

8-C-23-OA

I support this application.

Here's the problem with owner-occupied ADU properties: they are unenforceable. The only way the city can enforce this rule is at the time of ADU construction. But once the owner moves out, sells the property, etc. the owner can use it however. Thus, the owner-occupancy rule is a huge and unnecessary barrier to incremental housing development. It also encourages people to find workarounds - such as lying about where they are living or intentionally changing addresses for a short period to meet the rule. The utter unenforceability makes it totally unfair and unproductive toward its goal.

In many cases, the only way to get an ADU and meet parking requirements for the site is to put the ADU above the parking. The 18' height limit is incredibly limiting for garage apartments, so increasing the height limit is particularly valuable for these situations.

I support the other amendments listed as well; however, it may be prudent to keep some form of area cap for ADUs. For properties with exceptionally large primary residences, the 50% cap alone may be insufficient to maintain a genuine "accessory" nature. It looks like 1,200sf is a fairly common ADU cap in other districts. I think the current chart with cap based on lot size places an unnecessary burden on smaller lots since there are plenty of zoning regulations keeping the ADU size proportional to the lot size, such as lot coverage, impervious coverage, parking, % of primary residence, etc.