



**Additional Documents
Distributed for the
City Council Special Closed Session
Meeting of May 01, 2023**

Item No.	Agenda Item Description	Distributor	Document
CS.	PUBLIC COMMENT	Josh Albrektson	Email to Council

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Mark Perez

From: Josh Albrektson [REDACTED]
Sent: Sunday, April 30, 2023 4:20 AM
To: City Council Public Comment
Subject: Public Comment on City Attorney interviews

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- **Can a local government apply design and development standards?**

Yes. With an adopted ADU ordinance in compliance with State ADU Law, a local government may apply development and design standards that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historical Resources. **However, these standards should be objective to allow ministerial review of an ADU.** (Gov. Code, § 65852.2, subds. (a)(1)(B)(i) and (a)(4).)

ADUs created under subdivision (e) of Government Code section 65852.2 shall not be subject to design and development standards except for those that are noted in the subdivision.

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Please ask your city attorney candidates if it is legal for the city to apply historical design standards to garage ADU conversions.

The quote above is from the HCD ADU guidelines.

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Josh Albrektson MD
Neuroradiologist by night
Crime fighter by day