also **incentivizing community priorities and needs**?
- What are the City's **design priorities** for...
 - Detached second units?
 - Attached second units?
 - Second units facing alleys? In rear yards? On corners? Mid-block?
- Should the City **expand SB 9 eligibility** beyond R-1 zones? To historic areas? Coastal zone areas?
- Should any **additional regulations** apply to second units in historic areas? Coastal areas?

We will revisit these questions at the end of the presentation.

ADUs - Recent State Law



Current Implementation of State Law

Maximum Height

Single-family ADU:
25 feet/2 stories

Multi-family detached ADU:
same as zoning height limit

Multi-family attached ADU:
Same as existing building

Parking

Max. 1 space; no requirement if near transit.

Replacement parking is not required for conversions of existing home or garage.

Setbacks

4 feet side and rear for new construction.

Conversions of existing structures may maintain nonconforming setbacks.

Objective Standards

Standards for garage conversions. Other standards can be incorporated (design standards in historic districts).

Ministerial Approval

Applications must be acted upon within 60 days.



Recent ADU Legislation

The following bills were passed in 2023 and became effective on January 1, 2024.

AB 671 | CalHome Program (Ward)

Would allow community land trusts to build ADUs and JADUs, and then rent or sell the house, ADU, and JADU to separate households.

AB 976 | Owner-Occupancy Requirements (Ting)

Would make permanent the existing prohibition on local government's ability to require owner-occupancy on a parcel containing an ADU.

AB 1033 | Local Ordinances: Separate Sale or Conveyance (Ting)

Would amend existing State law to permit cities to allow ADUs to be sold separately.

AB 1332 | Pre-approved Plans (Juan Carrillo)

Would require local jurisdictions to have a program for pre-approved plans and be approved within 30 days.

Updating Local ADU Ordinance

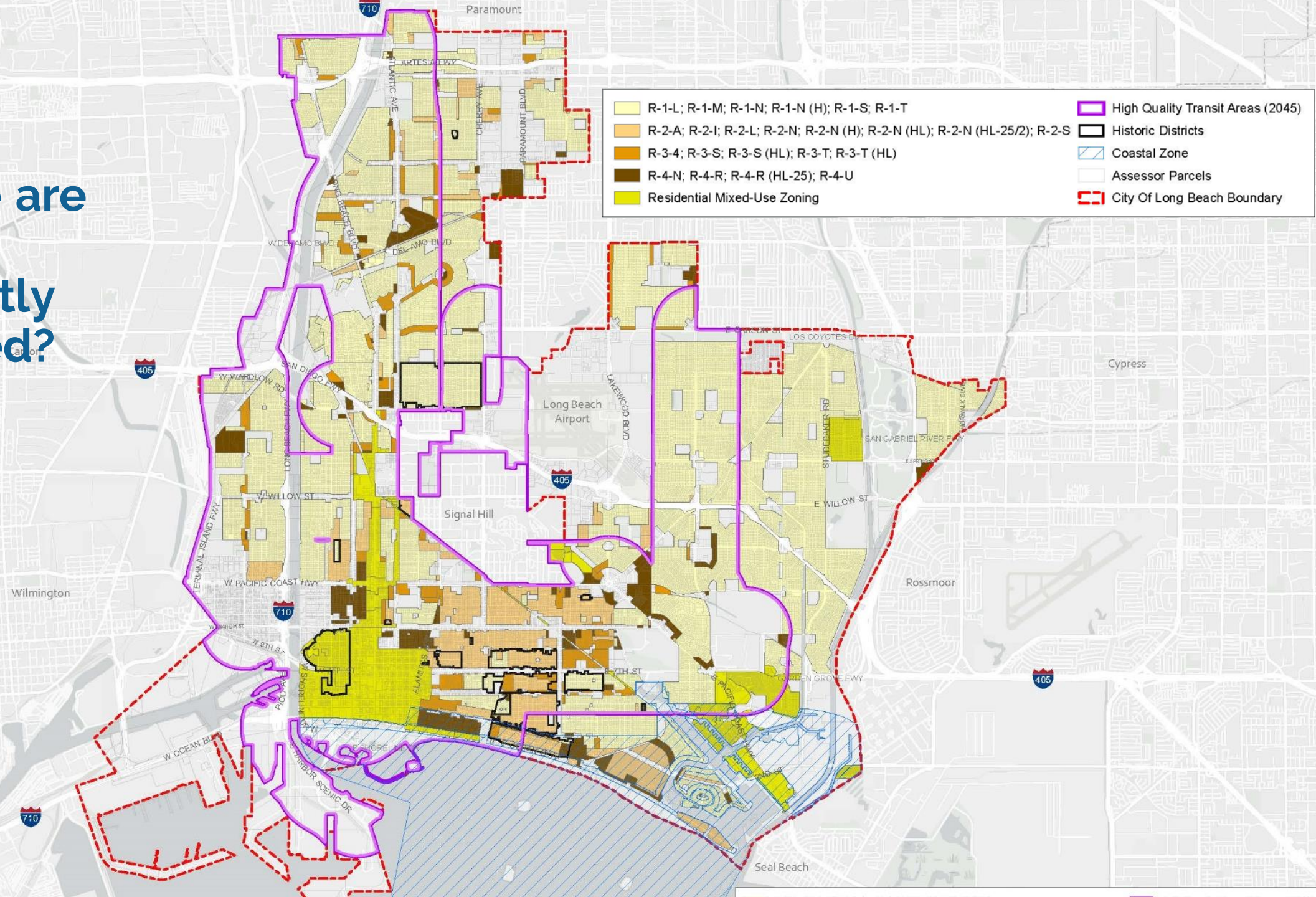
- Lots of room to maneuver left for cities especially for multi-family circumstances
- Homeowners and builders benefit from the certainty that a local ordinance can provide
- Local ordinance allows the City to formalize our pro-housing policies
- Local ordinance allows the City to incentivize more positive outcomes for property owners, residents of the ADUs, and neighborhoods while still complying with state law mandates
- Ability to streamline the application/review process

VS.

