



Sunnyvale

Updates to the Accessory Dwelling Unit Ordinance (ADU)

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Planning Commission
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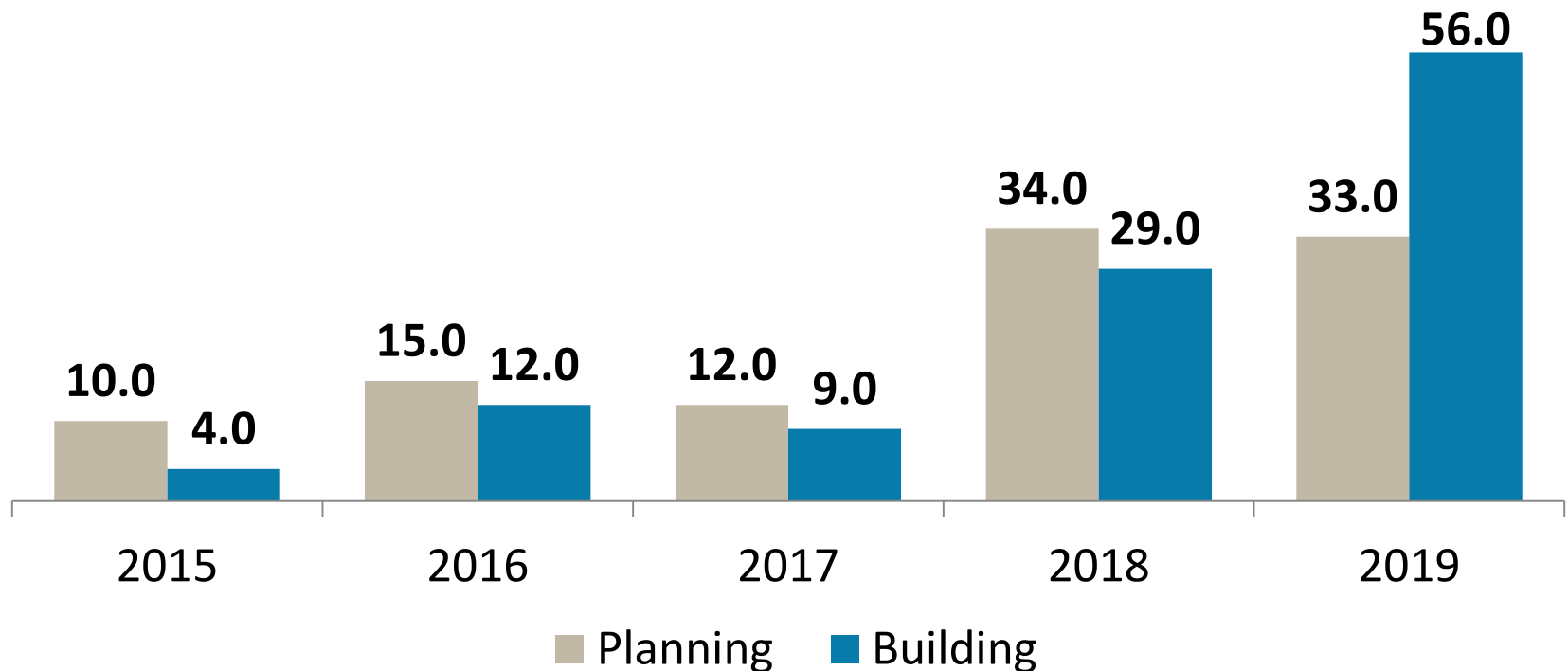
Recent State Legislation Updates

- 2016 – Major State Legislation
 - ◆ Overhaul of ADU Regulation
 - Ministerial permitting
 - Creates min/max standards for cities
- 2017 – Sunnyvale Housing Element Efforts
 - ◆ Reduces minimum lot size threshold for ADUs
- 2018 – Clean up regulations
 - ◆ Clarifies regulations (e.g. parking)
 - ◆ Allows ADU conversions in SF zoning districts
- 2019 – Major State Legislation
 - ◆ Multiple ADU bills enacted
 - ◆ Serve to further streamline ADUs

Accessory Dwelling Unit Permits

2015-2019

Planning and Building Permits Issued



2019 City Proposed ADU Changes

Summary

- Streamlined ADUs
- Planning approval limitations
- Owner occupancy requirements
- Replacement/ADU parking
- Limitations on charging impact fees
- Should the City allow short-term rental ADUs?

Streamlined ADUs

Single-family Zoning Districts

- Allowed with Building Permit only:
 - Detached: Maximum 800 sq. ft., 4' min. side/rear setbacks, 16' max. height; or
 - Converted: Existing sq. ft. within sf dwelling;
 - and
 - Junior Accessory Dwelling Unit (JADU)
 - ♦ 500 sq. ft. max
 - ♦ Requires owner occupancy/deed restriction
 - ♦ Development standards may not restrict these ADUs/JADUs
 - ♦ These ADUs cannot be used as short-term rentals

Streamlined ADUs

Multi-family Residential Zoning Districts

- Building Permit Approval
 - ◆ All multi-family lots entitled to:
 - Up to two, 800 sq. ft. detached ADUs, 4' min. side/rear setbacks, 16' max. height; and
 - ADUs converted from existing non-livable sq. ft. within multi-family structure
 - ◆ No dev. standards may restrict these ADUs
 - ◆ These ADUs cannot be used as short-term rentals

Streamlined ADUs

Multi-family Residential Zoning Districts

- Existing non-livable sq. ft. within multi-family structures:
 - ◆ Must allow ADU's in storage rooms, garages, etc.
 - ◆ Up to 25% of the existing units
 - ◆ No required parking
 - ◆ No replacement parking

ADUs Subject to Planning Approval

Non-streamlined ADUs

- ADUs that cannot be streamlined:
 - ◆ Detached ADUs exceeding 800 sq. ft. (max 1,000 sq. ft.)
 - ◆ Attached ADUs that are new construction
 - ◆ New construction ADUs located on second level of primary dwelling unit
- Multi-family ADUs can only be built per the streamlined requirements

Owner Occupancy Requirements

Deed Restrictions

- No owner occupancy requirements for ADUs
- Owner occupancy (deed restriction) required for JADUs

Replacement/ADU parking

- No replacement parking required for new ADU/JADU if garage is converted
- No parking required for ADU/JADU

Limitations on Charging Impact Fees

Transportation Impact Fee

- TIF collected if ADU is 750 sq. ft. or more
- TIF calculated proportionate to total sq. ft. of the dwelling

Should the City Allow Short-term Rental ADUs?

Item to Consider

- State law allows ADUs that are not streamlined to be short-term rentals
- Staff recommendation:
 - ◆ Do not allow ADUs be used as short-term rentals
 - Due to processing/compliance issues
 - Removes housing units from inventory

Recommendation

Considerations

- Find that the action is exempt from CEQA and adopt an urgency interim ordinance and introduce an ordinance amending Title 19 (Zoning) of the Sunnyvale Municipal Code related to new State legislation on accessory dwelling units
- Above action with modifications
- Take no action and allow the language in the California Gov. Code to dictate development of accessory dwelling units

Staff Recommendation

- Find that the action is exempt from CEQA and adopt an urgency interim ordinance and introduce an ordinance amending Title 19 (Zoning) of the Sunnyvale Municipal Code related to new State legislation on accessory dwelling units