



21 Elements

City of Ventura ADU Amnesty Program Summary

Overview Approach and Results. The City of Ventura's Second Dwelling Unit Amnesty and Legalization Program was undertaken between July 2011 and end of December 2012 — 1.5 years (with all necessary life safety remedial work completed by June 30, 2013). The program was extended so that in total it was implemented over of a 3.5 year (42 months) time period. The basic approach and results were as follows:

1. **Program Objectives.** In addition to implementing the goals and policies of the City's adopted Housing Element, the City Council also determined that a reasonable and effective amnesty and legalization program must:
 - a. Assure that the basic life safety and habitability requirements of state and city codes are satisfied;
 - b. Assure that applicable City and school district development fees and charges are collected;
 - c. Reasonably distinguish between undocumented second dwelling units put into service in 2004 and those put into service after that date; and,
 - d. Assure certainty by requiring undocumented dwelling unit owners to apply for amnesty and legalization no later than specified in the ordinance.
2. **Results.** 80-85 second dwelling units were legalized over 3.5 years.
3. **Cutoff Date and ADU's Built Afterwards.** Established cutoff date as any illegal unit constructed prior to 2004 (the year that the City adopted specific second dwelling unit development regulations).
 - a. ADU's placed in service in 2004 or later must conform to current development standards unless they receive a zoning modification approval.
 - b. "Modification" of zoning standards allowed when to do so would not be materially inconsistent with the physical character and context of the neighborhood and when it would not negatively impact neighboring properties. A separate fee is charged for a zoning modification.

Components of Ventura's Approach

1. **Marketing.** Program enacted after response to a very active 3-month code enforcement pilot program that targeted a specific area of the City and included code enforcement staff walking streets and issuing violation notices. Other marketing activities undertaken once the ordinance was adopted included extensive coverage in the local media, brochures, announcements, etc.
2. **Basic (Reduced) Building Standards.** Ventura required licensed General and Electrical contractors to sign the bottom of the City's "checklist" form to demonstrate that they had inspected the subject unit, checked all applicable boxes and estimated the corrective costs for the conditions witnessed in compliance with the requirements for amnesty units.
3. **Reduced Planning Requirements.** Zoning and development standard non-conformities were permitted to remain for units in service before 2004 (with separate standards for units in service in 2004 and later), except where those non-conformities conflict with life safety and habitability requirements.
4. **Simplified Process.** The Ordinance was written so that a property owner can follow it step-by-step as a checklist of the actions needed to legalize a second dwelling unit.
5. **Financial Incentives.** Permit fee of \$580 and reduced development fees, with no penalty if ADU is in non-compliance. Very quick processing time (5 days).

Unique Aspects of Ventura's Approach

1. Dedicated staff
2. Code Enforcement "firewall"
3. Documentation of In-Service Date
4. Final inspection by the City
5. Zoning and Development Standard Checklist
6. Required payment of other fees (school fees)
7. No Unit Size Requirements