

# SAIKLEY ARCHITECTS

*a California corporation*

2533 Clement Avenue Alameda, CA 94501

o: (510) 420-1234 f: (877) 880-9730

www.saikleyarchitects.com | info@saikleyarchitects.com

April 30, 2017

**Re: ADU requirements**

Dear Alameda City Planning staff and members of the Planning Board,

I have some concerns and suggestions regarding changes to ADU (Accessory Dwelling Unit) requirements.

In my architectural practice I have designed many ADU's in other cities. I have had many questions from Alameda clients about ADU's, and I am considering building an ADU cottage behind my own Alameda home.

The recent State Senate Bill #1069 regarding ADU's was passed after agreement between many groups that commonly oppose each other, groups that came together in agreement to update the ADU law. The State law is written to help addressing the housing crisis, keep communities together, allow for extended families to live together and care for each other, make housing more economically viable both for homeowners and renters, make it more financially viable for older people to keep their properties, and help address environmental problems by infilling existing backyards and space within existing buildings rather than sprawling. The following is from SB 1069 regarding these aims:

SEC. 4. Section 65852.150 of the Government Code is amended to read:  
65852.150. (a) The Legislature finds and declares all of the following:

(1) Accessory dwelling units are a valuable form of housing in California.  
(2) Accessory dwelling units provide housing for family members, students, the elderly, in-home health care providers, the disabled, and others, at below market prices within existing neighborhoods.

(3) Homeowners who create accessory dwelling units benefit from added income, and an increased sense of security.

(4) Allowing accessory dwelling units in single-family or multifamily residential zones provides additional rental housing stock in California.

(5) California faces a severe housing crisis.

(6) The state is falling far short of meeting current and future housing demand with serious consequences for the state's economy, our ability to build green infill consistent with state greenhouse gas reduction goals, and the well-being of our citizens, particularly lower and middle-income earners.

(7) Accessory dwelling units offer lower cost housing to meet the needs of existing and future residents within existing neighborhoods, while respecting architectural character.

(8) Accessory dwelling units are, therefore, an essential component of California's housing supply.

(b) It is the intent of the Legislature that an accessory dwelling unit ordinance adopted by a local agency has the effect of providing for the creation of accessory dwelling units and that provisions in this ordinance relating to matters including unit size, parking, fees, and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create accessory dwelling units in zones in which they are authorized by local ordinance.

Following are the basic requirements laid out by SB 1069. Within certain limitations, Cities are allowed to make further requirements:

(a) within 120 days after receiving the application. Notwithstanding Section 65901 or 65906, every local agency shall ministerially approve the creation of an accessory dwelling unit if the accessory dwelling unit complies with all of the following:

(A) The unit is not intended for sale separate from the primary residence and may be rented.

(B) The lot is zoned for single-family or multifamily use.

(C) The lot contains an existing single-family dwelling.

(D) The accessory dwelling unit is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.

(E) The increased floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet.

(F) The total area of floorspace for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(G) Requirements relating to height, setback, lot coverage, architectural review, site plan review, fees, charges, and other zoning requirements generally applicable to residential construction in the zone in which the property is located.

(H) Local building code requirements that apply to detached dwellings, as appropriate.

#### **FOLLOWING ARE SOME ADU EXAMPLES FROM MY PRACTICE:**

- *Flexibility in the regulations is crucial for allowing people to create ADU's that make sense for their families and are viable financially.*
- I have an 87-year-old client in Oakland who has owned her home for 50 years and raised her children there. She is still able-bodied, and she still runs a business from her home (she teaches dance – students come to her house). But she is starting to need help. We are lifting the house to create a 1000 sf level-in unit at the ground floor for the my client, and making it fully wheelchair accessible, in case she ever needs this. The space is large enough for her to continue running her business and for the space to be accessible. Her son will move back into the upper unit that he grew up in, with his wife. His wife is working toward a new business; she plans to retire from her current career in the next 15 years or so, and will use the lower unit to run the new business at such time as her mother-in-law is no longer living, with the connecting stairway making the whole house function as one unit. Whenever that is no longer needed, or if the younger couple needs an accessible unit, they will move downstairs and rent out the upper unit, making their older years more financially viable.  
**Note that having an internal connecting stair (which can be closed off when renting the ADU ), and the size, are key to this whole plan.**
- An Alameda professional couple in their mid-50's has determined that they won't be able to afford to retire in the home they have raised their children in, or in most any single-family home in Alameda. They want to build a 900 sf ADU cottage – approximately the maximum their Lot Coverage allows, and the 50% limit of the square footage of the main house - move

into it, and rent out their larger house. If they could build the cottage cost-effectively - using a pre-fab system is what works financially- they could stay in their community and their grown children could come back to visit the neighborhood they have grown up in. In this case, 950 sf allows for enough accessibility for aging in place, a guest bedroom for family to visit, a home office nook for the wife who expects to be working through older age, a music space for the husband who is a semi-professional musician and expects to play music the rest of his life, and a living space large enough to extend a dining table for guests – basically it is the minimum space that accommodates their needs. The couple would build the cottage, rent it out while their teenaged children are still living with them, then move into the cottage and rent out the main house. At some point, they want to give the house to one of their children. They are waiting to see what the Alameda ADU regulations will be. **Note that not having to make the design consistent with main house, the size of the unit, and the number of bedrooms, are key to the viability of this plan.**

- A client in Mountain View wanted to do significant work on her old house, and add an ADU for her 60-year-old mother to move in, help care for her children, and plan to live there for her life. This plan would have brought the family together, saved my client the cost of a nanny, and by pooling her resources with her mother's, they would have both come out way ahead financially. Her mother is healthy and active and wanted her own living space. At the time Mountain View had a 700 sf limit on ADU's. We couldn't find a way to make that space work for aging in place and for the mother's current lifestyle. So unfortunately, because of the space limitation, in this case my client's mother bought a different apartment in Mountain View, and my client built the 700 sf ADU and is renting it out to someone else. **Note that the small size limit was a deal killer for this project.**
- Many people ask me about converting their garages or other back yard structures to ADU's. My firm has done so in several other cities. Very often though, it isn't cost-effective to convert an existing accessory structure. A seismic upgrade is required per CA Building Code for conversion to habitable space; that usually necessitates a new foundation. Quite a few other structural and other modifications need to be made. Generally what is cost-effective is replacing the existing structure with a new one, and making it large enough to get return on investment. Pre-fabricated construction is generally most cost-effective. **Note that it is crucial that the regulations do not prevent pre-fabricated construction from being approved.**

