

April 4, 2024

Planning Commission Hearing

**Non-Coastal Zoning Ordinance Amendments
for Accessory Dwelling Units and Junior
Accessory Dwelling Units (PL24-0014)**



**Resource Management Agency, Planning Division
Ruchita Kadakia, Manager,
Housing and State Mandates**

Intent for Today's Presentation

1. Background
2. Proposed Amendments to the Non-Coastal Zoning Ordinance
3. CEQA Exemption and Findings
4. Public Outreach and Comments
5. Recommended Actions





Background

2021-2029 Housing Element Sites Inventory (6th Cycle RHNA)

ADUs and JADUs:

- ~44% of overall RHNA
- Consist of almost half of all low-income units

ADU/JADU Progress:

- 2021-22 : 108 units
- 2023 : 170 units

Total : 278 units (50%)

	Lower Income (less than 80% of median)	Moderate Income (80-120% of median)	Above- Moderate Income (greater than 120% of median)	TOTAL
RHD Zoned Sites	220	-	30	250
ADUs and JADUs	258	235	67	560
Farmworker and Animal Caretaker Dwelling Units	8	-	-	8
Approved Residential Projects				
<i>CSUCI University Glen Phase 2</i>	170	310	120	600
<i>Somis Ranch Farmworker Housing Complex³³</i>	200	-	-	200
<i>Rancho Sierra Supportive Housing</i>	50	-	-	50
<i>Reider Tract (Piru)</i>	5	44	-	49
<i>Finch Tract (Piru)</i>	-	113	62	175
Vacant Sites in Existing Communities				
<i>Camarillo Heights/Las Posas Estates</i>	-	-	51	51
<i>Bell Canyon</i>	-	-	62	62
<i>Santa Rosa Valley</i>	-	-	12	12
<i>Lake Sherwood</i>	-	-	76	76
Total	911	702	480	2,093
2021-2029 RHNA Target	544	250	468	1,262
Surplus (percent of RHNA)	367 (67%)	452 (181%)	12 (3%)	831 (66%)

Purpose of Amendment to ADU/JADU Regulations

- February 7, 2023:** Ord. No 4615 Adopted by Board of Supervisors
- April 5, 2023:** Ordinance Submitted to HCD for certification
- September 5, 2023:** Response received from HCD
 - Included 10 revisions
- September 28, 2023:** County response to HCD
- October 11, 2023:** Meeting with HCD
 - Provided an overview of Ordinance structure
 - HCD agreed that only four (4) revisions need to be included in revised ordinance



Proposed Amendments to the Non-Coastal Zoning Ordinance (Article 7)

ADU Definition (Sec. 8102-0)

Dwelling Unit, Accessory (ADU) -

An attached or a detached residential dwelling unit, or a unit within the existing space of a primary dwelling unit, which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary dwelling. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same lot as the proposed or existing single-family or multifamily dwelling. An accessory dwelling unit also includes the following:

- (a) An efficiency unit, as defined in section 17958.1 of the Health and Safety Code; and
- (b) A manufactured home, as defined in section 18007 of the Health and Safety Code.

Governed by Government Code 65852.2

Junior Accessory Dwelling Units (Sec. 8107-1.7.6)

Dwelling Unit, Junior Accessory (JADU) –

A dwelling unit that is no more than 500 square feet in size and contained entirely within an existing or proposed single-family dwelling. A JADU may include separate sanitation facilities or may share sanitation facilities with the existing structure.

Governed by Government Code 65852.22

Proposed Amendments (Section 8107-1.7 – ADUs and JADUs)

8107-1.7.1: Purpose

8107-1.7.2: Definitions (*specific to this Section*)

8107-1.7.3: Types of ADUs

8107-1.7.4: ADUs allowed with a Building Permit
(*Building Permit ADUs*)

8107-1.7.5: Development Standards for ADUs Not Authorized
under Section 8107-1.7.4 (*ADUs allowed by Zoning Clearance*)

