

**LAS VIRGENES – MALIBU COUNCIL OF GOVERNMENTS
TECHNICAL ADVISORY COMMITTEE**

Wednesday, March 3, 2021, 8:30 A.M.

This will be a Virtual meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/85603238843?pwd=MTNEbUozVmxGN0IBRkhkS0hmM1RTdz09>

Meeting ID: 856 0323 8843

Passcode: 396030

One tap mobile

+16699006833,,85603238843#,,,,*396030#

AGENDA

1. Call to Order: Rob de Geus, Chair
2. Public Comment: via Zoom or email
3. COVID-19 Vaccine Distribution and related issues – Discussion
4. SB 765 (Stern) sponsored by Hidden Hills – Attachment
5. Public Safety, Legislative and Agency Partners Updates
 - A. Sheriff's Department
 - B. Fire Department
 - C. Cal Cities
 - D. Agency Partners
 - E. Area Legislators
6. Future Agenda Items
7. Adjournment

Please contact Terry Dipple terry@lvmcog.org or 818-968-9088 if have any questions.

Technical Advisory Committee Agenda Report

DATE: March 3, 2021
TO: Technical Advisory Committee
FROM: Terry Dipple, Executive Director
SUBJECT: SB 765 (Stern)

OVERVIEW

The purpose of this report is to provide the Technical Advisory Committee with information on SB 765, that was recently introduced by Senator Stern.

RECOMMENDATION

That the Technical Advisory Committee discuss and provide direction to COG staff.

BACKGROUND

The City of Hidden Hills is requesting the Governing Board and member cities support SB 765 (Stern), which is a technical change that was not taken into consideration when the accessory dwelling units (ADU) law was passed and became law, last year. SB 765 states:

“The rear and side yard setbacks for accessory dwelling units shall be the setbacks established by the local agency unless otherwise provided for herein. The applicant may submit a request to the local agency for an alternative setback based upon specific site topographical conditions if the local agency’s current setback requirements make the building of an accessory dwelling unit not feasible. In such case, the local agency must find that the request is necessary to make the building of the accessory dwelling unit feasible and the setback altered only to the extent necessary needed to accommodate the accessory dwelling unit. In no event, however, shall the setbacks be greater than the setbacks the local agency had in place as of January 1, 2020 and if the local agency did not have an accessory dwelling unit ordinance as of that date, the setbacks shall default to four (4) feet.”

Assemblymember Friedman authored the original bill and concurs with the change. The overarching concept is that 4-foot side and 4-foot rear setbacks cannot possibly be one size fits all for every parcel in the state. In vetting with architects and builders, there seems to be consensus that ADU placement must be community and site-lot specific, i.e., we would not place an ADU an arm’s length from a property line. Current new law allows the

owner to place their ADU out of their home's view-line but right next to their neighbor's lot. The issue just an oversight.

SB 765 will not diminish ADU production, because it has nothing to do with quantity and everything to do with an optimal, safe, aesthetically balanced location.

ADUs are necessary to address affordability and helping cities achieve their regional housing needs assessment goals. This bill will locate them appropriately for the multitude of suburban and agricultural plots in California that shouldn't be saddled with a blanket urban small lot 4-foot side and 4-foot rear maximum setback. ADUs will continue to be 100% ministerially approved.