**IN PARTICULAR I WOULD LIKE TO MAKE SUGGESTIONS ABOUT ALAMEDA CITY PLANNING'S DEVELOPMENT STANDARDS ON THE ACCESSORY DWELLING UNIT PERMIT HANDOUT:**

- a. **Development Standard #4: Room limitations – An ADA is limited to one bedroom and one kitchen.**
  - Why have this restriction?
  - One group of people well-served by ADU's is the older couple, who has perhaps raised their children in the home they own in Alameda, doesn't need their large

home and can't afford to retire in it, but would like to stay in their community, retain their property and pass it on to their children who grew up in the house. The older couple could build an ADU, move into it themselves, and rent out the larger house. Such a plan can be a game-changer for many people's retirement financial planning. The community benefits from having older people who stay rather than getting pushed out by rising costs, as is happening more and more. But, one bedroom means no guest room for children and grandchildren to come visit, or for a home office as or for a caretaker to stay there should one or both of the homeowners need care as they age. **Lack of a space for a caretaker to stay, or for an accessible unit, could be what precludes aging-in-place, possibly sending one of the homeowners to a nursing home and dividing the couple.**

- Many people need home offices as well as guest rooms. **People are increasingly working into very old age and need space in their homes for this.** If there is a 1-bedroom limit, it would probably preclude most home office layouts that people would want. I have had several older clients who have retired from former jobs, and still need to earn a sizable income in order to live in the Bay Area, and ask me to design very functional home offices.
- If the ADU can be up to 1200 sf (as proposed at the last Planning Board meeting) then limiting it to 1 bedroom would mean a disproportionate amount of living space and would force more open floorplans than many people would want.
- **SUGGESTION: NO LIMIT ON NUMBER OF BEDROOMS.**

**b. Development Standard #5: Size limitations – The maximum allowable size of an ADU is 600 square feet of habitable space...**

- I understood at the last Planning Board meeting where this was discussed that a 1200 sf limit is being considered.
- There was mention at the Planning Board meeting of other cities having smaller limits. But, other cities are having the same discussions that Alameda is having, and their requirements are changing. So it doesn't make sense to look to past square footage limits in other cities as examples.
- One logical layout for an ADU is a basement digout, or raising the house for a level-in lower unit. Many Alameda houses have 1000 sf – 1200 sf footprints. It would be very expensive per-square-foot, and impractical, to dig out only part of the basement, or to make a smaller ADU with empty unfinished space next to it.
- The Lot Coverage limit, and the restriction of 50% of the square footage of the main unit will keep cottages from getting too large in proportion to the existing house and lot.
- Again, a key group of people that ADU's will serve is older people – either people who own the property and have lived in the main house, or older parents moving to be with their son or daughter who owns the main house. In either case, the ADU should be **accessible** and should allow for **aging in place and in-home care**. To be accessible, bathrooms and kitchens must be large enough to be wheelchair accessible, bedrooms need to be large enough to maneuver a wheelchair around a bed, and to have a caretaker helping the resident; living space needs to be big enough for mobility-impaired people to move around comfortably; there needs to

be space for a caretaker to live in if needed. 600 square feet would be much too small.

- **SUGGESTION: 1200 SQUARE FOOT LIMIT. FOR BOTH ATTACHED AND DETACHED ADU'S.**

**c. Development Standard #7: Separate Unit - An ADU is required to have ... no internal connection to the primary unit.**

- Why prohibit internal stairs and other internal connections?
- Often an attached ADU is for family members. An internal stair or doorway may be necessary for the family to feel connected, and for care of older family members by younger ones. (Usually we design internal stairs so that they can be closed off at times when the homeowners want to rent out the ADU to non-family members).
- Flexibility is key for ADU's to be viable. Typically a family is allowing for older parents, grown children, renting the space to tenants sometimes and not other times, home offices, etc, at different times. ADU's are potentially a very good way to allow for the changes that families go through, keep families together, allow for aging-in-place. Whom does it benefit to require that ADU's not be connected to the main house?
- In Alameda's regulations, a JADU (Junior ADU) is required to have an internal connection to the main unit, which an ADU is prohibited from having an internal connection. Otherwise the difference that I can see is that it's a smaller sized unit. **Why require an internal connection for one size ADU, and prohibit it for the other size ADU? Why not let people decide what they need?**
- **SUGGESTION: NO REQUIREMENT TO HAVE, OR NOT HAVE, AN INTERNAL CONNECTION BETWEEN UNITS, FOR EITHER ADU OR JADU.**

**d. Development Standard #8: Design Consistency - The ADU must be consistent with the exterior design of the primary unit.**

- This requirement especially concerns me – both that the ADU would need to look like the main house, and that the wording is vague enough that this Standard alone could cause many ADU projects never to happen due to an uncertain and possibly protracted review process.
- We have many styles of houses from many eras next to each other in our city. The 1920's Craftsman would have looked very contemporary next to the 1880's Victorian at the time that it was built, but we don't object to that now. Why should a cottage behind a house, built maybe 90, 100, 120 years after the house, need to look like the house? Why not allow contemporary styled ADU's?
- When restoring an older home, it makes sense to match the materials and the details of the house for consistency; many people agree that appropriate preservation of older homes in Alameda is important for the character of the city which everyone can enjoy. **But building new little cottages to look like the houses that they're behind is a false historicism. The ADU cottage was not a building pattern 100 years ago, and we are not restoring existing historic structures with new ADU cottages. ADU cottages will be a new building type. Why not let these new buildings be contemporary in design?**