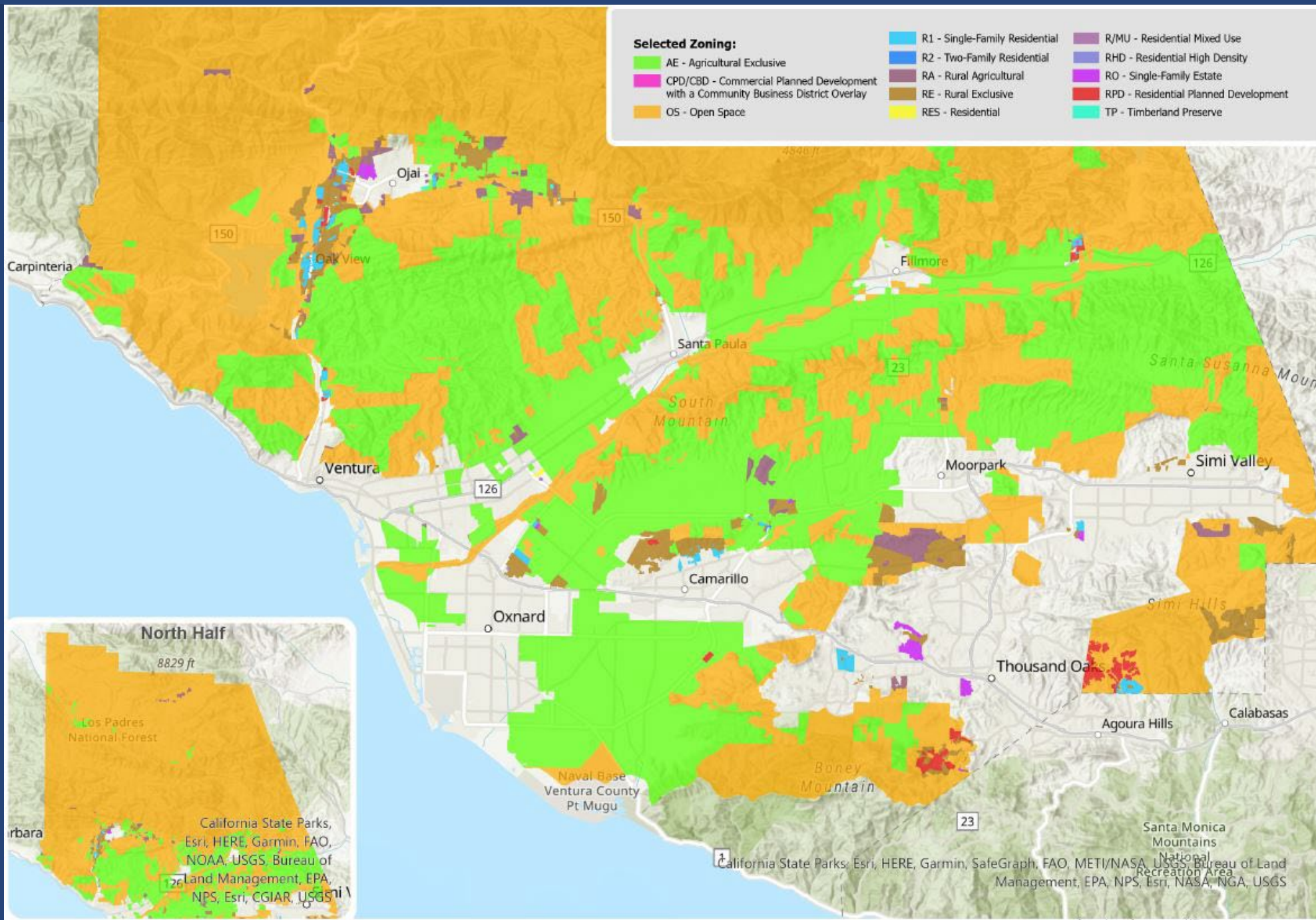
8107-1.7.6: JADU requirements

8107-1.7.7: Application Processing and General Requirements

ADUs Allowed by Permit and Zone

TYPE OF ADU		ZONING CLASSIFICATION												
		R1	R2	RES	RPD	R/MU	RHD	RA	RE	RO	CPD/ CBD	OS	AE	TP
Building Permit ADUs (8107-1.7.4)	Within Space of Single-Family Dwellings and Accessory Structures (Sec. 8107-1.7.4(a))	BP	BP	BP	BP	BP	X	BP	BP	BP	BP	X	X	X
	New Detached ADU with an Existing or Proposed Single-Family Dwelling (Sec. 8107-1.7.4(b))	BP	BP	BP	BP	BP	X	BP	BP	BP	BP	X	X	X
	ADUs in Existing Multifamily Dwelling Structures (Sec. 8107-1.7.4(c))	BP	BP	BP	BP	BP	BP	BP	BP	BP	BP	X	X	X
	Detached ADUs with Existing Multifamily Dwelling (Sec. 8107-1.7.4(d))	BP	BP	BP	BP	BP	BP	BP	BP	BP	BP	X	X	X
All other ADUs not authorized under Sec. 8107-1.7.4(a) through (d) (Sec 8107-1.7.5)		ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
JADUs	JADUs (can be combined with an attached or detached ADU in a single-family dwelling) (Sec. 8107-1.7.6)	BP	BP	BP	BP	X	X	BP	BP	BP	X	X	X	X
		BP - Building Permit Only			ZC - Zone Clearance			X - Not Allowed			10			

