

# City Council OKs Accessory Dwelling Regulations

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**By Daniel Langhorne, Special to the Independent**

The Laguna Beach City Council tentatively approved new regulations Wednesday, Aug. 7, for the construction of accessory dwelling units (ADUs), restricting them in neighborhoods with impaired access for emergency vehicles.

Council members plan to revisit the issue in September after the State Senate votes on Assembly Bill 2890, which would prevent local governments from blocking the construction of accessory dwelling units that are at least 800 square feet and 16 feet high.

New state regulations for ADUs took effect over a year and a half ago on Jan. 1, 2017. The city began updating its regulations last May, with iterations of its new ordinance going through multiple rounds of Planning Commission and council review.

Mayor Pro Tem Rob Zur Schmiede said it's important for Laguna Beach to tailor an ADU ordinance that addresses how the city was uniquely developed while also following the requirements set by state law.

"I'm very concerned by state preemption, and we've seen a lot of it in the last few years, that is a one size fits all solution, when we are not a one size fits all city," Zur Schmiede said.

The Laguna Beach Fire Department expressed concerns about the safety implications of adding additional residents in neighborhoods on hillsides, within a canyon, abutting wildland open space, without turnaround cul-de-sacs, and containing hairpin turns.

One of the concerns is that narrow streets, in some cases with cars parked on both sides, already make it difficult for fire engines to enter and leave certain areas. Once firefighters dismount from an engine, they're also forced to work in a fairly small area.

Adding accessory dwelling units to these same neighborhoods could also contribute to jammed roads during wildfire evacuations as residents try to leave at the same time, city staff said.

The state legislature supports the construction of accessory dwelling units partly because they can be built relatively quickly and are potentially affordable to very low- and low-income individuals and seniors.

Artist Chuck Trevisan owns a residential property in Laguna Beach with a house and two studio apartments that date back to 1958. Trevisan rented out each studio for \$1,200 per month until a disgruntled former renter reported him to the city for not providing a parking spot.

“The city is saying I have to turn one of those units back into a garage,” Trevisan said.

As a retiree living with Parkinson's Disease, this income was critical to cover his expenses, so he's since rented out his primary residence and moved to Tustin. Ideally, Trevisan would like the city to officially recognize the second studio as an accessory dwelling unit.

Current state law exempts property owners like Trevisan from providing an on-site parking spot if their property is within a half-mile of a public transit stop. So far, he's been unsuccessful but is hopeful that he'll be able to reach some agreement with the city planning department.

Realtor Bob Hartman was among the residents who spoke out against the city council's decision to vote before the state legislature's vote on AB 2890 later this month.

“They have done everything they can to obfuscate state law,” Hartman said. “I know these people are trying to be proactive and be thoughtful, but they’re abandoning what the state is trying.”

Chris Quilter, a member of Laguna Beach’s Affordable Housing Task Force, said the city has always had a problem with incentivizing the development of affordable housing, adding that accessory dwelling units present an opportunity for more housing for all income levels.

Even though the process of bringing these residences to Laguna Beach has been slow, the city council vote on Wednesday shows its commitment to creating opportunities for new home construction.

Quilter said it’s unfortunate that some residents believe accessory dwelling units will disrupt their quality of life.

“I think we have an obligation to do more for the folks with less,” he said.