Continue Operating Under State Law

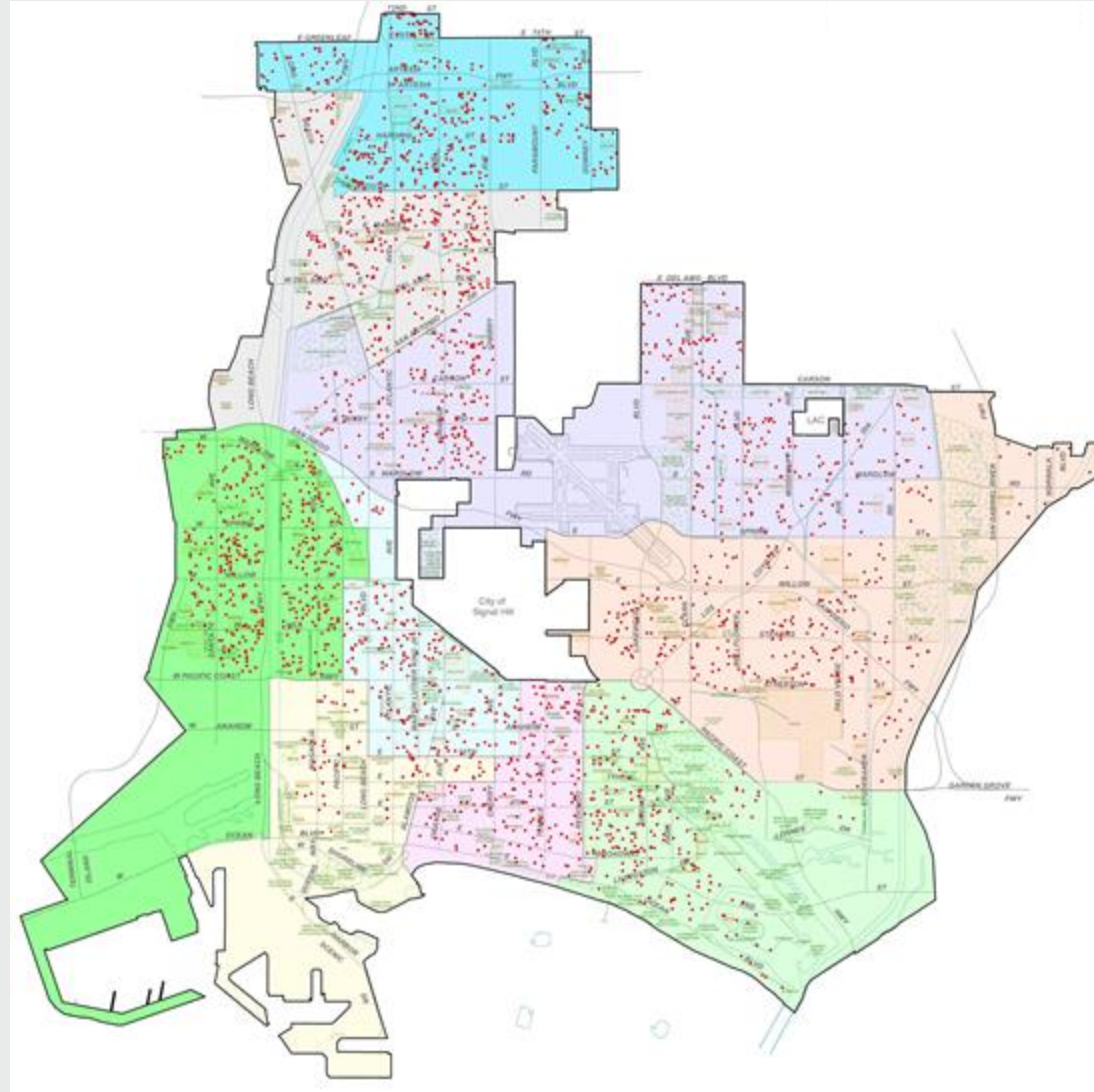
- State law is difficult to understand, interpret, and implement
- General consistency of regulations for custom ADU builders who work in multiple CA communities

Where are ADUs currently allowed?



ADUs

Where are ADUs being built?



Year	Applications
2017	82
2018	135
2019	209
2020	480
2021	784
2022	840
2023	550*

*year end statistics still being finalized

**Map as of April 2023

What is SB 9 (the “two on a lot” law)?

- **New State law that applies to single-family (R-1) zones.**
- **Requires by-right approval of:**
 - **Two-Unit Development:** Up to two primary units on a single parcel.
 - **Urban Lot Split:** The subdivision of a parcel into two (60/40 difference at most) with a primary unit on each.
- **City has adopted the updates to the Subdivision Code (Title 20) to facilitate SB9 and in anticipation of this SB 9 local ordinance** (Chapter 20.18 – Urban lot split – Parcel map).
- ADUs to the primary units are also permitted, allowing up to 4 units per lot



ADUs vs. SB 9 Units – Major Differences

ADUs

Unit Type

- An ADU is an accessory unit.

Location

- ADUs are allowed in all residential zones, mixed-use zones, and Planned Developments or Specific Plans that allow residential uses.

Owner occupancy

- Owner occupancy required for Junior ADUs.

Conveyance

- An ADU cannot currently be sold separately from a primary unit. (unless City adopts an AB1033 ordinance)

SB 9 Units

Unit Type

- An SB 9 Unit is a principal unit.

Location

- SB 9 units are allowed only in the R-1 districts, with other locational restrictions in state law.

Owner occupancy

- The owner must live on the property where an SB 9 unit is built for 3 years.

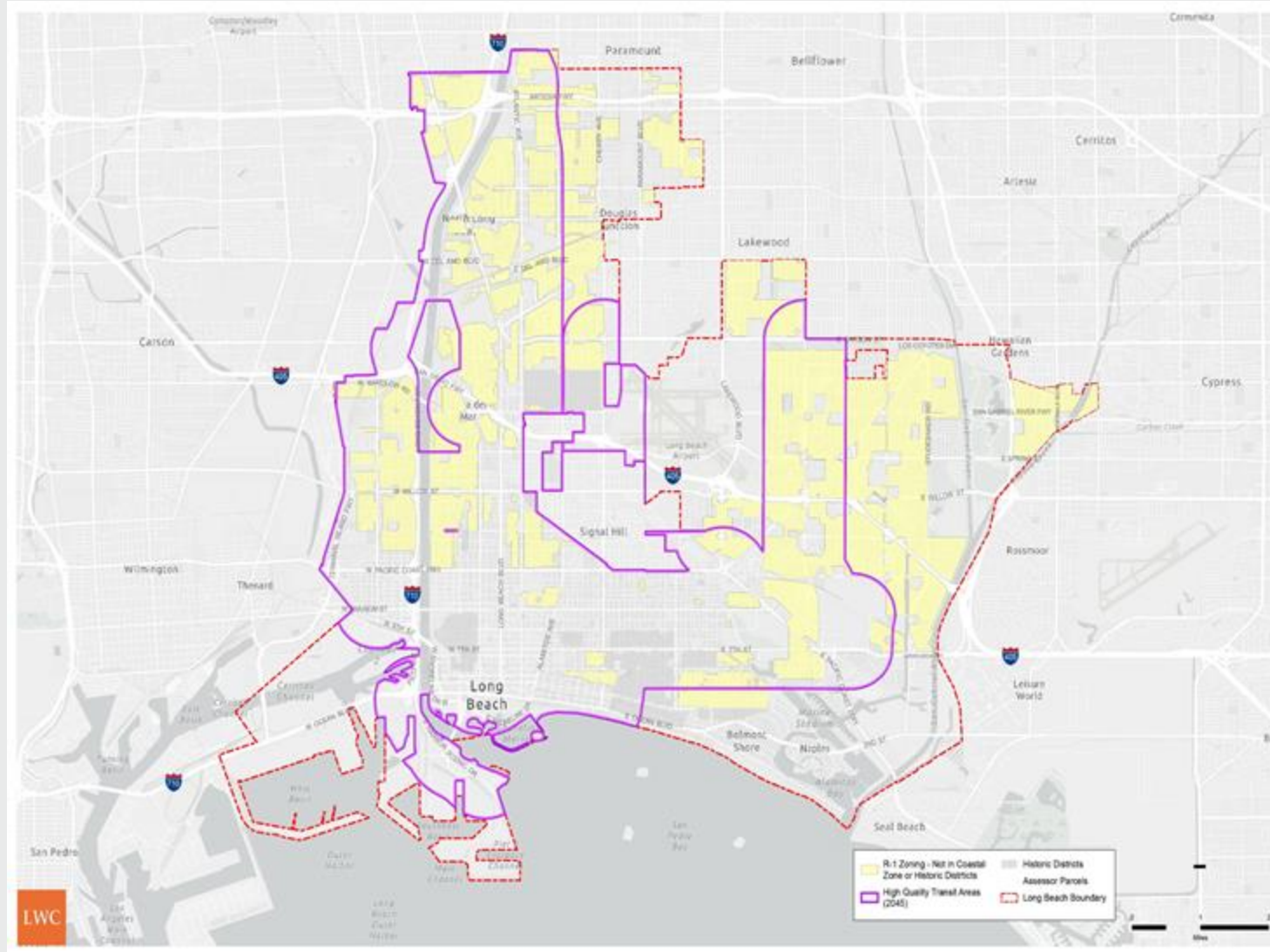
Conveyance

- With an Urban Lot Split, an SB 9 unit can be sold separately from the original unit. Urban Lot Split requires a Parcel Map subdivision process.