Location of Allowable Zones for ADUs and JADUs



Summary of Proposed Amendments

1. **HCD recommended revisions** (Sections 8107-1.7.4 and 1.7.6)
2. **Revisions to incorporate new state legislation** (AB 976 and AB 1033)
3. **Staff recommended Revisions for Consistency and Clarification**
(Sections 8107-1.7.5 and 1.7.7)

Revisions to Number of ADUs on residential/mixed-use lots







(Sec. 8107-1.7.4(a) and (b))

1. HCD recommended revision

- Allow 2 ADUs with a Building Permit on residential and mixed-use lots with an existing or proposed single family dwelling

2. Staff recommended revision for consistency

- Allow 2 ADUs on all residential and mixed-use zones, if they meet criteria

Building Permit ADUs (Sec. 8107-1.7.4)		Zoning Clearance ADUs (Sec. 8107-1.7.5)
(a) Within Space of Single-Family Dwelling and Accessory Structure (Conversion)	(b) New Detached ADU	Attached <u>or</u> Detached ADU on residential or mixed-use lot (only), meeting criteria
HCD → 		
Staff ↪ 		
		

What is being revised?

Example:

Parcel zoned RA

Lot size: 2 acres

Existing single-family dwelling on lot

Pick **One** ADU option from
A, B, C, or D



One JADU
(Per 8107-1.7.6)

Options Available with Current Ordinance



A. Conversion ADU



B. Detached ADU

Building Permit
ADUs (8107-1.7.4)



C. Attached ADU



D. Larger Detached ADU

Zoning Clearance
ADUs (8107-1.7.5)



What is being revised?

Example:

Parcel zoned RA;

Lot size: 2 acres

Existing single-family dwelling on lot

Can build **Two** ADUs on the lot from following options:

A and B (both with BP); or

A and C or D (one BP, one ZC); or

B and C (one BP, one ZC)



One JADU
(Per 8107-1.7.6)

BP = Building Permit
ZC – Zone Clearance

Options Available with **Proposed** Ordinance



A. Conversion ADU



B. Detached ADU

Building Permit
ADUs (8107-1.7.4)



C. Attached ADU

OR



D. Larger Detached ADU

Zoning Clearance
ADUs (8107-1.7.5)

Example 1: Residential or Mixed-Use Parcel with existing SFD+ADU


Example 1:

Parcel zoned RA; Lot size: 2 acres

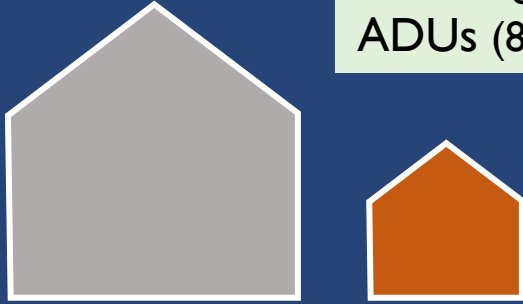
Existing single-family dwelling on lot

Existing Detached ADU = 1,200 sq. ft.
(Per 1.7.5)

Options Available with Proposed Ordinance



A. Conversion ADU



B. Detached ADU


Building Permit
ADUs (8107-1.7.4)

Can build one more ADU:

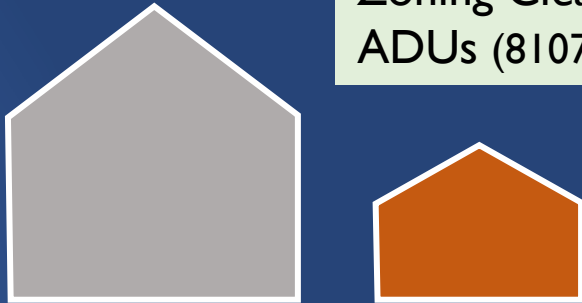
A. Conversion ADU

+

One JADU
(Per 8107-1.7.6)



