

## Council struggles with Accessory Dwelling Unit ordinance

July 9, 2023



The Crescent City Council discussed, debated and ultimately decided more back-and forth is needed before adopting an accessory dwelling unit ordinance.

After listening to a staff report from City Attorney Martha Rice, councilors decided to place the discussion on the upcoming council agenda.

The California Department of Housing and Community Development (HCD) reported that fewer than half of the homes needed to keep up with the population growth were built. Over the last several years, HCD has been attempting to combat this “housing crisis” with mandates on local governments. The state law was amended in 2019 and has been changed eight times, requiring the re-writing of local ADU ordinances, including the proposed ordinance for Crescent City. Councilors agreed the ordinance is complicated.

ADU’s must be allowed in all city districts except along the coastal zone where the California Coastal Commission supersedes state law. To further complicate the ADU ordinance, the city would need to amend

its local coastal plan and any proposed changes must be approved by the coastal commission.

The city has a very limited amount of discretion when determining regulations for a local ADU ordinance. No Planning department oversight would be required.

The minimum size ADU is 150 square feet. The maximum size unit is 800 square feet, which is 50 percent of the primary dwelling unit but minimum 850 square feet for 0-1 bedroom and 1000 square feet for two plus bedrooms. Maximum height for the ADU is 16 feet. Four foot setbacks may be expanded to accommodate utility easements.

All ADU's must be rented out for at least 31 consecutive days. This last state mandate addresses the expansion of short-term vacation rentals which typically cover less than a one week stay.

Other fees and costs associated with the sewer hook-up would also be evaluated for suitability by the city.

Councilors had many questions concerning flexibility and discretion and how best to meet critical housing needs across the 1.7 square mile city limits. All agreed additional discussion on the ordinance was needed. The item is scheduled for discussion and possible action at the Monday, July 10, council meeting at 6 p.m. at the Flynn Center.