- **Materials that were used on homes a century ago often don't make sense today.** Redwood siding is very expensive, environmentally irresponsible, complicated to waterproof well, and today's redwood rots easily. Cedar shingles have similar issues. Wood at the exterior of windows is expensive to keep painted and doesn't hold up as well as wood-clad or other materials. Clay roof tiles are expensive and drive up structural costs because of their weight. The small exterior details of the older homes are lovely, but impractical to re-create on new buildings. Etc.
- Planners have told me that this Standard means that the cottage would need to have a gabled roof if the house does. **A gabled roof basically precludes most affordable pre-fab cottages.** Most pre-fab cottages have shed roofs, to gain light and a sense of space with vaulted ceilings while keeping a simple structural system; it is much easier and less expensive to make rigid moment connections where walls meet roof when the roof is one plane, i.e. a shed roof.
- Pre-fab construction is continually getting cheaper compared to custom building. It is difficult to build an ADU cottage with a mortgage and be able to cover the costs with the rent; when I run the numbers, it looks like rent could cover the cost of pre-fab construction, but not custom build.
- **Example of a pre-fab cottage:**
  - The photo below is by a company called Avava. A 650 sf version of this cottage costs \$240k, including all construction for installation, design fees, structural engineering, permitting. It is highly energy-efficient so monthly utility bills are low. It is environmentally far better than custom build. Most of the construction is in the factory, with little construction time on site disturbing neighbors. I figure to build something similar custom would be \$350k - \$400k for construction & design. If the custom cottage had to be Victorian or Craftsman with redwood siding and trim etc, the cost would be higher. The relative difference in cost between pre-fab and custom is likely to keep growing. **The high cost of building is likely to preclude most ADU cottages, if pre-fab construction is essentially prohibited by the requirement that the ADU look like the main house. Is that the intent?**
  - Why not allow cottages like the one below, behind older homes?



- I have understood that planners are concerned about very ugly cottages being built. That makes sense.
  - There are currently many unattractive structures at the back of properties, built at all different times – many of them were garages, some are other structures (I see several from my own back yard, none of them pretty). Many of them are rotting. I get several requests from prospective clients every month about fixing up or replacing these structures to turn them into some sort of living space, and in most cases I tell them there isn't anything useful that they are allowed by the City to do with them. **Overall, the look of back yard structures, as much as they are seen by neighbors, is only likely to improve with ADU's – the value of ADU's would give homeowners incentive to replace ugly, useless back yard structures.**
  - Cottages in the back yards aren't going to be a big eyesore for the community; they won't be all that visible from the street. The height limit plus Lot Coverage requirement will keep them small-scale. It seems better to make them viable, than to cause them not to be built by making the requirements onerous because of concern that some of them won't be attractive enough.
  - The State law says that the requirements not be "so arbitrary, excessive, or burdensome as to unreasonably restrict the ability of homeowners to create accessory dwelling units". **It seems that these historic requirements in the Development Standards, which essentially preclude pre-fab cottages, and therefore force a much more expensive build, could be seen as unreasonably restrictive and against the intent of the State law.**
  - **Why is it important to match the style of the main house? And whatever its importance, is that more important than making ADU's financially viable,** which does several things, which a large range of people support:
    1. Allows older people to stay in their neighborhood and retain their property.
    2. Keeps families together.
    3. Keeps communities together.
    4. Makes housing more affordable for homeowners with rental income, and more affordable for renters by increasing renting stock.
    5. Helps address the housing shortage.
    6. Helps address several environmental issues with densification.
  - **SUGGESTIONS:**
    - **DON'T SAY THE ADU HAS TO BE "CONSISTENT" WITH THE PRIMARY UNIT.**
    - **SAY NO CONTAINER BUILDINGS ARE ALLOWED.**
    - **MAYBE SAY IT MUST BE OF A STANDARD RESIDENTIAL DESIGN, SO THAT THERE'S A WAY FOR CITY PLANNING TO SAY NO TO A VERY INDUSTRIAL LOOK THAT WOULD BE OUT OF PLACE IN ALAMEDA.**
    - **WHATEVER THE REQUIREMENTS, PLEASE BE SPECIFIC. OTHERWISE THE UNCERTAINTY ABOUT THE APPROVAL PROCESS WILL ITSELF PRECLUDE MANY PROJECTS.**
- e. **Development Standard #11: Parking Exemption: No additional on-site parking is required if the ADU location meets any one of the following...[which most Alameda lots do].**

- Some of the arguments I have heard for limiting square footage and number of bedrooms relate to fear of increased cars and parking problems.
- The State law says that parking can't be required for ADU's near public transit. It seems that to be in keeping with the intent of the State law, these parking arguments should not be a valid reason for limiting square footage and number of bedrooms.
- The average number of cars per household has been declining since about 2005, and is currently at 1.4 cars per household. While parking is an issue, the many other issues that are well-addressed by the development of ADU's should be treated as more important at this time.
- **SUGGESTION: DON'T LIMIT SQUARE FOOTAGE OR NUMBER OF BEDROOMS DUE TO CONCERNS ABOUT PARKING.**

**f. Development Standard #13: Deed Restriction - The property owner must record a Declaration of Restrictions prior to issuance of an ADU permit...**

- Although not listed on the Development Standards, I have been told by City planners that it is required that deed restriction say that the current, and future, owners, must live in one of the units; that the units can not be rented if the owner does not live in one, so presumably the units would be required to be left empty if the owner is not living there.
- This seems like a really cumbersome regulation, and confusing and difficult to enforce.
- **SUGGESTION: SAY THAT IT MUST BE AN OWNER WHO IS OCCUPYING THE PROPERTY WHO APPLIES FOR THE PERMIT, BUT DON'T SAY THAT THIS OWNER OR ANY FUTURE OWNER MUST KEEP LIVING IN THE PROPERTY. DON'T REQUIRE A DEED RESTRICTION.**

One further suggestion, not about ADU's but related:

**g. Currently accessory buildings are U-Occupancy in Alameda and are not allowed to be living space.**

- As noted above, there are many accessory buildings in Alameda that are not well-used, and fall into disrepair because it is not worth the money to take care of them when they can't be used for any kind of living space. Furthermore, when they are used, it's generally inefficiently. For example, since they aren't allowed to be insulated and heated, people still use some of them for offices and guest rooms, plugging in a space heater, being uncomfortable and wasting energy.
- **SUGGESTION: MAKE ACCESSORY BUILDINGS ON RESIDENTIAL LOTS R3-OCCUPANCY AND ALLOW THEM TO BE USED AS HABITABLE SPACE, EVEN WHEN THEY AREN'T ADU'S.**

Thank you for your consideration.