C. Attached ADU



D. Larger Detached ADU

Zoning Clearance
ADUs (8107-1.7.5)

Example 2: Open Space Parcel with existing SFD+ADU

Example 2:

Parcel zoned OS; Lot size: 20 acres

Existing single-family dwelling on lot

Existing Detached ADU = 1,800 sq. ft.
(Per 1.7.5)

Cannot build any more ADUs:

OS, AE and TP are not residential or
mixed-use zones

No JADU allowed

Options Available with Proposed Ordinance



A. Conversion ADU



B. Detached ADU

Building Permit
ADUs (8107-1.7.4)



C. Attached ADU



D. Larger Detached ADU

Zoning Clearance
ADUs (8107-1.7.5)



HCD Revisions to Detached ADUs on multifamily lots (Sec. 8107-1.7.4(d)(5))

- Detached ADUs on lots with an existing or proposed multifamily dwelling
 - Must be detached from the primary structure;
 - Can be attached to each other; and
 - Can be attached to accessory structures

HCD Revisions to JADUs (Sec. 8107-1.7.6)

- Allowable zones for JADUs:
 - RI, R2, RES, ~~RPD~~, RA, RE, or RO
- One JADU is allowed on a lot with multiple detached single-family dwellings
 - HCD Handbook revision anticipated in 2024 to reflect this change

Lot with Two Single-Family Dwellings



Other Revisions

- Incorporate new state law provisions, effective January 1, 2024
 - AB 976
 - AB 1033
- Minor revisions for consistency and clarifications



CEQA Exemption and Ordinance Amendment Findings

CEQA Exemption

The Proposed Ordinance (**Exhibit 5**) is exempt from CEQA review pursuant to Public Resources Code section 21080.17, which provides, in pertinent part, that CEQA does not apply to the adoption of an ordinance to implement the provisions of Government Code section 65852.2.

NCZO Amendment Findings

Pursuant to NCZO Section 8115-0, the proposed NCZO Amendment to Article 7 (**Exhibit 5**):

- Would not be detrimental to the public health, safety or general welfare;
- Represents good zoning practice; and
- Is consistent with the Ventura County General Plan



Public Outreach and Public Comments Received

Public Information

- Updates to websites providing most recent information
- Legal Notice published in VC Star and Vida
- Email to Interested parties list
- ADU Homeowner Tools guidebook in progress

<https://vcrma.org/en/accessory-dwelling-unit-permits>
<https://vcrma.org/en/accessory-dwellings-farmworker-dwellings>

REGULATIONS FOR ADUS AND JADUS

* **Note:** Zoning designations and their abbreviations used below refer to the following zones. See the [Non-Coastal Zoning Ordinance](#) for all other requirements regarding the zone:

Single-Family Residential (R1)	Residential Mixed Use (R/MU)
Two-Family Residential (R2)	Residential High Density (RHD)
Residential (RES)	Rural Agricultural (RA)
Residential Planned Development (RPD)	Rural Exclusive (RE)
Single-Family Estate (RO)	

A. ADUs and JADUs allowed with a Building Permit

The new state regulations allow for the development of an ADU or JADU to apply directly for a building permit for construction, if it meets the criteria listed below.

1. ADUs Within Space of Single-Family Dwellings and Accessory Structures

One ADU and one JADU per lot within a portion of a proposed or existing single-family dwelling with exterior access or created by converting existing space of a residential accessory structure. Setbacks must comply with building and fire code, even if existing setbacks are legal non-conforming.

Zones allowed: R1, R2, RES, RPD, R/MU, RA, RE, RO Zones, or Commercial Planned Development within a Community Business District overlay zone (CPD/CBD).



(ADUs Within Space of Single-Family Dwellings and Accessory Structures)

Proposed Single-Family Dwelling

A new construction ADU is allowed on a lot with a proposed or existing single-family dwelling and may be combined with a JADU. The new detached ADU: must have a maximum size of 800 square feet, must have minimum 4-foot side and rear setbacks, and must be no taller than 16 feet above grade.

Zones allowed: R1, R2, RES, RPD, R/MU, RA, RE, RO Zones, or Commercial Planned Development within a Community Business District overlay zone (CPD/CBD).