SB 9 - Exemptions and Restrictions:

- **May not require demolition or alteration >25% of...**
 - Affordable or rent controlled units.
 - Housing that has been occupied in the last 3 years.
- **Areas not eligible for SB 9...**
 - Historic Districts
 - Designated Historic Landmark
 - Earthquake Fault Zones
 - Special Flood Areas for 100-Year Flood
 - Conservation Land Areas and Easements
 - Protected Species Habitat Areas
 - Regulatory Floodway – FEMA Determination

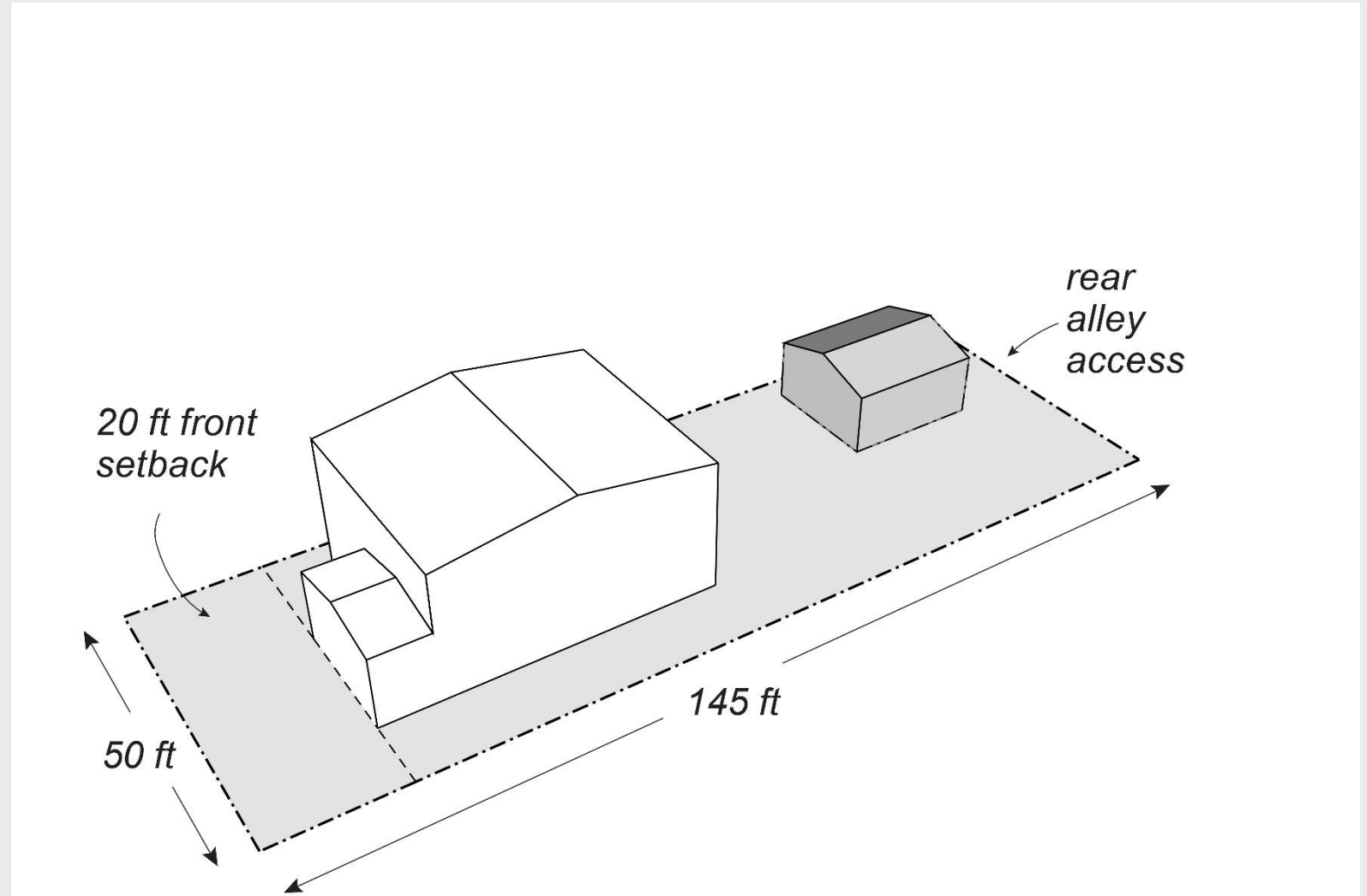
Where does SB 9 apply?



**Note: There may be some additional areas considered "R-1" within a PD or Specific Plan area.*

R-1 Lots

- A typical Long Beach R-1 lot is a mid-block R-1-N lot. This describes approx. 80% of all R-1 lots.
- Approx. 18% of all R-1 lots have rear alley access.



Two-Unit Development

May be:

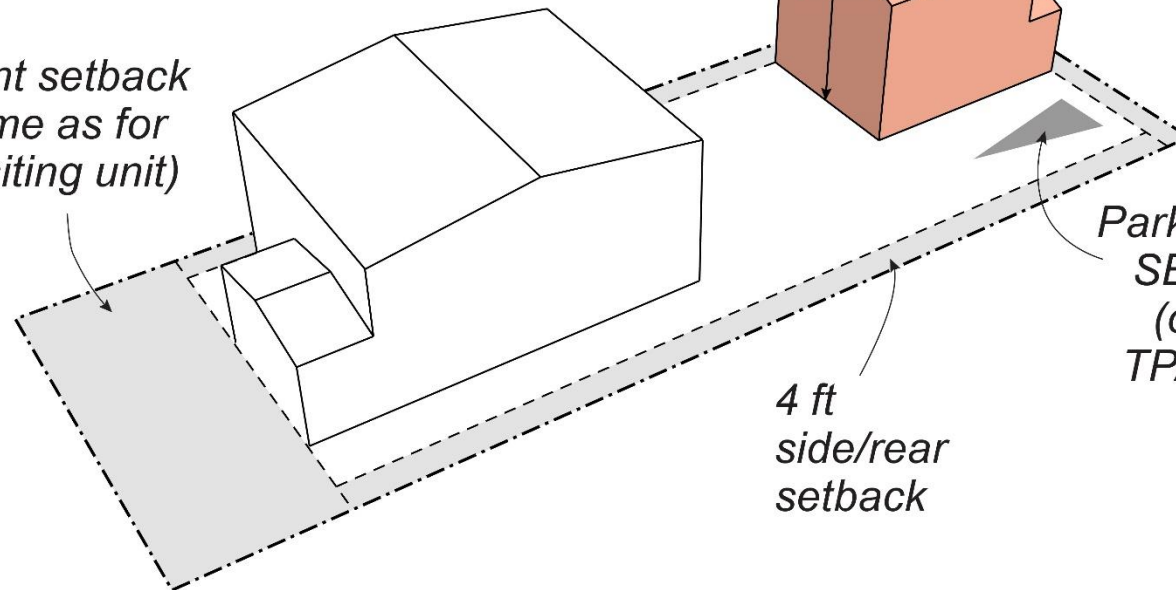
- New detached construction
- New attached construction (creating a duplex)
- Conversion of, or addition to, a detached garage