Sincerely yours,

  
Alexandra Sheets Saikley

SAIKLEY ARCHITECTS

# SAIKLEY ARCHITECTS

*a California corporation*

2533 Clement Avenue Alameda, CA 94501

O: (510) 420-1234 F: (877) 880-9730

www.saikleyarchitects.com | info@saikleyarchitects.com

April 30, 2017

Re: Parking requirement for >750 square foot addition

Dear Alameda City Planning staff and members of the Planning Board,

In my architectural practice I have designed over 100 single family home remodels and additions in Alameda; many of them have involved the parking requirement for additions greater than 750 square feet. I would like to offer some reasons that I see for eliminating this requirement.

1. **I can't think of a case in my projects where we have actually added parking because of the 750 sf rule.**
  - a. For some of my projects we have discussed paving a large part of the back yard with drivable grass pavers in order to be allowed to build >750sf, though none of my clients has actually chosen to do that. On most sites, the number of existing parking spaces is simply all that will fit. So, if there isn't already the required parking, then families either do 749 sf additions, or they decide the project isn't worthwhile at 749 sf and don't do it. The rule keeps people from building what they want, but doesn't help parking.
2. **There generally aren't fewer people, or cars, because of the 750 sf rule.**
  - a. People doing large additions to their house are generally families. When families want to add on to their house, and either do a 749 sf addition, or decide it isn't worth it to do an addition at all, they don't have fewer people in their family, or have fewer cars, because there's a 750 sf rule. They just find the 750 sf rule to be a constraint that causes them a problem, and they squeeze into less space. Therefore, I have not seen that the rule is helping the parking situation.
3. **People park their cars where it is convenient for them; the 750 sf rule does not change that.**
  - a. Even if people are occasionally technically adding parking spaces in order to be allowed to build > 750 sf, it isn't likely that the additional parking is going to be in a place where it is used for cars. There isn't space on most Alameda lots to build a big new garage at the front of the lot. Parking isn't allowed in the first 20' of the front of the property. "New" parking spaces would generally have to be created by paving the back yard, or enlarging a garage at the back yard, neither of which will be used to actually park cars.
4. **The 750 sf rule leads to a lot of impractically expensive and awkward additions, and blocks others, which does nothing to address neighborhood parking issues. Examples:**
  - a. A common addition is a basement dig-out, usually when the foundation needs replacement anyway. Many Alameda homes have footprints of 1000 – 1200 square feet. If the existing house is 1 story, and has 1 legal parking space, which is common, then a full basement addition would add more than 750 sf and not be allowed. If the existing house is 2 stories, then even if it has the required 2 parking spaces, a full basement addition will be > 750 sf, and is likely to push the square footage over 3000 sf, triggering the requirement for a 3<sup>rd</sup> parking space, and so the addition won't be allowed without paving the back yard. It is structurally impractical and not cost-effective to dig out part of a basement. So, the best option for some of my clients (and as suggested by City planners) has been to get one permit to dig out the whole basement making 749 sf living

space and the rest unfinished storage, and then get a later permit to finish the rest of the basement, the whole thing being at much higher cost to the homeowner, and inconvenience to them and their neighbors, than doing the whole project at once. Or, they just use 749 sf of the basement, at very high cost per square foot since they have paid for the structural work for the whole basement.

- b. Clients have chosen to remove some square footage from the existing house, space they would otherwise have preferred to keep, in order to be allowed to build > 750 sf where it made more sense for them. The requirement then leads to waste of valuable built space, and doesn't help the parking issue.
  - c. Clients have chosen not to do their addition at all, because the 750 sf rule precluded adding the space they wanted, or made the cost too high for the space they could get. So people squeeze in. In-laws or grown children still move in, they just don't have their own space they were hoping for. Children are still part of the family, they just share rooms, or live in the old basement room with the low ceiling or the attic room, and make due with the house they have. This doesn't help the parking problem.
  - d. The hard square footage limit, which isn't large, which is created by the 750 sf rule, is a constraint that leads to less optimal design solutions in some cases than would be possible without the rule.
- 5. The 750 sf rule interacts with the JADU (Junior Accessory Dwelling Unit) requirements in a way that may lead to a lot of IKEA kitchens that no one really wants.**
- a. Because City Planning allows square footage of removed existing space to be added to the 750 sf maximum without adding parking, clients have recently asked me if they can convert part of their existing house to a JADU by adding a kitchenette, and then add the square footage of the JADU to the 749 sf allowed for their addition (a JADU needs to be connected to the main house, also have its own entry, have its own kitchenette, and can have its own bathroom or not; so, presumably any room or set of rooms in a house that can have an exterior door could be legalized as a JADU). Although I have gotten some conflicting information from City Planning on this, I have understood that this would be allowable. But, it would be silly to have people adding cheap kitchens that they don't need because the 750 sf rule is such a constraint on the addition they want. And it wouldn't address the parking problem.
- 6. My understanding is that the number of cars per household has been declining since around the year 2005, and is currently 1.4 cars per household in Alameda.**
- a. Why is the attempt to increase parking with the 750 sf rule, beyond the average number of cars per household, still important?
- 7. The 750sf rule makes it more expensive and difficult than it already is to do additions to houses.**
- a. I'd ask whom it is benefitting, to drive up the cost of doing some home additions and to preclude others with this constraint, when it isn't doing much or anything to address parking issues.

Thank you for your consideration.

Sincerely yours,



Alexandra Sheets Saikley

May 12, 2017

City of Alameda Planning Board  
2263 Santa Clara Avenue  
Alameda, California 94501

RE: Accessory Dwelling Unit (ADU) Draft Ordinance

Dear Planning Board Members,

I am writing in support of Accessory Dwelling Units (ADU). I have read the draft ordinance and would like to share my thoughts concerning some of the proposed requirements.

My family and a large portion of my extended family grew up in Alameda, attended schools here, and continue to be part of this great community. I believe ADU units will benefit the City of Alameda in a number of ways: provide space for family members to live together, supplement property owners' income, encourage aging in place, and ease the housing shortage. For the ADU ordinance to effectively cover all these varying needs it will need to be as elastic as possible while still maintaining appropriate oversight and control.