Accessory Structures

Portions of existing multifamily dwelling space (e.g., garage, carports, storage, etc.). The number of ADUs, or the number of ADUs in existing multifamily dwelling units, whichever is greater. On the same lot as ADUs in existing multifamily dwelling units, must choose one of the options between 3 and 4.

Zones allowed: R1, R2, RES, RPD, R/MU, RA, RE, RO Zones, or Commercial Planned Development within a Community Business District overlay zone (CPD/CBD).



(ADUs in Existing Multifamily Dwelling Structures)

Standardized Floorplan Options

Three layouts are available to use for 1, 2, and 3-bedroom units! Click on the image for each option below to see the floor plan (with a furniture layout) and an illustrative rendering of that plan. Construction drawings for each option are available below the image.

The illustrative rendering directly represents the construction drawings reviewed and pre-approved by the Building and Safety Division. While you cannot change the size or location of features included in the plans (such as location of doors, air vents, plumbing connections, etc.), you can personalize the look of your unit by changing the appearance of some features! This includes paint, siding and other façade materials, trims and frames for doors and windows, outdoor light fixtures etc. Please note that some of the changes in features may require approval from the Building and Safety Division.

You can also add a patio cover to any of these standardized plans as long as it meets the requirements in Building and Safety Handout B17.

Click on the images below for more details on each option.

1 Bedroom 700 sq. ft.	2 Bedroom 900 sq. ft.	3 Bedroom 1,188 sq. ft.
700 sq. ft. Construction drawings	900 sq. ft. Construction drawings	1,188 sq. ft. Construction drawings



Recommended Actions

Recommended Actions

1. **CERTIFY** that your Commission has reviewed and considered this staff report and all exhibits hereto, and has considered all comments received during the public comment and hearing process;
2. **ADOPT** a Resolution (**Exhibit 3**) recommending that the Board of Supervisors take the following actions regarding the Proposed Ordinance:
 - a. **CERTIFY** that the Board of Supervisors has reviewed and considered the Board letter, the Planning Commission staff report and all exhibits thereto and has considered all comments received during the public comment and hearing process; and

Recommended Actions

- b. **FIND**, on the basis of the entire record and as set forth in Section B of the Planning Commission staff report, that the adoption of the Proposed Ordinance amending Article 7 of the Non-Coastal Zoning Ordinance to amend regulations for accessory dwelling units and junior accessory dwelling units consistent with Government Code Sections 65852.2 and 65852.22 (**Exhibit 5**) is exempt from CEQA review pursuant to Public Resources Code section 21080.17, which provides, in pertinent part, that CEQA does not apply to the adoption of an ordinance by a city or county to implement the provisions of Government Code section 65852.2; and
- c. **FIND**, on the basis of the entire record and as set forth in Sections A, B, C and D of the Planning Commission staff report, that the Proposed Ordinance amending Article 7 of the Non-Coastal Zoning Ordinance (**Exhibit 5**) is consistent with the goals, policies and programs of the Ventura County General Plan and good planning practices and is in the interest of public health, safety and general welfare; and

Recommended Actions

- d. **ADOPT** the Proposed Ordinance amending Article 7 of the Non-Coastal Zoning Ordinance (**Exhibit 5**); and
- e. **SPECIFY** the Clerk of the Board of Supervisors at 800 S.Victoria Avenue, Ventura, CA 93009 as the custodian and location of the documents and materials that constitute the record of proceedings upon which these decisions are based.

The Board of Supervisors hearing for adoption of the Proposed Ordinance is tentatively scheduled for **June 4, 2024**



Questions?

Planning Commission Public Comments (Zoom)

Comentarios Públicos de la Comisión de Planificación (Zoom)

CASE NUMBER PL24-0014

Agenda Item # 6A

FOR PARTICIPANTS ON ZOOM

https://ventura-org-rma.zoom.us/webinar/register/WN_cDIGfeVFQQKAnZVRWCxSHA#/registration

Members of the public who wish to speak, please press the raise hand button on Zoom now and you will be connected at the appropriate time.

This is for agenda item # 6A

NÚMERO DE CASO PL24-0014

Punto del Orden del Día # 6A

PARA PARTICIPANTES EN ZOOM

https://ventura-org-rma.zoom.us/webinar/register/WN_cDIGfeVFQQKAnZVRWCxSHA#/registration

Miembros del público que deseen hablar, presionen el botón de levantar la mano en Zoom ahora y se conectarán en el momento apropiado.

Esto es para el tema de la agenda # 6A