Max. 50% lot coverage
Max. 0.6 FAR

Min. 150 sq ft;
800 sq ft "safe harbor"

Max. 25 ft /
2 stories

Front setback
(same as for
existing unit)



4 ft
side/rear
setback

Parking for
SB 9 unit
(outside
TPA only)

Urban Lot Split

May be:

- New detached construction
- Conversion of, or addition to, a detached garage

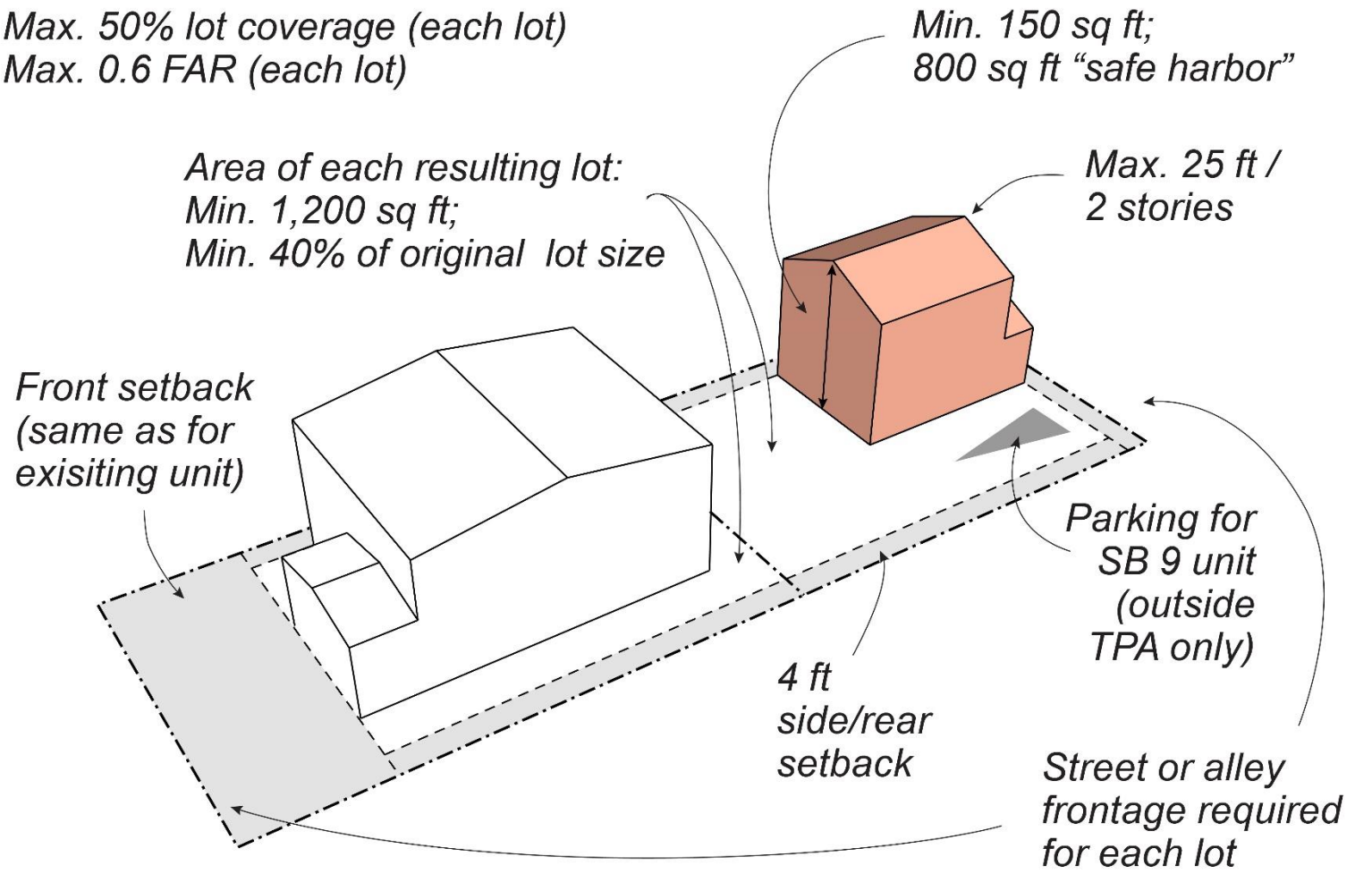
Max. 50% lot coverage (each lot)
Max. 0.6 FAR (each lot)

Min. 150 sq ft;
800 sq ft “safe harbor”

Area of each resulting lot:
Min. 1,200 sq ft;
Min. 40% of original lot size

Max. 25 ft /
2 stories

Front setback
(same as for
existing unit)



What Can the City Control to Facilitate Projects? To ensure High-Quality Projects?

- **Location**

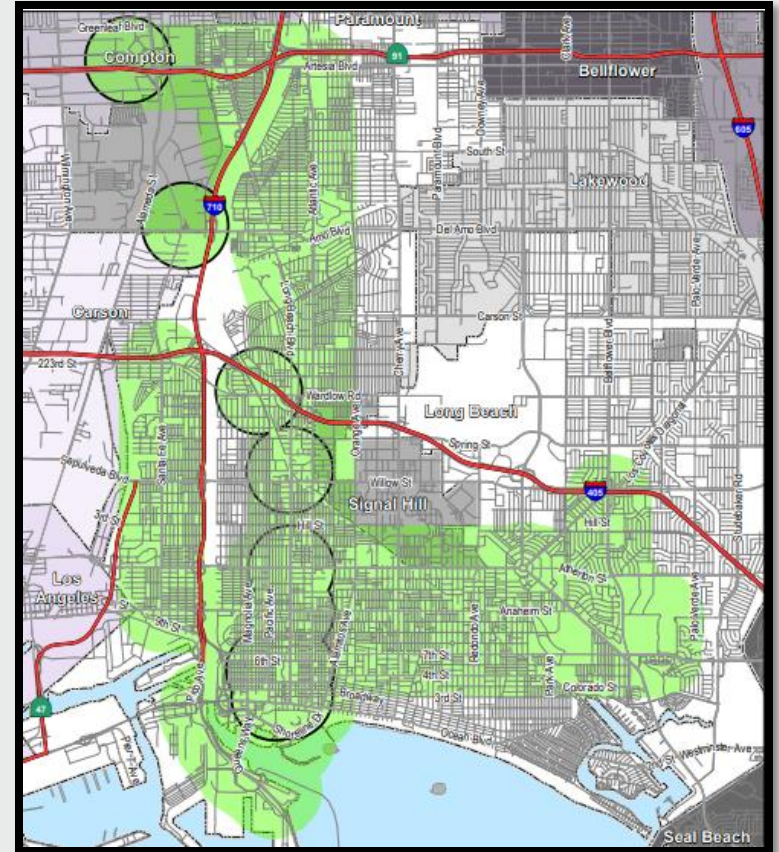
- Allow SB 9 units in R-2 zones in a way that will equalize development potential with R-1 zones, which currently have more potential under SB 9.
- Allow SB 9 units in historic areas or coastal areas.

- **Development Standards**

- Allow buildable height limits
- Allow flexibility in lot coverage and/or FAR limits
- Remove parking requirement for SB 9 units outside of the Transit Priority Areas, or relax other standards if parking is provided

- **Design Standards**

- To be developed as part of the ordinance.



Transit Priority Areas shown in green

Where could SB 9 apply?

