



City of Sunnyvale

Agenda Item

17-1025

Agenda Date: 2/16/2018

2018 COUNCIL STUDY ISSUE

NUMBER

CDD 18-05

TITLE Increase Opportunities for more Accessory Dwelling Units

BACKGROUND

Lead Department: Community Development
Support Departments: Office of the City Manager
 Office of the City Attorney
Sponsor(s): Planning Commission
History: 1 year ago: N/A
 2 years ago: N/A

SCOPE OF THE STUDY

What precipitated this study?

During the Planning Commission review of the Accessory Dwelling Unit (ADU) Development Standards study at its meeting on September 11, 2017, Commissioners expressed an interest to undertake another study to consider additional options to encourage the construction of ADUs.

What are the key elements of the study?

This study would build on the previous year's study and could include:

- Creating density bonuses or green building incentives for projects that include construction of an ADU;
- Examining ways to assist unpermitted ADUs into achieving compliance and obtaining permits;
- Considering a lower minimum required lot area for ADUs; and
- Evaluating potential modifications to other development standards and permitting processes that could encourage the construction of an ADU.

Estimated years to complete study: 1 year

FISCAL IMPACT

Cost to Conduct Study

Level of staff effort required (opportunity cost): Moderate
 Funding Required for Non-Budgeted Costs: \$0

Cost to Implement Study Results

Minimal or no cost expected to implement.

EXPECTED CITY COUNCIL, BOARD OR COMMISSION PARTICIPATION

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Council-Approved Work Plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Housing and Human Services Commission and Planning Commission

STAFF RECOMMENDATION

Drop. This policy issue does not merit discussion at a Study Issues Workshop.

The pending Housing Strategy study issue (CDD 17-09) will include consideration of a wide range of possible housing policy changes and/or new or improved housing programs, and provides an opportunity to prioritize the various options that merit further consideration and/or implementation. Staff recommends the Housing Strategy as the best approach to consider a range of housing initiatives, rather than individual studies such as this.

Further, the recently completed ADU study and related Sunnyvale Municipal Code (SMC) amendments approved by City Council significantly increased opportunities for homeowners to create an ADU, which could provide new housing opportunities for family members and/or local workers. The SMC changes more than tripled the number of properties on which ADUs can be built within the R-0 and R-1 zones alone (from a prior total of nearly 3,000 to a new total of nearly 13,500 lots), not including single family lots within R-2 and DSP zones, which are also eligible for ADU development (number not changed). This most recent increase in ADU capacity was in addition to the SMC amendments approved in late 2016, which allowed homeowners to create ADUs from existing built space (part of the home or an existing accessory structure) on any single-family lot within the City, regardless of lot size, consistent with new state laws. The Planning Commission suggestion for this study issue preceded the City Council action to further reduce the minimum lot size in the R-0 zoning district.

Encouraging compliance for unpermitted ADUs would not increase the supply of housing; however, it could help provide a more accurate report of available housing in the City and would likely provide enhanced safety in the community. The City's Neighborhood Preservation Division already responds to complaints or concerns regarding unpermitted and/or unsafe dwellings. The standard approach is to try to help the property owner to achieve compliance with applicable health and safety codes, building codes, etc. if at all feasible and minimize displacement of occupants to the extent possible. Staff assist this effort by providing the property owner with guidance on obtaining any permits necessary to complete any code compliance retrofits that may be required. An expanded pro-active "amnesty" program, as suggested in this study issue, is a budget consideration.

Green building incentives for the construction of ADUs can be considered as part of the pending Green Building Program update.

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