To this end I respectfully submit the following for consideration:

***ADU Square Footage Should be at the State Maximum of 1,200:*** The City of Alameda's draft ordinance is proposing an ADU square footage limit that is much smaller than the State of California's limit of 1200 square feet. While I understand the city wishes to avoid an oversized accessory unit, there already exists ordinances that control size limitations in the city. Blending the state's 1200 square footage limit with existing restrictions adds an additional layer of control while encompassing maximum flexibility for Alameda's varied property lots and architecture.

Our family's Victorian home was built in 1895. We hope to build an ADU by digging out the basement and creating a 1,000 square foot addition. This naturally follows the architecture of the existing structure and will not increase the footprint on the property lot. It also is within the state's ADU requirements, but would not be allowed under the city's proposed ordinance. I am sure many others will run into this same issue. For financial and practical reasons, it would not make sense to develop just a portion of a basement.

The state law was enacted to encourage ADU units. However, the city's more restrictive square footage limit will actually end up limiting the development of them.

***ADU Should Allow for Aging in Place with No Restriction on Number of Bedrooms and Bathrooms:*** Some homeowners will be using ADUs to age in place allowing them to keep their property and remain in the community. Older homes in Alameda

are not set up to accommodate the physical challenges of aging. When homeowners build new ADUs they should be allowed to maximize space to accommodate current and future needs. Aging can necessitate wider doors, walk-in showers, a bedroom for a caretaker and/or visiting family members. The available space should dictate the number of bedrooms and bathrooms not an arbitrary number.

Our father recently passed away. He lived in his Victorian home for 50 years and was able to pass away peaceful in his own bed. As he aged and his mobility became limited, it was difficult for him to do basic things in the house. Because of the obstacles my Dad faced during his aging process, we plan to build an ADU we can move into when we are no longer able to navigate in the bigger house. We hope to maximize space to accommodate the challenges we will face in old age. We know first hand the value of additional bedrooms, flexible bathroom configurations, larger rooms, and wider pathways.

***No Deed Restrictions for New ADU Construction:*** The City of Alameda's draft ordinance proposes to require homeowners to place a deed restriction on their property, which will limit how the property can be used currently and in the future. This just does not seem workable. How will this be enforced and at what cost? There are a variety of reasons a homeowner may need to move out of the property without selling it. This restriction on the property will be cumbersome and impracticable for both the city and the homeowner. It is also not equitable as it only targets future ADUs and not current ADUs.

***ADU Should Have an Option for an Internal Connection to the Primary Unit:*** The city's draft ordinance on ADUs has a provision that prohibits the placement of an internal staircase between the primary unit and the attached ADU. Please consider removing this restriction. Some homeowners, like myself, may wish to switch back and forth between a rented ADU and an ADU with family members. Many multi-generational families want the option to move freely between living spaces without having to go outside. Especially if a family member is transitioning into an ADU because of age, having a connected ADU will provide additional support and ease of access for other family members. Then, during times when an ADU is rented, the staircase can be closed off and secured

In conclusion, I respectfully ask that the city consider following the State of California's ADU standards and allow a maximum size of 1,200 square feet, place no restrictions on the number of bedrooms or bathrooms, place no deed restriction on the property, and allow an option for an internal connection. Because of the high cost of living in Alameda, the need to prepare to age in place, and the desire to pass property to children, homeowners need flexibility. The city's ADU ordinance should be written to accommodate both the current and future needs of the citizens of Alameda.

Sincerely,

Eileen Devlin

May 15, 2017

Dear Planning Board Members,

My name is Katie Villa, and I would like to offer my suggestions concerning the Accessory Dwelling Unit (ADU) ordinance being proposed by the Planning Department.

I have lived in Alameda all my life and have raised two children here. I am a nurse with over twenty-two years of experience serving the people in the Bay Area. I wish to offer a nurse's perspective on the need for ADUs with a maximum square footage of 1,200 feet, no restrictions on bedroom and bathrooms, and an internal connection to both the primary and accessory dwelling units.

I come from a large family and had the privilege of providing care for some of my family members as they grew old, became infirmed, and eventually died in their Alameda homes. There are many obstacles to negotiate in older homes, the most important being how the house is set up. Before patients are discharged from a hospital, a social worker will always ask is there someone to care for the patient when he or she gets home, how many steps are there in the house, is the bed set up so there is access around it, is the bathroom and washing facilities accessible, is there space for a commode or walker or wheelchair, is clutter removed from the walkways.

Having an ADU unit that is built large enough to ensure that these needs are met is essential. This is why I support keeping the maximum square feet for an ADU at 1,200, which is consistent with the new state law. It is not unreasonable for us to age in place and, if we want to do so, ADUs must be large enough for multiple bedrooms and bathrooms to accommodate family or caretakers, wider spaces for ease of movement, and large closets for storage of big items.

Like many families, ours have always looked after each other with multiple generations living together. We take care of our aging family members. The ability to build an ADU will allow family members to share property and still have their own independent living space. These living units should have easy access to one another through an internal connection such as a stairwell or doorway. It is more conducive to social interaction and keeps families connected.

Another point I would like to make is that we are just beginning to see the wave of baby boomers enter their retirement years. It is imperative that we look to the future and accept aging and dying at home as a natural process. If not, the impact on healthcare will be overwhelming and not sustainable. Living spaces should be flexible enough to adjust to our changing needs and help keep us in our homes through our entire lives.

Please be proactive and look to the future by passing an ADU ordinance that accommodates the aging process and is not unduly restrictive.

Respectfully,

Katie Villa



May 21, 2017

(By electronic transmission)  
Planning Board  
City of Alameda  
2263 Santa Clara Avenue  
Alameda, CA 94501

**Subject: Proposed changes to Second Unit Ordinance (Item 7-D on Planning Board's 5-22-17 agenda)**

Dear Boardmembers:

The Alameda Architectural Preservation Society (AAPS) would like to thank the Planning Board and staff for incorporating most of the recommendations in our April 10, 2017 letter into the revised draft ordinance.