Areas mandated to be eligible for SB 9 under state law

R-1 Zoning

- R-1-L; R-1-M; R-1-N; R-1-N (H); R-1-S; R-1-T

Other R-1 areas that could be considered but are not mandated

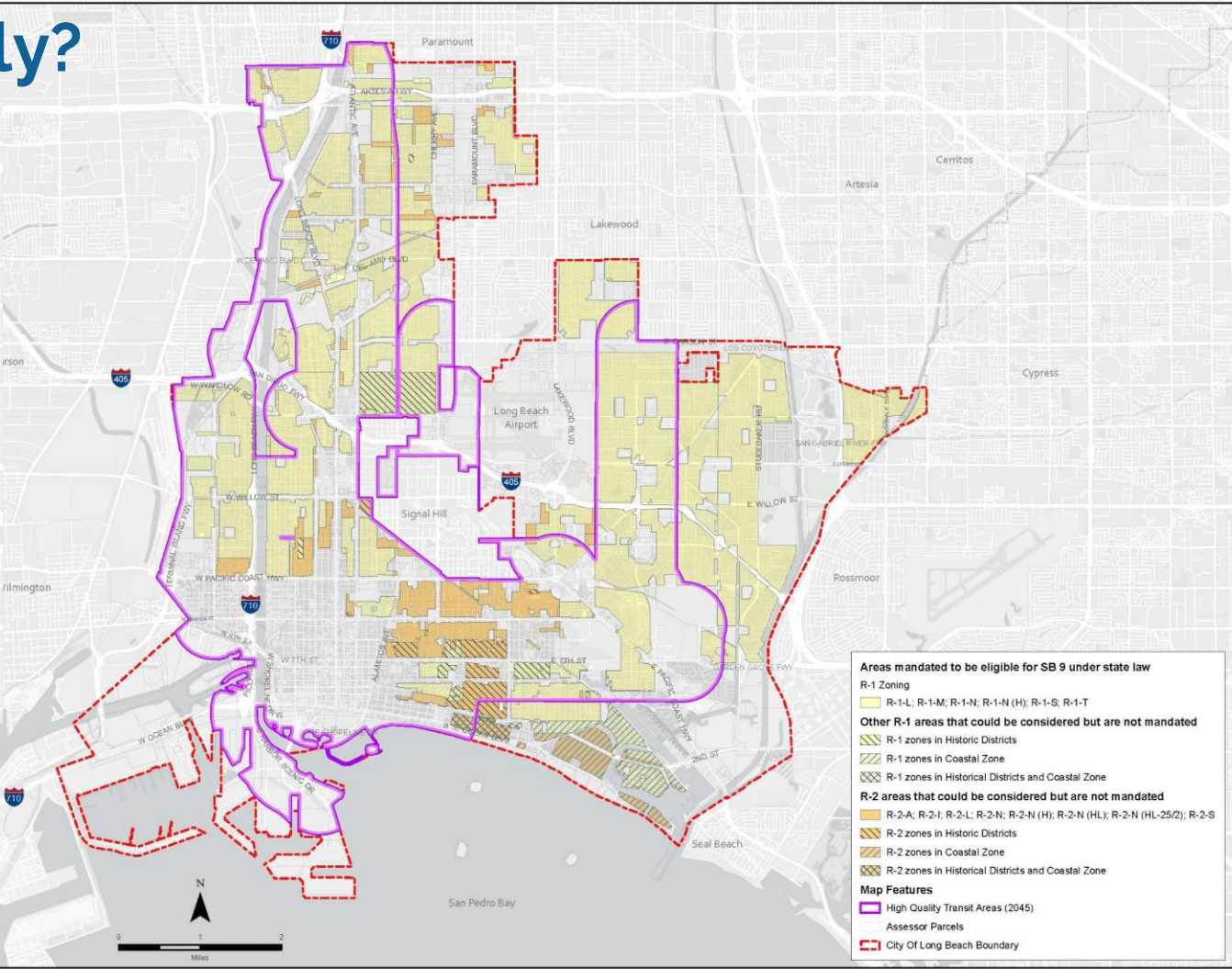
- R-1 zones in Historic Districts
- R-1 zones in Coastal Zone
- R-1 zones in Historical Districts and Coastal Zone

R-2 areas that could be considered but are not mandated

- R-2-A; R-2-I; R-2-L; R-2-N; R-2-N (H); R-2-N (HL); R-2-N (HL-25/2); R-2-S
- R-2 zones in Historic Districts
- R-2 zones in Coastal Zone
- R-2 zones in Historical Districts and Coastal Zone

Map Features

- High Quality Transit Areas (2045)
- Assessor Parcels
- City Of Long Beach Boundary

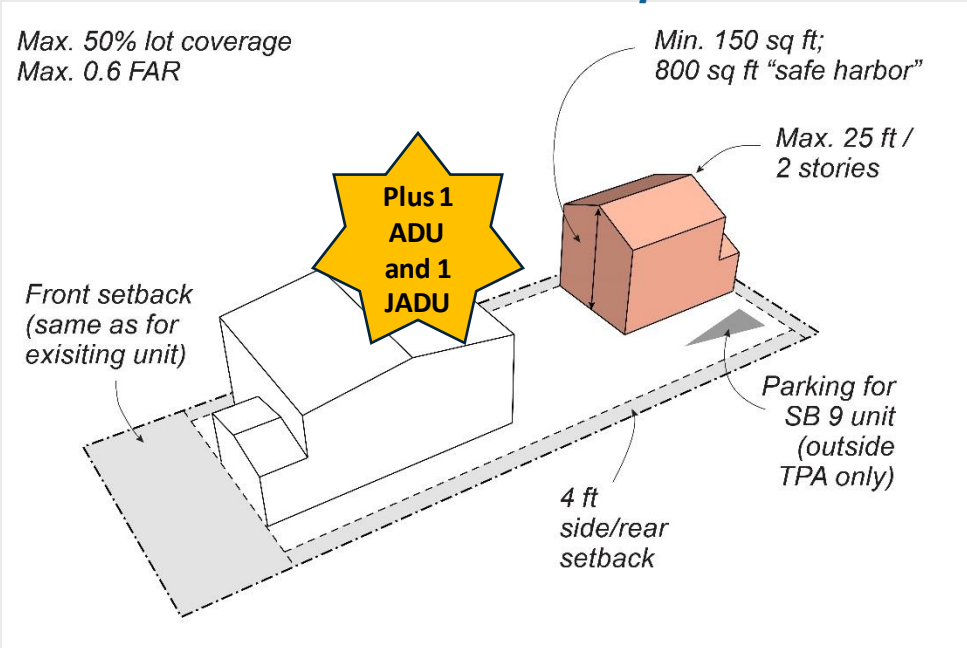


...and other areas?

