



Sunnyvale

# Municipal Code Updates due to State Legislation

Amber Blizinski, Principal Planner  
Planning Commission  
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# Recent Legislation

- 2022 **14** bills passed related to housing & homelessness
- 2022 **Three** bills require zoning code modifications now (effective date 1/1/23)
  - ◆ SB 897 & AB 2221 (Accessory Dwelling Units (ADUs))
  - ◆ AB 2097 (Parking)
- 2019 **One** bill requires zoning code clean up
  - ◆ SB 234 (Large Family Child Care)
- 2022 **Three** bills require future zoning code updates
  - ◆ *Spring 2023*: Staff will return to Council



# Proposed Municipal Code Modifications

# ADUs: SB 897 & AB 2221

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1. Modifications to Chapter 19.79 in Title 19 (Zoning)
  - Accessory Dwelling Units
2. Creation of Chapter 16.72 in Title 16 (Buildings and Construction)
  - Permit Process for Accessory Dwelling Units



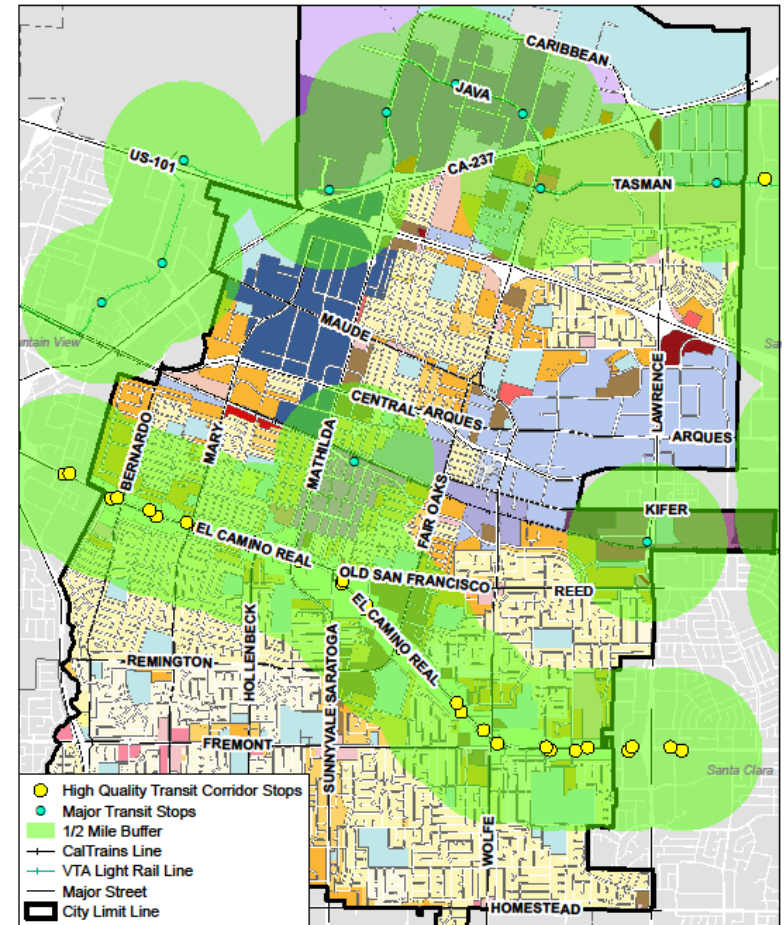
# Modifications to Chapter 19.79 (ADUs)

## Summary of Changes

- **Single-family HEIGHT allowances**
  - *Detached ADU:*
    - **16 feet** (existing allowance) if not within 1/2 mile of:
      - Major transit stop (MTS) or
      - High-quality transit corridor (HQTC) - *map on next slide*
    - **18 feet** if w/in 1/2 mile of MTS or HQTC.
      - Plus, **2 feet** if aligned w/pitch on single-family dwelling (**20-foot max.**)
  - *Attached ADU:* **25 feet** or height limitation for the primary dwelling, whichever is lower

