



Sunnyvale

Municipal Code Updates due to State Legislation

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City Council
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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



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Proposed Municipal Code Modifications

ADUs: SB 897 & AB 2221

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)
 - **18 feet** if within 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

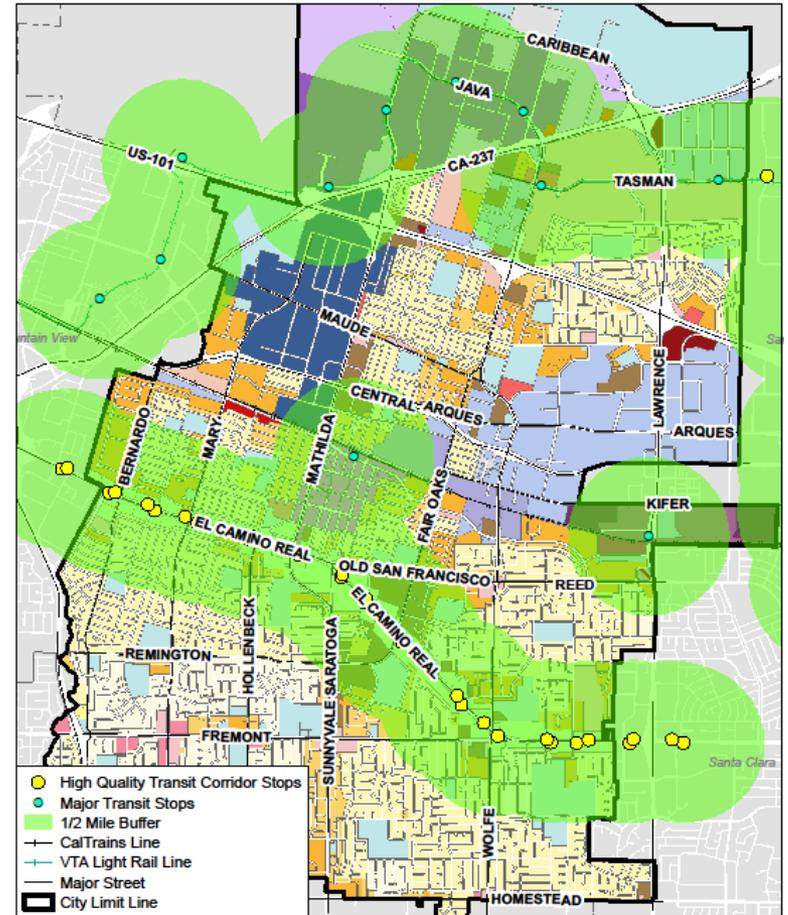
Modifications to Chapter 19.79 (ADUs)

Summary of Changes

- **Multi-family HEIGHT allowances**
 - *If not within 1/2 mile of MTS or HQTC:*
 - **16 feet** (existing allowance) if multi-family dwelling is single-story
 - **18 feet** if multi-family dwelling is multi-story
 - *If within 1/2 mile of MTS or HQTC (map on next slide):*
 - **18 feet**
 - Plus, **2 feet** if aligned w/pitch on multi-family dwelling (**20-foot max.**)

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)

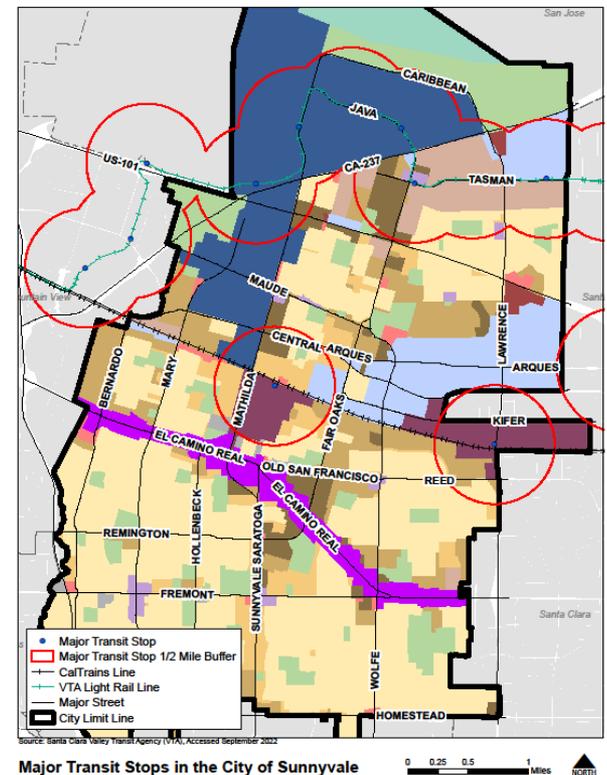
- Building Permit related provisions moved from Chapter 19.79 to Chapter 16.72.
- Additional modifications due to 2022 legislation:
 - ◆ Occupancy classification for ADUs
 - ◆ Clarifying language on:
 - Fire Sprinklers
 - Existing non-conforming zoning conditions or building code violations

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)

- 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)

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

Staff & Planning Commission Recommendation

Considerations

- Alt. 1, 2 & 3 - Adopt Urgency and Regular Ordinances Related to State Legislation (ADUs, Parking, and Large Family Child Care) and find exempt from CEQA
- Alt. 4 - Adopt the Ordinances with Modifications
- Alt. 5 - Do not Adopt Ordinances and Rely on State Legislation

Staff & Planning Commission Recommendation

- Alt. 1, 2 & 3 - Adopt Urgency and Regular Ordinances Related to State Legislation (ADUs, Parking, and Large Family Child Care) and find exempt from CEQA



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Questions?