ADUs and SB 9 Units

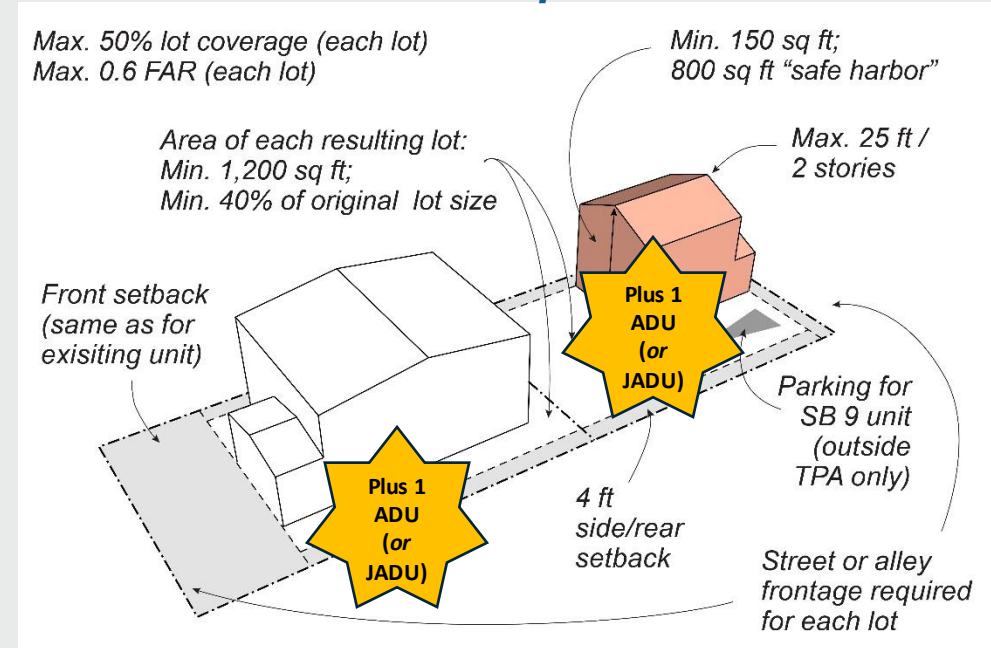
How many units can be built on one lot?

Scenario 1: Two-Unit Development



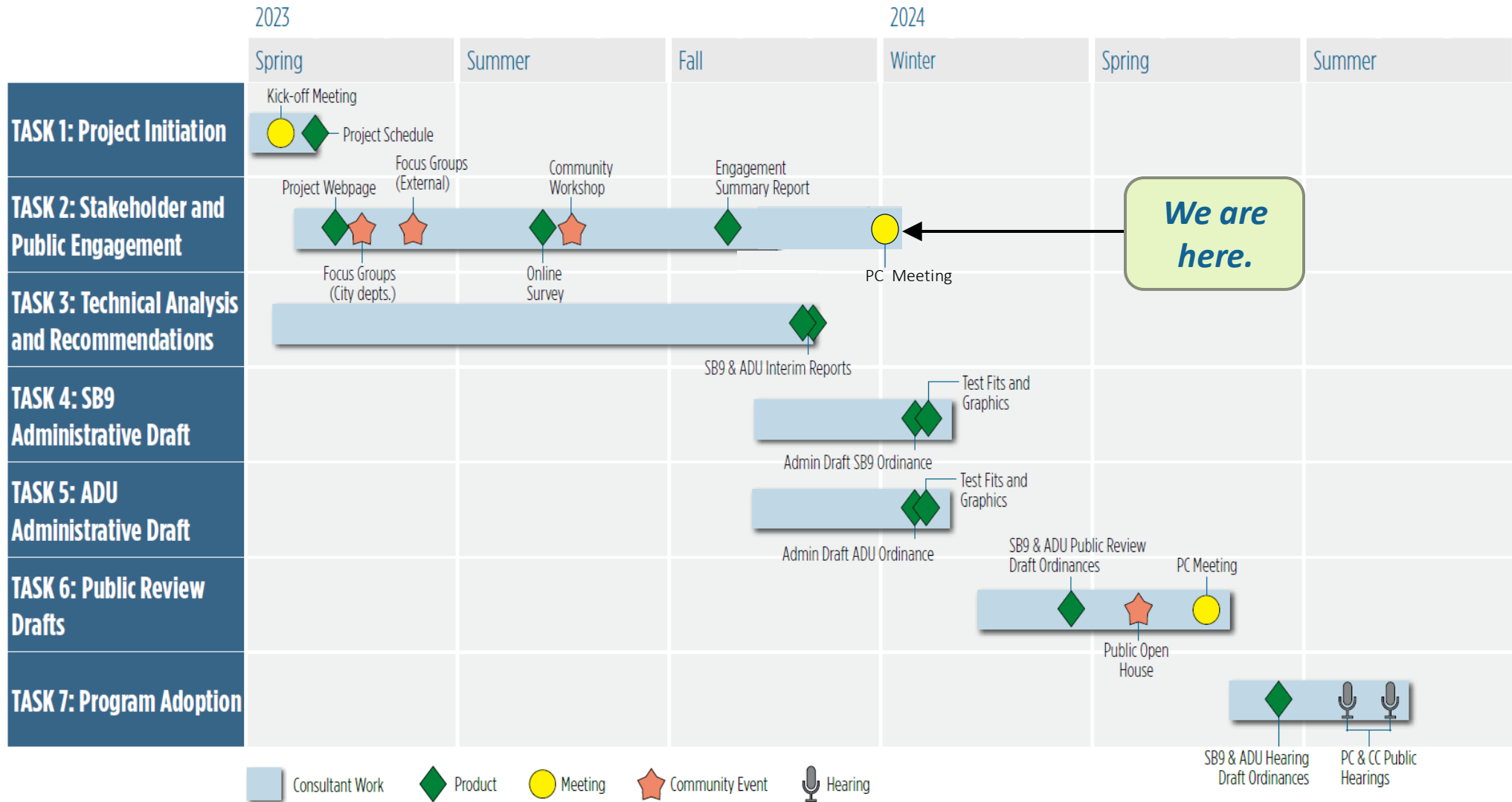
Max. 2 primary units plus up to 1 ADU and 1 JADU on a lot. This means up to **4 units on a lot (2 primary, 1 ADU, 1 JADU)**.

Scenario 2: Urban Lot Split



Max. 1 primary unit plus 1 ADU (or 1 JADU) on each resulting lot. This means up to **2 units on each resulting lot (1 primary, 1 accessory)**.

Outreach Process



Outreach to date!

Community Open House

A photograph of a community open house event. Several people are gathered in a well-lit room with large windows. A woman in a blue suit is in the foreground, looking towards the event. In the background, a man in a blue shirt is talking to another person. There are informational displays and a "HELP DESK" sign visible.

Focus Groups

A photograph of a focus group session. A group of diverse people are standing around informational displays. One woman in a yellow top is looking at a display. Another woman in a black and white patterned top is talking to a man. The room has a patterned carpet and large windows.

Online Community Feedback Form

A photograph of a man in a white shirt looking at a display board. The display board has text and images, including a bar chart. Another man in a dark shirt is standing nearby. The room has large windows and a patterned carpet.

Spring 2023 Focus Groups - Internal

Improving the Success of ADU and SB 9 Projects:

- Plan for utilities early in review process
- Provide list of needed permits for boundary work
- Prioritize ADA compliance
- Maintain SB 9 checklist
- Develop consistent roofline standards
- Expand SB 9 to R-2 zone
- Attractive landscape standards
- “Quality of life” improvements

Potential Incentives:

Offer flexibility on parking and vehicle access/driveway standards, design guidelines, and height

Incentivize off-street parking

Make it easier to bring illegal ADUs into Code compliance

Incentivize deed-restricted affordable units

Spring 2023 Focus Groups - External

Improving the Success of ADU and SB 9 Projects:

- Simply and provide limited options
- Provide clear and easy-to-use illustrations
- Emphasize project benefits
- Describe financing options clearly
- Clarify relationship between ADUs and SB 9
- Provide community resources on legalizing unpermitted ADUs

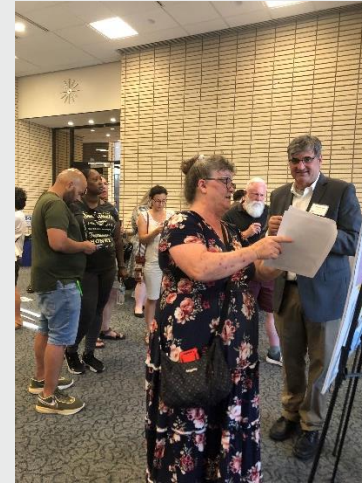
Potential Incentives:

