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Building Out The Back Yard

DALY CITY'S "GRANNY FLAT" ORDINANCE PROVIDES CONTROLLED GROWTH IN SINGLE-FAMILY AREAS

In-Laws No Longer Outlawed

HOW can a city that is 97% built out contribute to the market demand for affordable housing while at the same time filling community needs for human scale development that is safe and politically acceptable? The City of Daly City has met this challenge in developing and adopting a second unit ordinance governing the conversion and construction of secondary units that is simple, straightforward, and consistent with community goals.

The intent of Daly City's ordinance is first to mitigate the potential health and safety hazards created by illegal units; and second, to provide alternative housing opportunities at affordable prices.

Different standards are employed for new and existing (i.e., previously illegal) secondary units. For new units, three basic standards are used: parking, neighborhood density, and home ownership. Once parking requirements are met, a simple equation establishes the number of allowable units in a particular block based on net units per acre. By establishing a density limit, the City avoids concentrations of second units in a given area, while still permitting these units in any single-family neighborhood.

The final criterion for an acceptable second unit application is whether the primary dwelling is owner-occupied. This supports the construction of in-law apartments rather than the *de facto* creation of duplexes in single-family areas.

To legalize an existing second unit, the City waives the parking and density restrictions, but requires conformance with the Housing Code to reduce hazards such as improper fire exits and insufficient ventilation. The owner-occupied clause still stands.

continued on page 2

Inside:

**MEMBER SURVEY
PROFESSIONAL DEVELOPMENT ACTIVITIES
NORTHERN SECTION - CAL CHAPTER APA**

*Please fill out completely
and return to Northern News!*

NORTHERN SECTION - CAL CHAPTER APA PROFESSIONAL DEVELOPMENT

by Matthew L. Le Grant

This article debuts my appointment as your new professional development coordinator for the Northern Section. I would first like to outline my ideas on setting up the Section's professional development program, and then ask for your input by filling out and returning the enclosed survey form.

Professional development can provide planners the continuing education that is required by the rapid changes occurring in our volatile profession. In the last ten years Proposition 13, an energy crisis, and 'private sectorization' has made planning an exciting and demanding business. The public seemingly demands instant planning expertise for the latest crisis, but such knowledge is absent from our repertoire. Professional development activities can help fill some of the gaps that our dust-gathering degrees did not foresee.

My initial action as professional development coordinator is to begin publicizing the existing continuing education programs in our area. The Bay Area is rich in the programs offered by the area's several planning schools, the COGs, and other institutions. Coordinating these programs with our own Section-developed program can capitalize on these existing resources. Then, for 1985, I will set up a program with the type of activities desired by section members. This will include activities that are not covered by existing programs as well as those which can complement these resources. The content and format of this program will be taken from the responses of the enclosed survey form. The results will be summarized in the November/December newsletter.

☆☆☆☆☆☆

Scheduled Activities October/November

| Sponsor | Date | Program | Info Phone # |
|-----------------------|--------------------|--|---------------|
| UC Berkeley Extension | Oct. 30- Dec. 4 | Planning Law & Legal Practices (6 Sessions) | 415/642-1601 |
| | Nov. 2 | Exactions and Dedications | Same as above |
| ABAG | Nov. 7 | Underground Storage for Hazardous Materials | 415/464-7900 |

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DALY CITY'S "GRANNY FLAT" ORDINANCE

(continued)

Eliminating Confusion, Red Tape

The success of the ordinance can be attributed to several factors. First, the ordinance is easily explained by staff and understandable to citizens. Secondly, it is politically acceptable. The ordinance was designed with issues sensitive to the community in mind, such as the lack of parking and neighborhood density. Implementation of the ordinance does not aggravate existing parking problems, nor does it allow overcrowded neighborhoods to exceed their capacity.

The City has also attempted to increase public awareness of the ability to add second units through stories in local press, brochures, and radio talk shows.

As with any successful effort, staff time and inter-departmental coordination is required to make a program work. In this case, the Building Department must play an integral role in the success of the ordinance. For example, Daly City employs the Housing Code rather than the Uniform Building Code in order to bring existing secondary units to safe standard. Unless building inspectors are in agreement with this approach, implementation of the ordinance will fail. They must have a thorough understanding of, and commitment to, the ordinance, and a working relationship must be maintained between the Planning and Building Departments.

Potential Problems

The ordinance is not without controversy. When delineating parameters by which the ordinance must perform, such as off-street parking requirements and neighborhood density, planners exclude certain neighborhoods from participating in the program. Invariably, residents who submit applications from these neighborhoods will demand of planners a reasonable justification as to why the parameters of the ordinance exclude them from having a second unit.

The Daly City Ordinance also has a clause in which the potential for illegal conversion of space, as shown on a proposed building plan for a residential dwelling, would require the applicant to secure a secondary unit permit. This is intended to discourage those who might wish to subvert or circumvent the City's planning process. The ordinance does imply that discretion must be applied to each individual case. Thus, planners may find themselves arguing with an applicant about whether a shower or a wet bar constitutes a full-blown illegal second unit.

