



**DRAFT
ADU WORKING GROUP ACTION MINUTES**

**5:30pm in the Conference Room, City Hall
420 Litho Street, Sausalito, CA**

Monday, June 18, 2012

5:30 P.M. CALL TO ORDER

Attendance:

Working Group: Chair Joan Cox (via teleconference), Vice Chair Ray Withy, Member Kim Stoddard

Staff: Community Development Director Jeremy Graves, Associate Planner Lilly Schinsing

Public: Jeff Whisennand, Lisa Wells, Jann Johnson, Jeni Flynn, Barbara Nelson

- A. Action Minutes:** *Chair Cox moved and Member Stoddard seconded a motion to approve the action minutes of May 21, 2012. The minutes were approved unanimously.*

B. Discussion Items- ADU Amnesty Program (existing units)

- *Affordability Restriction. In order to receive amnesty, existing units greater than 700 square feet would be required to be deed restricted to maintain affordability. The Working Group decided to select the sliding scale option where the property owner could select the level of affordability and period of deed restriction:*

Sliding Scale (property owner chooses an option)

Period of Restriction	Affordability
20 years	Moderate
15 years	Low
10 years	Very Low

- *Nonconformity Provisions. The Working Group decided to include the following language which would make an amnesty ADU a legal nonconforming structure:*

"Upon final issuance of an Accessory Dwelling Unit Amnesty Permit obtained through the processes established by this Ordinance, the amnesty dwelling unit shall be deemed a legal nonconforming structure which shall be subject to Chapter 10.62 of the Zoning Ordinance (Nonconformity Use and Structures)."

- *Sunset Provision and Extension of Amnesty Period. The Working Group decided to include the following language which would sunset the amnesty period and provide an option for the City Council to extend the period:*

"The Amnesty period will be in effect until to March 31, 2014, before which time owner/applicants of existing accessory dwelling units created on or before January 1, 2012, may submit a completed Accessory Dwelling Unit Amnesty Permit application to legalize their units. The Amnesty Program will apply to permits issued after March 31, 2014 only if complete applications are received prior to March 31, 2014. The City Council may, at its discretion, extend the Sunset Provision by resolution through a date to be determined by the City Council. Code enforcement may be pursued by the City after expiration of amnesty period."

- o Floor Area Ratio. *The Working Group decided to include the following language which would allow for a 500 square foot credit for amnesty units and language which would require any amount above 500 square feet to be counted for future development of the property:*

"If an Accessory Dwelling Unit is granted amnesty, its floor area shall be documented by the Community Development Department but not counted in determining if the unit is eligible for amnesty. Up to 500 square feet of an amnesty Accessory Dwelling Unit shall be exempted from the floor area ratio calculation. Any additional square footage beyond 500 square feet shall be counted as floor area for future development of the property."

The Working Group directed staff to address the situation if the property owner wanted to convert an amnesty ADU into the main residence in the future. The Working Group discussed the option of the property owner not being granted the benefits afforded by the amnesty of the ADU.

C. Other Issues for Amnesty ADUs- not to be Incorporated into the Regulations

- o Health and Safety Codes. *The Working Group directed staff to work with the building division to identify how they will handle building code inspections of amnesty units.*
- o Fire Codes. *Staff reported on how the Fire Division will inspect amnesty units.*
- o Penalty Fees, Planning Permit Fees, Building Permit Fees. *Staff reported on how the fees would be applied.*

E. Adjournment. *Member Stoddard moved and Vice-Chair Withy seconded a motion to adjourn the meeting. The meeting was adjourned at 6:54pm.*