However, we have concerns regarding several of the additional changes that the Planning Board directed staff to include at the April 10, 2017 meeting. As we have repeatedly emphasized, **accessory dwelling units, or ADUs (called "second units" in the City's existing ordinance) are to be permitted BY RIGHT as a ministerial approval with no design review, public notice or other opportunity for public comment** if they meet the standards set forth in the ordinance. The standards therefore need to be very carefully crafted to ensure that there are no unintended consequences resulting from creation of an ADU, including adverse effects on neighborhoods that are not necessary in order to comply with the State statute.

Our concerns include the following:

1. **Do not increase the maximum size of an ADU from the existing 600 sq. ft. to 1200 sq.ft. except for those contained within existing building envelopes.** A detached 1200 sq. ft. structure could measure 30' x 40', which is bigger than many of Alameda's existing one-story single-family houses. As noted in our previous correspondence, we are concerned that allowing by-right installation of overly large ADUs either as detached structures or additions to existing buildings will encourage excessive vegetation removal including removal of large trees (although with some protection for coast live oaks which are protected under the city's tree preservation ordinance), and convert pervious to impervious services, resulting in increased stormwater runoff and increased burden on the city's storm water system and other infrastructure.

Although staff notes that only 15% of Alameda's existing single family houses are over 2400 sq. ft., thereby making a 1200 square-foot ADU possible, and that other rules, such as the maximum impervious surface lot coverage impose further constraints, even the 600 square-foot maximum

ADU permitted by-right under the existing ordinance (typically measuring 20' x 30') is relatively large for an accessory structure and could have significant adverse impacts. If an applicant wishes to build an ADU over 600 sq. ft. that is not totally contained within the existing building envelope, they should apply for a use permit or design review so that there would be public review and the impacts on the site, adjacent properties and the neighborhood could be evaluated.

2. **Design standards for detached ADUs.** The existing design standard for detached ADUs reads as follows:

(e) When detached from the primary dwelling, the design of the second unit shall be consistent with that of the primary residence, incorporating the same materials, colors and style as the exterior of the primary dwelling, including roof materials and pitch, eaves, windows, accents, distinctive features, and character defining elements.

Public comments at the April 10, 2017 meeting urged more flexible design standards for detached ADUs to, among other things, allow relatively inexpensive manufactured units such as the type to pictured in Attachment 3 to the staff report. In response to Planning Board direction based on these comments, the proposed design standard for detached ADUs now reads as follows:

The design of a detached accessory dwelling unit shall be subordinate to the primary dwelling in terms of massing, height and building footprint. The detached building shall exhibit residential character and complement the primary dwelling in terms of proportions, roof form, and basic architectural features. Where there is a clearly recognizable architectural style present in its immediate surroundings, the detached building should have the same architectural style and level of interest as the surrounding buildings. Where the immediate context is eclectic and no particular style of architecture is dominant, a greater degree of architectural variety may be established with the detached building.

This language is overly subjective (including terminology such as “immediate surroundings”, use of “should” rather than “shall”, and “greater degree of architectural variety”) and inconsistent with a ministerial approval standard. In addition, revision of the standard to allow modernistic designs such as shown in Attachment 3 could visually disrupt neighborhood character if visible from the street, which would occur in the following circumstances:

- a. The ADU is at the rear yard of a corner lot and could therefore be built along the street side property line with no setback from the street;
- b. The existing single family house is at the rear of the lot and the ADU is built at the front;  
or
- c. The ADU is located at the back of the lot but is in the direct line of sight from the street, such as at the end of the driveway that extends along the side of the existing structure to the back of the lot.

**In the above situations the existing design standard should be retained for detached ADUs.** If the applicant wishes to construct a manufactured unit or use another design that does not conform with the standard, they can apply for design review.

Thank you for the opportunity to comment. Please contact me at (510) 523-0411 or [cbuckleyAICP@att.net](mailto:cbuckleyAICP@att.net) if you would like to discuss these comments.

Sincerely,

Christopher Buckley, Chair  
Preservation Action Committee  
Alameda Architectural Preservation Society

cc: Deborah Diamond, Allen Tai, Andrew Thomas and Debbie Potter, Community Development  
Department (by electronic transmission)  
Mayor and City Council (by electronic transmission)  
AAPS Board and Preservation Action Committee (by electronic transmission)

## **NANCY McPeak**

---

**From:** Patsy Baer <2baers@att.net>  
**Sent:** Sunday, May 21, 2017 6:43 PM  
**To:** David Burton; NANCY McPeak; ERIN GARCIA; Allen Tai; ANDREW THOMAS; Ronald Curtis; David Mitchell; Lorre Zuppan; Sandy Sullivan; Kristoffer Koster; John Knox White  
**Subject:** Second Unit Ordinance

Dear Planning Board and Staff,

I would like to urge you to include restrictions in your decision to implement the state law regarding AUDs.

My concerns are that units larger than 600 sq ft would be out of scale for any neighborhood or lot size. A 1200 sq ft unit is the size of a primary house and is too large to put in a backyard especially when adjoining neighbors are not consulted first.

The structure should have to match the existing house, or what's to keep people from putting shipping containers in their back yards?

Adding a unit to an established property would probably result in eliminating established trees and foliage which would change a neighborhood.

The adjoining neighbors' views of the unit from their garden or second story window, without having any input beforehand, is not right.

This type of density and zoning is directly opposed to the 150 year old history and character of our city.

Thank you for your consideration,  
Patricia Baer

**NANCY McPeak**

---

**From:** Pat Cronin <patcronin@sbcglobal.net>  
**Sent:** Sunday, May 21, 2017 5:26 PM  
**To:** David Burton  
**Subject:** ADUs

Please, please do what can be done to keep these units being allowed in Alameda! We have too many people, too many cars, too much traffic. Alameda is quickly losing its small-town charm. With all the multiple units and developments already planned, we don't need more.

It makes me wonder why we have to try to fill in every foot of open space. There seems to be the thinking that, people want to live here, so we have to provide housing for them. People also want to live in Piedmont, or Blackhawk or other nice communities, but they don't seem to be building a place for them. Why do the people in charge seem to be listening to them and not the people who are paying the taxes.