Another difficulty of the ordinance is the clause which requires that the premises be owner-occupied. While the intent of such a clause may have merit, there is question whether it is legal and enforceable.

But Daly City's Ordinance illustrates the basis for any successful planning effort: the ordinance addresses genuine community concerns, is easily understood, and is implemented through the cooperation and commitment of different departments within the City government.

This article was submitted by Mark Isaacson, Associate Planner with the City of Daly City.



JOBS IN PLANNING

If you wish to place a listing in Jobs in Planning, please contact the Northern News editorial office: 415/845-7549.

ASSISTANT SECTION LEADER OF PLANNING AND SPECIAL PROJECTS - Lawrence Berkeley Laboratory - Revise and update the Laboratory's Long Range Site Development Plan, entailing population studies, transportation analyses, graphics, statistical analyses, land use studies and space analyses. Also, help prepare graphics and charts for numerous meetings with Department of Energy officials; assist in the preparation of printed reports; and help maintain the Laboratory's Real Property Inventory System. Equipment operated will include the IBM PC-XT, which will soon be installed for data-base management of building, room, and personnel data. Must have considerable experience in site development planning studies including actual hands-on development of graphics and statistical studies. Coherent writing ability is required. Must be able to work under pressure. Requires a graduate degree in Planning and undergraduate degree in Architecture or Landscape Architecture. Apply by: **Open**. Send resume and salary requirement to: **Al Mercado, Lawrence Berkeley Laboratory, Building 90, Room 412S, Berkeley 94720.**

URBAN DESIGNER - Position requires masters in urban or environmental design, a professional degree in architecture, with strong graphic skills, and 3-4 years' experience in the design of large-scale urban projects and land planning. Salary range: \$25-30,000/year. Submit resume to: **Hall Goodhue Haisley and Barker, Attn. Bryan Grunwald, 282 Second Street, San Francisco 94105.** No phone calls, please.

PLANNER II - Contra Costa County - (Salary: \$1,964-2,387/month) - Position requires baccalaureate degree in City and Urban Planning or closely-related field, plus 18 months full-time or equivalent professional experience in city, county, or regional planning. Apply by: **October 26**. For application, contact **Contra Costa County Personnel Department, 651 Pine Street, 2nd Floor, Martinez 94553; 415/372-4047.**



Northern NewsUPDATE . . .

A two-night film series entitled "Understanding Cities" will be presented October 23 and 24 in the Oakland Museum's Main Theater. Sponsored by the Northern California Chapter of the American Society of Landscape Architects, the films explore the design and development of great European and American cities, providing historical background on the people and institutions who shaped these urban areas and thus helped shape the course of history. Show time both evenings is 8:00 p.m., and the cost is \$3 for ASLA members and students, \$4 general admission. Call 415/387-7200 for more information.

Northern News welcomes letters, announcements, and articles of general planning interest. The next publication deadline is November 9 for the November/December issue.

Conference UPDATE . . .

CCAPA welcomed more than 300 members to Oakland last month for its 1984 conference, "Planning for a Changing Society." **Robert Maynard**, publisher of **The Tribune**, offered the keynote address, calling his newspaper "a vehicle of understanding" for and among planners in the public and private sectors.

Highlights of the three-day meeting included:

- A report from CCAPA Executive Director **Sande George** that AB 2038, the general plan bill, was signed into law as amended September 12;
- A media workshop during which **Dan Walters**, Capitol bureau chief of the **Sacramento Union**, advised planners that a good reporter would be prepared to deceive in order to capture a story. Earlier, he admonished planners to "be candid" with the press.
- Popular tours of Oakland's renaissance, the use of facade easements in San Francisco, and three self-aid housing projects in Oakland.
- Gala receptions to open and close the conference and the California Planners' Foundation Auction held at the Oakland Museum.

Congratulations and thanks to Northern Section's own conference committee, headed by **Norm Lind, Gordon Jacoby, and Anne Moore.**

Northern News Staff: Daniel Iacofano, *Editor*; Louis Hexter, *Associate Editor*; Lois Jones, *Associate Editor for Jobs in Planning*; and Susan Goltsman.

Subscribe to Northern News and continue receiving jobs in planning information at reasonable rates (you do not have to be an APA member). Subscriptions are \$10/year for approximately eight issues.

Northern  **NewsMAKERS!!**

Welcome Northern Section's new committee chairpersons: **Marta Self** - *Awards*; **Maureen Morton** - *Membership*; and **Matthew Le Grant** - *Professional Development* . . .

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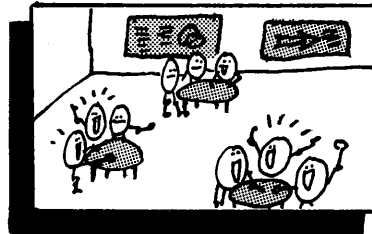
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