- Offer flexibility on parking and enclosure standards, architectural style, height, and privacy standards
- Incentivize off-street parking, open space, and enhancing lot frontage

Community Open House

July 19, 2023 Community Open House

- **Approximately 85 attendees**
- **Station 1: Project Overview** (*About the project, Overview of ADU and SB 9 Projects, Maps*)
- **Station 2: Accessory Dwelling Units** (*Introduction to ADUs, Configurations*)
- **Station 3: SB 9 Units** (*Introduction to SB 9 Projects, Configurations*)
- **Station 4: Design Ideas, Concerns, and Priorities** (*Home Amenities, Building Design Priorities, Site Design Priorities*)




Community Open House

Community Feedback: Preferred Configurations

ADUs:

- *Single-family:*
 - New one-story detached ADUs (35%),
 - New two-story detached ADUs (20%), and
 - Conversion of detached garage (18%)
- *Multi-family:* Detached ADU structures

Accessory Dwelling Unit Configurations 

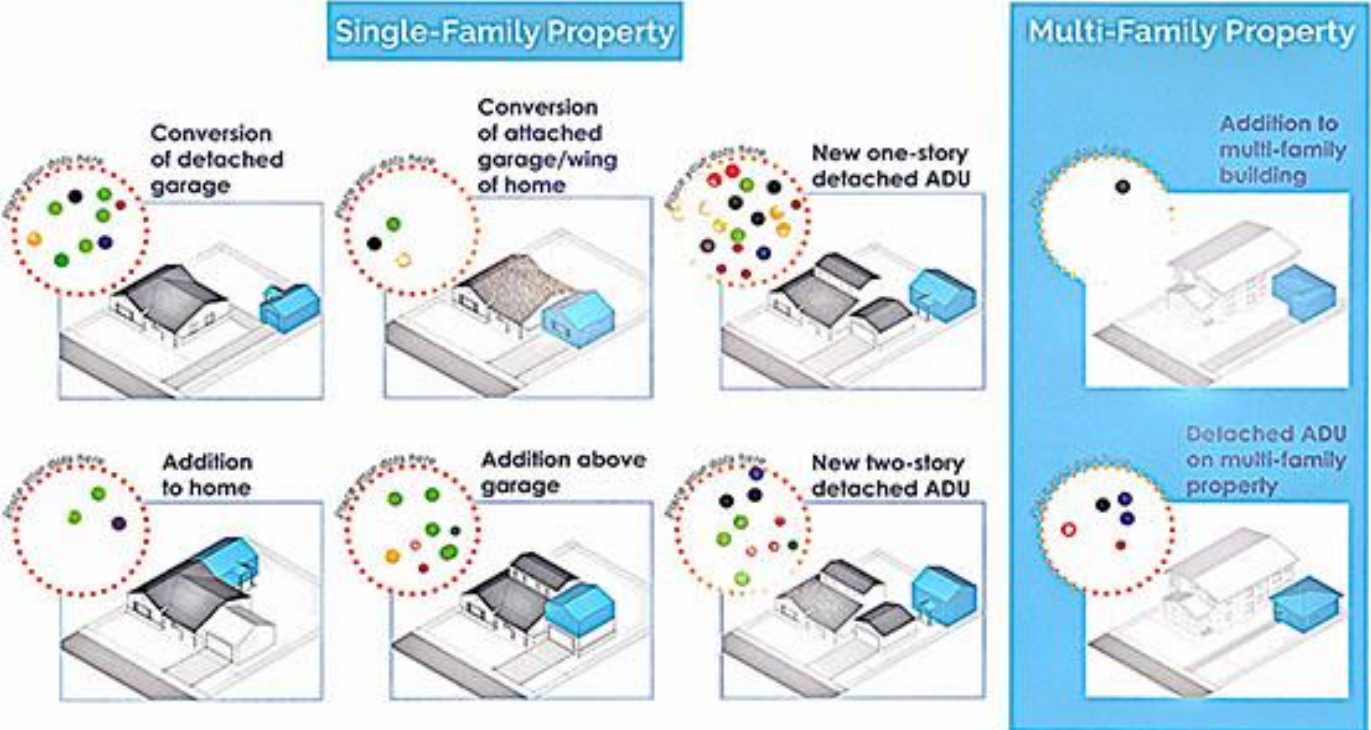
Are there any ADU configurations you prefer for Long Beach neighborhoods?

Single-Family Property

- Conversion of detached garage
- Conversion of attached garage/wing of home
- New one-story detached ADU
- Addition to home
- Addition above garage
- New two-story detached ADU

Multi-Family Property

- Addition to multi-family building
- Detached ADU on multi-family property



Community Open House

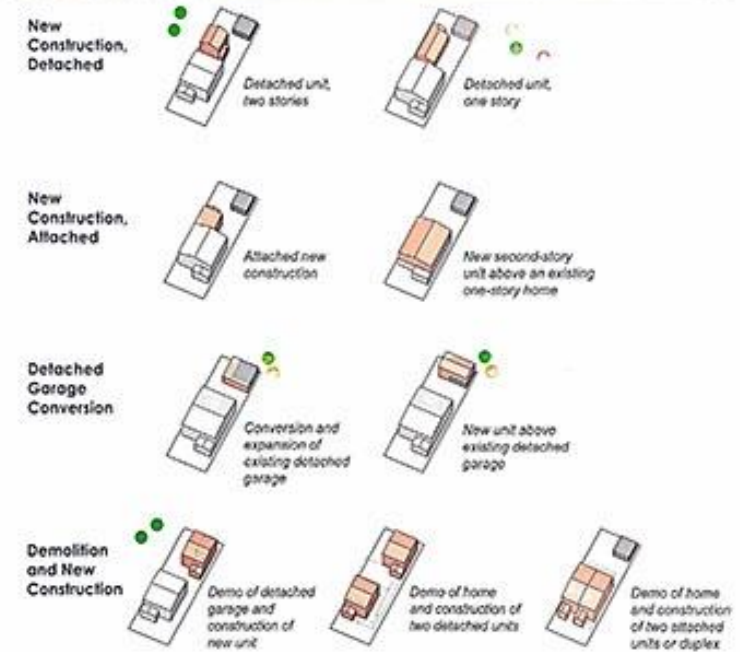
Community Feedback: Preferred Configurations

SB 9 Units:

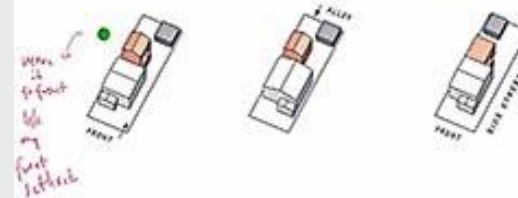
- New construction of one-story and two-story units
- Conversions of existing detached garage and new unit above existing detached garage
- Demolition of detached garage and construction of new unit

SB 9 Configurations and Access

SB 9 CONFIGURATIONS



SB 9 ACCESS: FRONT, REAR, OR SIDE?



