



# Study of Accessory Dwelling Unit Development Standards

City Council  
Oct 17, 2017

# BACKGROUND

- **1983: ADU Code Was Adopted**
- **1990: Code Revised to Increase ADU Opportunities**
- **2016: Code Amended to Comply with New State Laws**
  - Exemption from parking requirement
  - Conversion of “existing space” to ADUs
  - Reduction of min. lot size from 9,000 to 8,500 SF

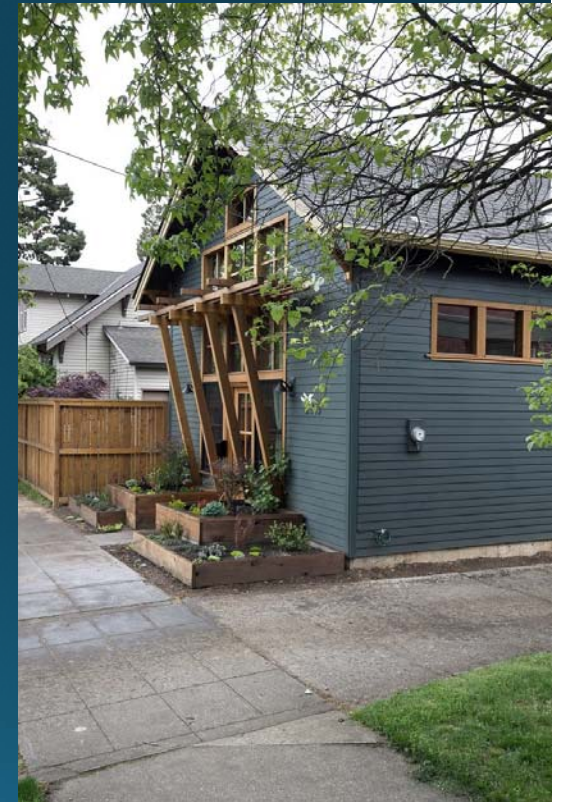
# BACKGROUND

- **2015-2023 Housing Element**

Program 15:

Consider Modifications to Development Standards for Accessory Dwelling Units

- Evaluate the capacity for ADUs
- Increase ADU Opportunities
- Minimal impact on single-family neighborhoods



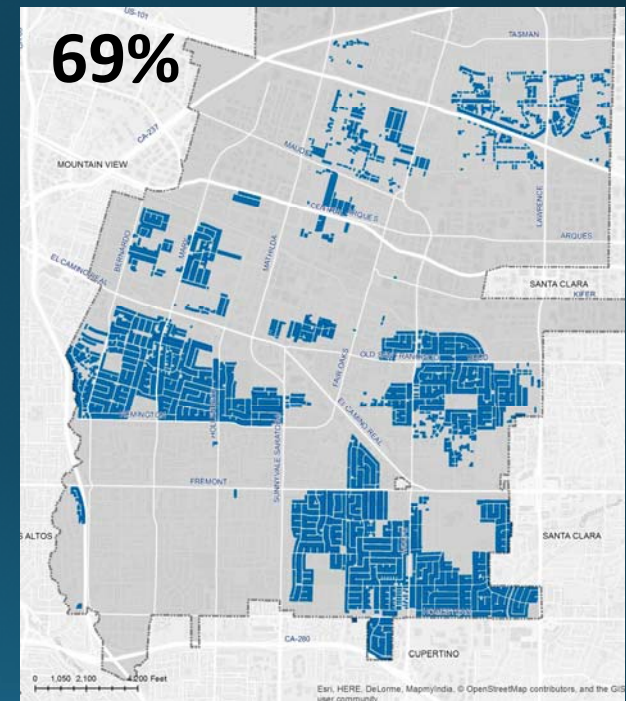
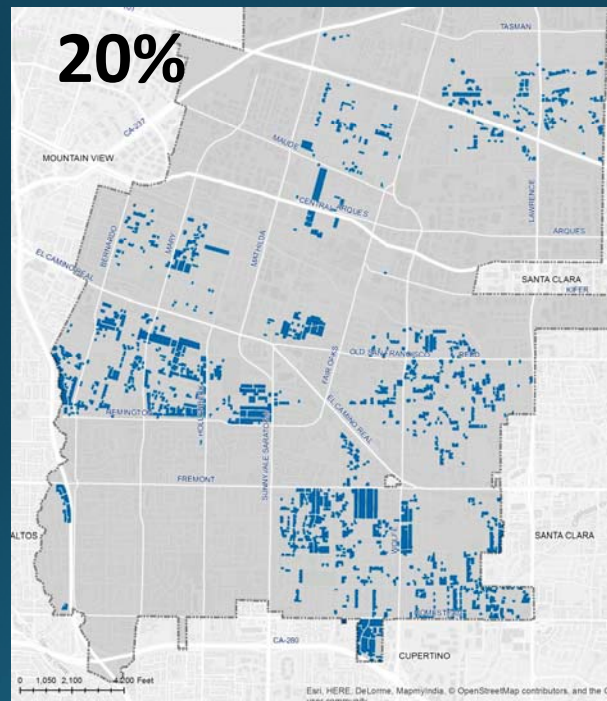
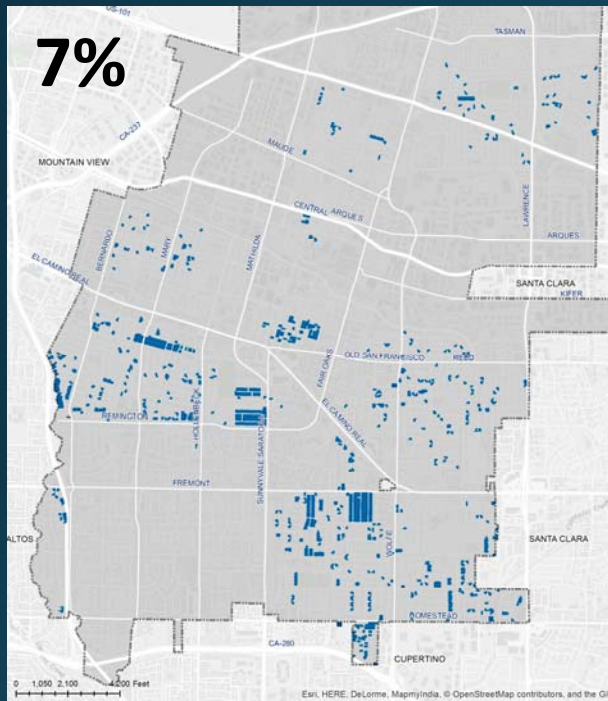
# STUDY METHODS