Sent from my iPhone

## NANCY McPeak

---

**From:** Adam Gillitt <adam@gilli.co>  
**Sent:** Sunday, May 21, 2017 5:59 PM  
**To:** David Burton; John Knox White; Kristoffer Koster; Sandy Sullivan; Lorre Zuppan; David Mitchell; Ronald Curtis; ANDREW THOMAS; Allen Tai; ERIN GARCIA; NANCY McPeak  
**Subject:** Monday May 22 Planning Board Meeting

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To The Alameda Planning Board and associated Staff:

I am writing to register my strong objection to the ordinances being discussed at the Monday May 22, 2017 meeting. Alameda needs to keep strong code enforcement for the building of Accessory Dwelling Units, including not increasing the maximum by-right ADU size, requiring a minimum lot size before allowing ADUs, maintaining design consistency and standards with existing construction, maintaining current levels of backyard open space and vegetation, and ensuring adequate parking is provided for all new units, regardless of location.

Alameda's historical character and open spaces are rapidly vanishing, and the proposed changes coming before you can stem that tide. I hope you will choose to vote to maintain sensible, community-friendly standards for Alameda and vote to support stronger regulations for any ADUs.

Sincerely yours,

Adam Gillitt  
City of Alameda Public Arts Commissioner,  
Vice President, The Alameda Museum,  
Alameda Resident

## **NANCY McPeak**

---

**From:** wendy markel <W.markel@comcast.net>  
**Sent:** Monday, May 22, 2017 7:42 AM  
**To:** David Burton; John Knox White; Kristoffer Koster; Sandy Sullivan; Lorre Zuppan; David Mitchell; Ronald Curtis  
**Cc:** ANDREW THOMAS; Allen Tai; ERIN GARCIA; NANCY McPeak  
**Subject:** BY-Right second units

Dear Planning Board members,

I am writing to encourage you to pay particular attention to the character of some of our lovely Alameda neighborhoods in the consideration of this subject matter.

I strongly encourage you not to increase the maximum size of an ADU from the existing 600 sq. ft. and the other aspect I would like to receive consideration is the exiting design standard requiring detached ADUs visible from the street to maintain the architecture of the existing one family house. Non-owner occupied situations will surely cause disregard for the property in general.

Many, many people in Alameda and members of your Board have worked so hard to retain our city's unique character and it would be a sad day indeed if we lost it.

I urge you to be able to say 'not on our watch' and keep our community's heritage in mind.

Sincerely,

Wendy Markel

600 Sand Hook Isle

Alameda, CA 94501

## NANCY McPeak

---

**From:** Martha McCune <martitout@yahoo.com>  
**Sent:** Monday, May 22, 2017 7:26 AM  
**To:** ERIN GARCIA  
**Cc:** NANCY McPeak  
**Subject:** ADU

Hello Planning board members,

I am writing you this morning to urge you not to change the current ADU standards. I think it would be a terrible mistake to allow citizens to add backyard or side yard buildings to their property. The character of Alameda is historical and very unique we need to enhance these properties rather than downgrade them as I fear would happen if you relax the ADU standards.

Alameda is already a very dense city, and we cannot afford to add more structures that would increase the need for parking, our neighborhoods are already impacted with too many cars. I live on the 900 block of San Antonio Ave, our neighborhood is made up of summer cottages and Victorian homes. We do not have usable garages, and in many cases no garage at all, we only have on street parking. Our neighborhood parking is impacted by Condominiums behind us on the Lagoon where people have several cars and there is only one parking space per unit, therefore residents park their cars on 9th Street, and San Antonio Ave, making a difficult situation for all in the neighborhood to park.

Finally, remember what happened to many of the beautiful Victorians that were torn down in the 1960's and replaced by very unattractive apartment buildings, please DO NOT let something like this happen again!

Sincerely,  
Martha McCune

Marti  
Martha Tout Interior Design

## NANCY McPeak

---

**From:** Conchita Perales <conchita@eyeline.tv>  
**Sent:** Monday, May 22, 2017 7:24 AM  
**To:** David Burton; John Knox White; Kristoffer Koster; Sandy Sullivan; Lorre Zuppan; David Mitchell; Ronald Curtis  
**Cc:** ANDREW THOMAS; Allen Tai; ERIN GARCIA; NANCY McPeak  
**Subject:** comments on Proposed changes to Second Unit Ordinance (Item 7-D on Planning Board's 5-22-17 agenda)

Attn. Planning Board  
City of Alameda  
2263 Santa Clara Avenue Alameda, CA 94501

Subject: Proposed changes to Second Unit Ordinance (Item 7-D on Planning Board's 5-22-17 agenda)

Dear Board members:

Please support standards for by-right second units that protect Alameda's neighborhoods!

While complying with the new state law, I ask that you institute some mitigations to preserve the neighborhood character that makes Alameda such a special and unique place. We have a responsibility for our future generations to not let development destroy our historic inheritance. I specifically ask that you:

- Not increase the maximum size of an ADU from the existing 600 sq. ft. to 1200 sq.ft. except for those contained within the existing building; and
- Retain the existing design standard requiring detached ADUs visible from the street to maintain the architecture of the existing one family house.

Thank you for the opportunity to comment.

Sincerely,

Maria Perales, homeowner and concerned neighbor

1313 Mound Street

Alameda, CA

cc. Deborah Diamond, Allen Tai, Andrew Thomas and Debbie Potter, Community Development Department  
(by electronic transmission)

Mayor and City Council (by electronic transmission)

Conchita

-----

eyeline teleprompting

[www.eyeline.tv](http://www.eyeline.tv)

510-205-6762

Sent from my iPhone

City of Alameda Planning Board  
2263 Santa Clara Avenue  
Alameda, California

May 14, 2017

RE: ADU requirements

Dear Alameda City Planning staff and members of the Planning Board:

I would like to address the board with respect to your efforts to amend Alameda Municipal Code to align with state law as it pertains to accessory dwelling units or ADU's and the impact it will have on Alamedans like me. In reading through the Board's notes from your last meeting, I believe a majority of you support the same philosophy I have on this matter. I encourage all members to consider my comments.