# Modifications to Chapter 19.79 (ADUs)

## Map of Major Transit Stops & High Quality Transit Corridors



**Major Transit Stops and High Quality Transit Corridors  
in the City of Sunnyvale**

Source: Santa Clara Valley Transit Agency (VTA), Accessed September 2022



# Modifications to Chapter 19.79 (ADUs)

## Summary of Changes

- **Locational Allowances**
  - ◆ Addition of “front setback” to list of development standards that must be relaxed if ADU does not fit elsewhere on property
- **Detached ADUs on a Multi-family Property**
  - ◆ Allows detached ADUs to be proposed with a new multi-family development (previously only allowed with an existing development)

# Chapter 16.72 (Permit Process for Accessory Dwelling Units)

## New Chapter in Title 16 (Building and Construction)

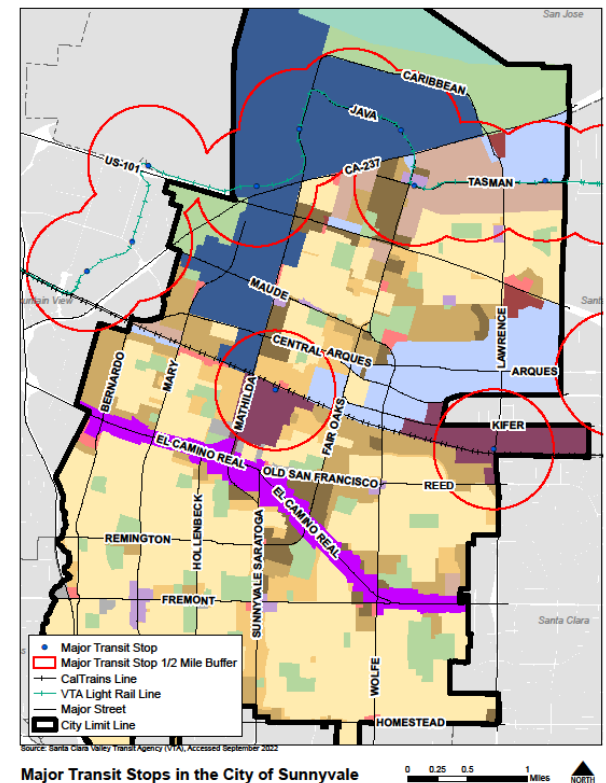
- Building Permit related provisions moved from Chapter 19.79 to Chapter 16.72.
- Additional modifications due to 2022 legislation:
  - ◆ Occupancy classification for ADUs
  - ◆ Clarifying language on:
    - Fire Sprinklers
    - Existing non-conforming zoning conditions or building code violations



# Parking: AB 2097

## Modifications to Chapter 19.46 (Parking)

- No parking minimum requirements
  - ◆ Except required ADA/EV spaces*for most Development Projects w/in 1/2 mile of Major Transit Stop (MTS)*
- Included MTS:
  - ◆ 2 Sunnyvale Caltrain stations
  - ◆ 8 VTA light rail stops (7 Sunnyvale, 3 Mountain View)
  - ◆ 1 bus stop (Santa Clara)



# Large Family Child Care: SB 234 (2019)

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- Effective date January 1, 2020
- Requires large family child care to be a “residential use of property and a use by right” in residential zoning districts
- City cannot require any permits for use
  - ◆ Regulated by the State & inspected by DPS (Fire)
- Staff has adhered to State law since effective date but had not made the necessary zoning code modifications

# Large Family Child Care: SB 234 (2019)

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1. Modifications of Chapter 19.58 (Family Child Care Homes) of Title 19 (Zoning)
2. Other related modifications to Title 19 (Zoning)



# Modifications of Chapter 19.58 (Family Child Care Homes) & Chapter 19.88 (Use Permits)

## Summary of Changes

- Rescind most of existing Chapter
- Change name from “Family Child Care Homes” to “Family Daycare Homes” to be consistent w/ State
- Statement added: Family daycare homes “shall be considered a residential use of property and a use by right”
- Remove Large Family Child Care Homes from uses needing a Use Permit

# Recommendation

## Considerations

- Alt. 1 - Adopt Urgency and Regular Ordinances Related to State Legislation (ADUs, Parking, and Large Family Child Care) and find exempt from CEQA
- Alt. 2 - Adopt the Ordinances with Modifications
- Alt. 3 - Do not Adopt Ordinances and Rely on State Legislation

## Staff Recommendation

- Alt. 1 - Adopt Urgency and Regular Ordinances Related to State Legislation (ADUs, Parking, and Large Family Child Care) and find exempt from CEQA



Questions?