Community Open House

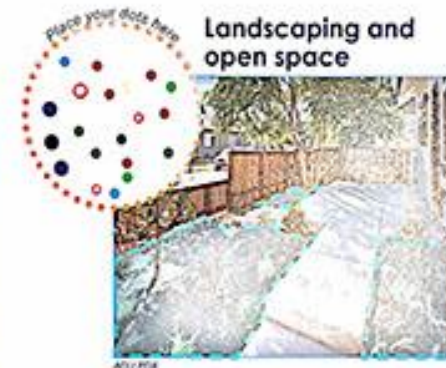
Community Feedback: Design of ADUs and SB 9 Units

Preferred Home Amenities

- Parking spaces (38%)
- Landscaping/open space (25%)
- In-unit washer and dryer (15%)

Home Amenities

These potential development standards or amenities are being considered to be included in the ordinance. Are there any that you think should be incentivized?



Other: Please use a post-it to provide additional feedback.



Community Open House

Community Feedback: Design of ADUs and SB 9 Units

Building Designs Priorities

- Quality building materials are important (81%)
- Style should match the existing structures (75%)
- Heights should be compatible with neighboring structures (60%)

Building Design Issues

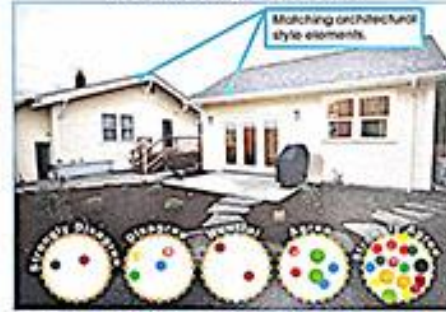


Home facades should exhibit some plane articulation/variation.



ADU PDR

Additions should match the style of the existing structure.



ADU PDR

New construction should use quality building materials.



Stephen Wilkins ADU

Heights should be compatible with that of neighboring structures.



It is important to avoid "blank walls" with no windows.



www.yourroofing.com

Community Open House

Community Feedback: Design of ADUs and SB 9 Units

Site Design Priorities:

- It is important to preserve open space between homes on a lot (78%) and between neighboring lots (83%)
- It is acceptable to have entrances to new homes face an alley (62%)

Site Design Issues



Windows must be placed to protect the privacy of neighbors.



Signature Architecture

All homes should have entrances that are visible from the street.



LA Construction Compliance

It is okay if entrances to new homes face an alley.



Small House Shop

It is important to preserve open space between homes on a lot.



Remode Valley ADU

It is important to preserve open space between neighboring lots.



Remode Valley ADU

Summary Results of Fall Online Survey

Online Survey conducted between July 14-September 20, 2023

- A total of 94 Respondents - 21 questions
- 94% LB Residents, 43% Property Owners & 5% Developer/Builder/Designer etc.

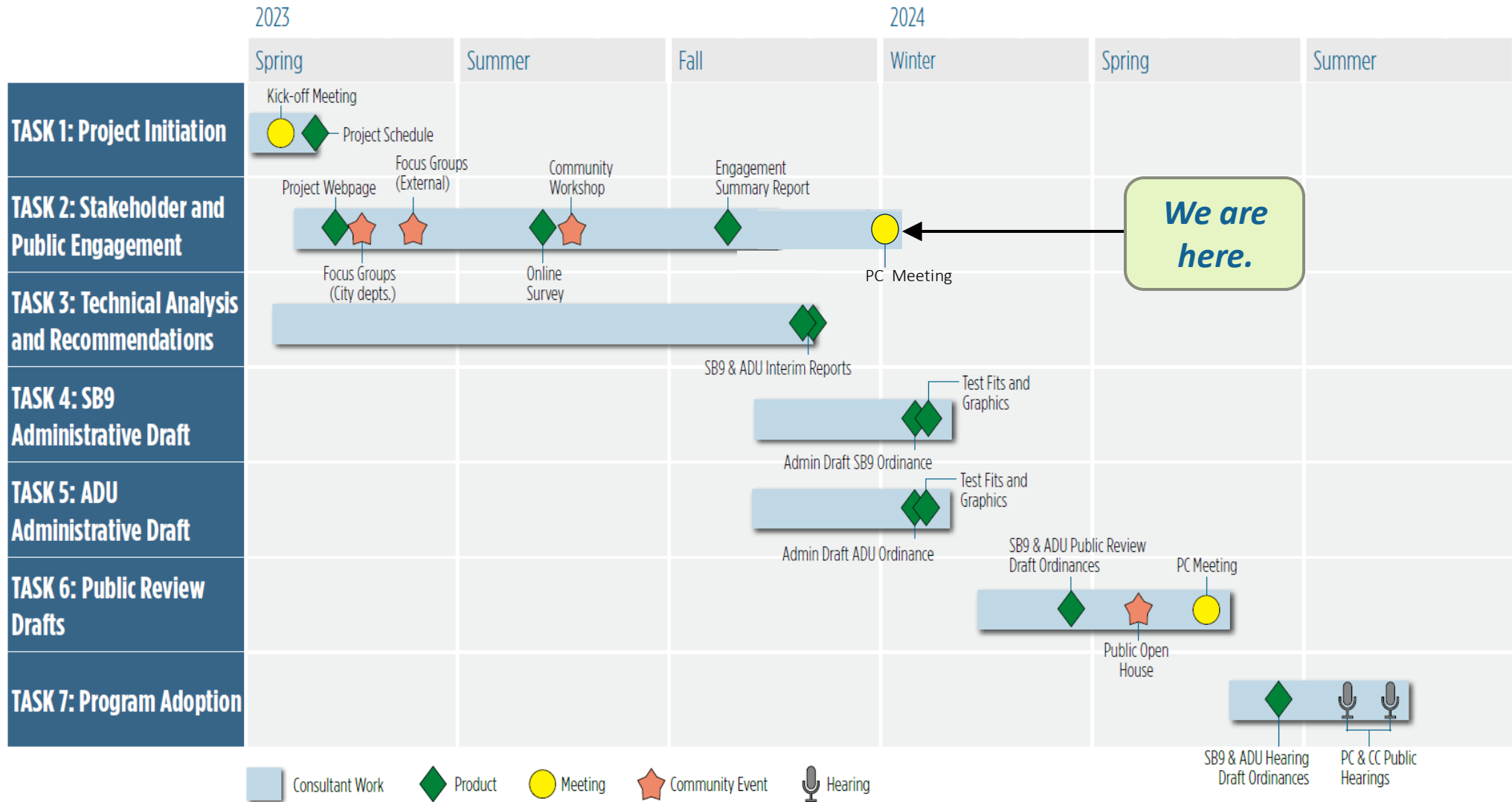
Interest in Development

- Residents are more familiar with ADUs and JADUs compared with SB 9
- *Interest in Building ADU:* 46% of respondents expressed interest
- *Interest in Developing Under SB 9:* 12% of respondents expressed interest, citing barriers related to cost, complicated processes, and available space

Resources and Amenities

- *Top chosen resource to support ADU construction:* Preapproved Plans (48%)
- *Most Desired ADU Amenity:* Parking Spaces (54%)
- Respondents generally supportive of context-sensitive requirements with greatest support for:
 - Matching the style with principal structure
 - Using quality building materials
 - Ensuring window placement provides privacy

Next Steps



Discussion

- How can we best facilitate housing development through ADUs and SB9 units while also **incentivizing community priorities and needs**?
- **Questions/clarifications** on ADUs/JADUs? SB 9?
- What are the City's **design priorities** for...
 - Detached second units?
 - Attached second units?
 - Second units facing alleys? In rear yards? On corners? Mid-block?
- Should the City **expand SB 9 eligibility** beyond R-1 zones? To historic areas? Coastal Areas? R2 zones?
- Should any **additional regulations** apply to second units in historic areas? Coastal areas?



Questions and Comments

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