I come from a large family who grew up here in Alameda, and many of us continue to be residents of this city. I went to school here, and I am a middle school teacher in Alameda finishing my 25<sup>th</sup> year of teaching this June. The majority of my family is here, and I am embedded in the community. It is my intention to remain here and "age in place" close to my family when I retire. In order to plan for that, I have to consider anticipated needs.

Housing is an utmost priority. The home I grew up in has remained in my family, and my siblings and I are looking to incorporate an ADU into the house to meet anticipated retirement needs and also to help one another age in place. In my family's Victorian home we are looking to dig out the basement (approximately 1000 sq. ft), and renovate it into an ADU. An ADU would allow us to remain in the community we grew up in and keep us close as a family. In order for the ADU to work best for my family, it needs to be of sufficient enough size to accommodate retirement living and the eventuality of being cared for in later years. I encourage the board to amend Alameda Municipal Code as to not limit the square footage of the ADU to 750 sq. ft. but allow for ADU's to be up to the 1200 sq. ft. limit as set forth in state law. Since we are planning on replacing the foundation anyway, restricting the amount of space we can convert to livable space is not a wise economic move for us.

Retirement living in my case, means continued part-time work to help offset the high costs of Bay Area living. As a way of supplementing my retirement income, I plan to tutor students. A dedicated work/office space would be important for me, and larger square footage would accommodate this. An ordinance that would place restrictions on the number of rooms per ADU seems unnecessarily restrictive. The ADU we are considering would not alter the footprint of the home; we would be working with the existing basement space. 1000 sq. ft. is a reasonable amount of space to accommodate more than one bedroom or bedroom/office combination.

Being able to age in place is critical to me. In my family, we do our best to support one another's wishes to remain at home in our later years and provide in-home care as needed. Sufficient space for a second bedroom for a caregiver or family member living there is essential. My family has an opportunity now with our family home to look ahead to our future- a future where we envision remaining close and caring for one another in the community we know.

As the Board moves forward with recommendations to ADU's in Alameda, I encourage you to take into consideration the perspective of this Alamedan.

Thank you,

Patricia Devlin

## NANCY McPeak

---

**From:** ERIN GARCIA  
**Sent:** Monday, May 22, 2017 10:10 AM  
**To:** NANCY McPeak  
**Subject:** FW: Planning Board Meeting on May 22

---

**From:** Charles Howell [mailto:charleshowell@me.com]  
**Sent:** Monday, May 22, 2017 7:10 AM  
**To:** David Burton <DBurton@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Kristoffer Koster <KKoster@alamedaca.gov>; Sandy Sullivan <SSullivan@alamedaca.gov>; Lorre Zuppan <LZuppan@alamedaca.gov>; David Mitchell <DMitchell@alamedaca.gov>; Ronald Curtis <rcurtis@alamedaca.gov>  
**Cc:** ANDREW THOMAS <ATHOMAS@alamedaca.gov>; Allen Tai <ATai@alamedaca.gov>; ERIN GARCIA <EGARCIA@alamedaca.gov>  
**Subject:** Planning Board Meeting on May 22

To The Member of the Planning Board of Alameda, CA

We are writing to register our strong objection to the ordinances being discussed at the Monday May 22, 2017 meeting. Alameda needs to keep strong code enforcement for the building of Accessory Dwelling Units, including not increasing the maximum by-right ADU size, requiring a minimum lot size before allowing ADUs, maintaining design consistency and standards with existing construction, maintaining current levels of backyard open space and vegetation, and ensuring adequate parking is provided for all new units, regardless of location.

Alameda's historical character and open spaces are rapidly vanishing, and the proposed changes coming before you can stem that tide. I hope you will choose to vote to maintain sensible, community-friendly standards for Alameda and vote to support stronger regulations for any ADUs.

These changes would destroy the soul of this town. Please don't let what is happening all over the Bay Area happen here. Protect our neighborhoods, protect our history and our individuality.

Sincerely yours,

Gail and Charles Howell  
Residents of Alameda

## NANCY McPeak

---

**From:** steveaced@aol.com  
**Sent:** Monday, May 22, 2017 2:26 PM  
**To:** David Burton  
**Cc:** John Knox White; Kristoffer Koster; Sandy Sullivan; Lorre Zuppan; David Mitchell; Ronald Curtis; ANDREW THOMAS; Allen Tai; ERIN GARCIA; NANCY McPeak  
**Subject:** second unit ordinance

Dear Planning Board Members and Members of the Planning Dept. Staff,

The proposal to allow 1200 sq ft second units in single family zones will result in disproportionately large new units that will have a significant negative impact on the character of the existing residential neighborhoods in Alameda. Please limit the maximum size of a detached second unit to 600 square feet or 50% of the size of the adjacent primary unit. If a larger unit is desired it should only be permitted if it is attached to the existing unit and maintains the architectural characteristics of the existing unit. However, under all circumstances, a requirement of at least 50% of the lot being permeable should also be a mandatory requirement. (Doesn't the State of California have a permeable minimum requirement for residential zones? --- Storm Water C.3 Compliance, Chapter 1 "50% Rule").

A second requirement that will help maintain the distinguished character of housing in our neighborhoods with a cohesive existing architectural style should be a requirement that the architectural style of any new accessory building be compatible with the architectural style of the residences within the immediate vicinity of the new accessory structure. If the neighborhood has a diverse assortment of styles this requirement would not be applicable.

Thanks for your attention to these issues.

Steven Aced

May 22, 2017

City of Alameda

Planning Department: Andrew Thomas, Allen Tai, Deborah Diamond  
Planning Board Members

Agenda Item # 7-D

Please follow ONLY amendments mandated under State law.

In addition, the following should be part of the requirements:

\*Maximum ADU size should be no greater than 600-800 sq.ft.

\*Stipulate in the ordinance that any ADU or accessory building cannot create a wall along a neighbor's rear property line.

\*ADU and accessory buildings should echo the design of the existing dwelling.

\*Design review standard should remain

\*Keep the current parking requirements for residential additions 'as is'

Thank you,

Denine Keltner  
1137 Bay Street  
Alameda, CA 94501

PS

Interesting that you have a regulation that currently states accessory buildings should not create a wall along a neighbor's rear property line. This is exactly what you did to my neighbor's yard at 1143 Bay Street when you approved the gigantic garage and art studio at 1208 Saint Charles Street.