



LINDA MAIO  
Councilmember  
District 1

CONSENT CALENDAR  
April 30, 2013

To: Honorable Mayor and Members of the City Council  
From: Councilmember Linda Maio  
Subject: Reducing Barriers to the Development of Residential Accessory Dwelling Units

RECOMMENDATION

Request that the Planning Commission and Transportation Commission investigate the feasibility of reducing barriers to the development of residential accessory dwelling units (ADUs) and consider allowing them by right if they meet certain pre-conditions which may include:

- 1) ADU would be allowed in rear of parcel. ADU allowed in front or side of parcel with AUP.
- 2) The subject lot shall have an area not less than 4,200 square feet. Lot size can be less than 4,200 square feet with an AUP.
- 3) ADU cannot exceed 12' in average height (single story).
- 4) ADU shall have a minimum of 4' setbacks from the rear and side property lines. ADU setbacks may be less than 4' from rear and side property lines with AUP.
- 5) One off-street parking space shall be dedicated to the ADU. Tandem parking may be used to fulfill this requirement.
- 6) Eliminate parking requirements for an ADU consistent with the following
  - a) ADU is within 1/4 mile of a major transit line, transit hub or BART station,
  - b) ADU is within a Residential Parking Permit zone and
  - c) ADU would be prohibited from receiving Residential Parking Permits
- 7) ADU shall have a maximum floor area of 640 square feet. Remove requirement that ADUs can be no greater than 25% of main dwelling unit.
- 8) ADU can exceed 40% lot coverage (to a maximum of 55%) with an AUP.

9) Allow for expediting of building permits or over the counter permits if applicant chooses to pay for the expedited service.

10)AUP required for ADUs in H and ESR zones.

In all cases AUP criteria would be developed.

## BACKGROUND

ADUs (i.e., backyard cottages or second units) enable communities to grow internally as opposed to externally, providing more housing and a diversity of housing options without consuming any additional green space. Second units can help limit suburban sprawl, accommodate the demand for new homes (including much needed senior housing and those caring for current senior residents) and bring financial and environmental sustainability to families. ADUs provide an affordable opportunity to families of several generations to live close to one another.

Currently, aspects of Berkeley's Municipal Code may be creating barriers to more widespread adoption of ADUs within city limits. Reasonable modification to city code may be able to eliminate these barriers and improve permitting times to allow for more ADUs to be built where they are needed in Berkeley. By supporting second units, the City of Berkeley can become a national example for this sustainable housing type.

## FINANCIAL IMPLICATIONS

Unknown

## CONTACT PERSON

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