

LARA WEISIGER

From: Christopher Buckley <cbuckleya1cp@att.net>
Sent: Wednesday, July 05, 2017 5:58 PM
To: Allen Tai; Trish Spencer; Marilyn Ezzy Ashcraft; Jim Oddie; Frank Matarrese; Malia Vella
Cc: DEBBIE POTTER; ANDREW THOMAS; LARA WEISIGER; Jill Keimach
Subject: RE: Proposed changes to Accessory Dwelling Unit (ADU) Ordinance (Item 5-N on City Council's 7-5-17 agenda) - -Additional AAPS comments

Thank you, Allen, for checking in with me on this. See my responses embedded as italics in your email below.

Chris

From: Allen Tai [mailto:ATai@alamedaca.gov]
Sent: Wednesday, July 5, 2017 3:14 PM
To: Christopher Buckley <cbuckleya1cp@att.net>; Trish Spencer <TSpencer@alamedaca.gov>; Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Jim Oddie <JOddie@alamedaca.gov>; Frank Matarrese <FMatarrese@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>
Cc: DEBBIE POTTER <DPOTTER@alamedaca.gov>; ANDREW THOMAS <ATHOMAS@alamedaca.gov>; LARA WEISIGER <LWEISIGER@alamedaca.gov>; Jill Keimach <JKeimach@alamedaca.gov>
Subject: RE: Proposed changes to Accessory Dwelling Unit (ADU) Ordinance (Item 5-N on City Council's 7-5-17 agenda) - -Additional AAPS comments

Hi Chris,

Thank you for your additional comments on the ADU ordinance. I believe the issues raised in your letter were previously addressed. Staff would like to reiterate a few reasons to why we respectfully disagree with your comments:

- Regarding the maximum size requirement, let's not forget the important part about the *lesser of 50%* of existing floor area. *Yes, this is important.*
- Berkeley and Oakland allow ADUs up to 75% of existing floor area. *True. Given Oakland's 800 SF ADU limit, 75% of existing floor area would theoretically allow larger ADUs than Alameda's proposal for SFDs less than 1600 SF. With Berkeley's 750 SF ADU limit, larger ADUs than under Alamedas proposal would be theoretically possible for a SFDs less than 1500 SF. Staff has advised that 58% of Alameda's SFDs are less than 1700 SF, so an approach like Oakland's or Berkeley's would affect about half of Alameda's SFDs. However, the smaller SFDs tend to be on smaller lots, where the constraints on detached ADUs from lot coverage and impervious surface limits would be greater. Berkeley and Oakland ADU floor area limits are therefore still significantly more restrictive than Alamedas overall.*

Note: per the state statute, Berkeley and Oakland's 75% threshold applies only to detached ADUs.

- Other East Bay cities including Pleasant Hill and Hayward have adopted the state standard. *We just learned of Pleasant Hill's ordinance today. Thank you for calling it to our attention. Note that Pleasant Hill (like many of the other surveyed communities) also has an owner occupancy requirement that applies to the ADU in perpetuity, rather than just at the time of construction as in Alameda's proposal. Staff had advised us earlier today that Hayward's ordinance had not yet been finalized. Please confirm that it actually has been adopted. But even if Hayward's ordinance has been adopted, that still results in only 20% of the ten surveyed ordinances having detached ADU floor areas as permissive as Alameda's. Given the fragility of our neighborhoods, Alameda needs to take a more cautious approach.*

- *Less than 15% of Alameda homes would yield a 1,200 square foot ADU. Given Alameda's approximately 10,000 SFDs, 15% would be approximately 1500 SFDs, which is still a big number. But even a detached 600 SF ADU, as recommended by AAPS, is still very large given that it would not need neighbor notice, design review or a use permit.*
- *The majority of ADUs are expected to be less than 850 sf in size. 850 SF is still very large. See also response above.*
- *The existing design standard requires accessory buildings to match the main building regardless of its appearance. The proposed language actually provides more clarity as to when a detached structure should match. The proposed language contains subjective wording that needs clarification for a ministerial standard. See AAPS's June 19th and previous letters.*

Since January 1st, we received 8 applications for ADUs with the largest being 600 sf. Only two of the eight applications were for detached structures. Most inquiries about ADUs have been about basement conversions. I don't believe there will be proliferation of 1,200 sf ADUs, and every year we have an opportunity to modify these regulations as part of our Housing Element annual reporting to Council.

It is more difficult to amend existing regulations so that they are more restrictive, since the development community will have adapted to the existing less restrictive regulations and is therefore more inclined to oppose more restrictive regulations. When considering regulations which expand development opportunities, such as the ADU ordinance, it is more prudent to begin with a relatively moderate expansion and to consider further expansion later if circumstances warrant.

Two of eight applications is 25%, which is a higher percentage than many expected. But it is premature to estimate future ADU applications based on what has been submitted so far. A higher rate of applications is likely once the ADU option becomes more widely known and especially as the real estate and development communities, including "house flippers", become more familiar with the ADU option.

Thank you.

Allen Tai, AICP LEED AP
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 City of Alameda | Community Development Department
 510.747.6888
www.alamedaca.gov/permits

From: Christopher Buckley [<mailto:cbuckleyaicp@att.net>]

Sent: Sunday, July 02, 2017 7:34 PM

To: Trish Spencer <TSpencer@alamedaca.gov>; Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Jim Oddie <JOddie@alamedaca.gov>; Frank Matarrese <FMatarrese@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>

Cc: DEBBIE POTTER <DPOTTER@alamedaca.gov>; ANDREW THOMAS <ATHOMAS@alamedaca.gov>; Allen Tai <ATai@alamedaca.gov>; LARA WEISIGER <LWEISIGER@alamedaca.gov>

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Dear Mayor Spencer and Councilmembers:

The Alameda Architectural Preservation Society plans to present the attached comments at the July 5, 2017 City Council meeting.

Please contact me at (510) 523-0411 or cbuckleyAICP@att.net if you would like to discuss these comments.

Christopher Buckley, Chair
AAPS Preservation Action Committee