- Spatial analysis of SF lots & proximity to transit
- Other Cities' ADU policies
- Public outreach meetings
- Online survey



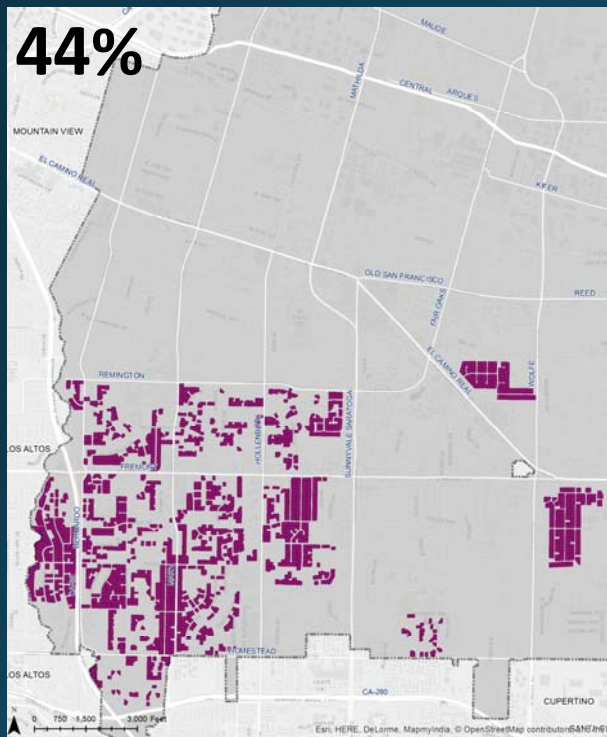
# If minimum lot size was lower in **R-0**

Total # of Lots : 14,767

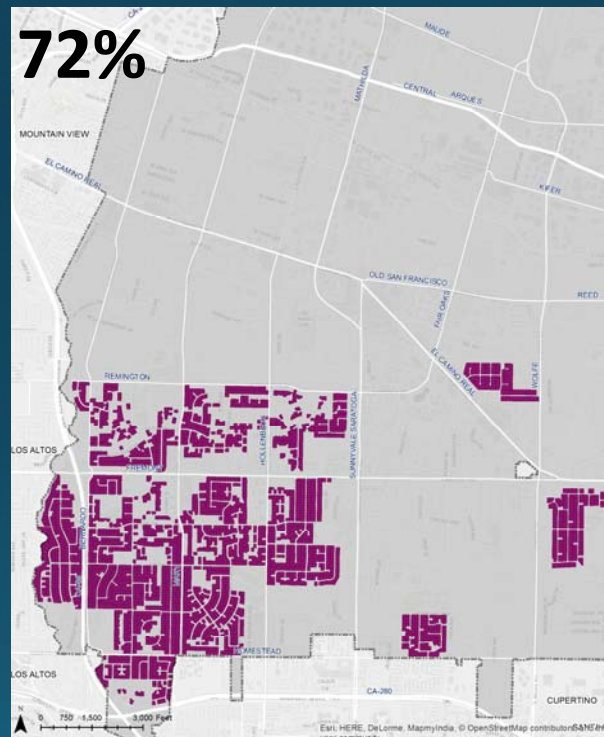


# If minimum lot size was lower in **R-1**

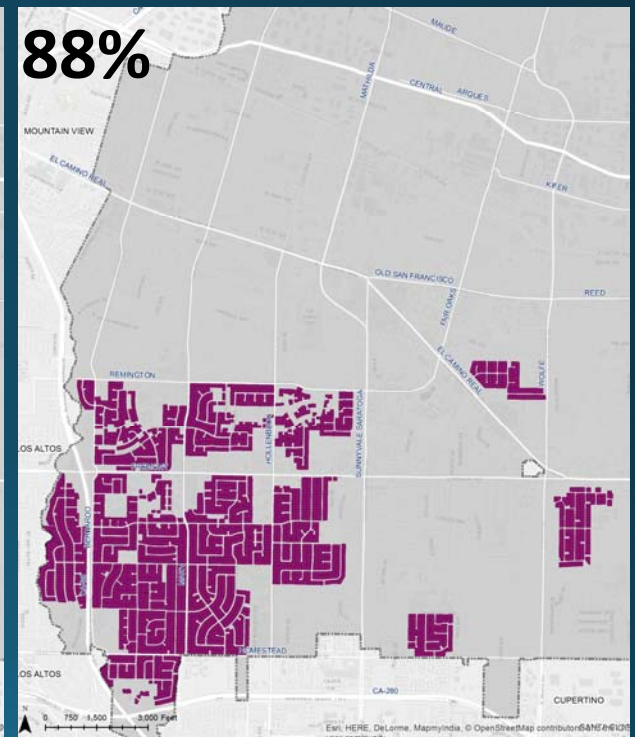
Total # of Lots: 4,499



8,500 SF



8,000 SF



7,500 SF

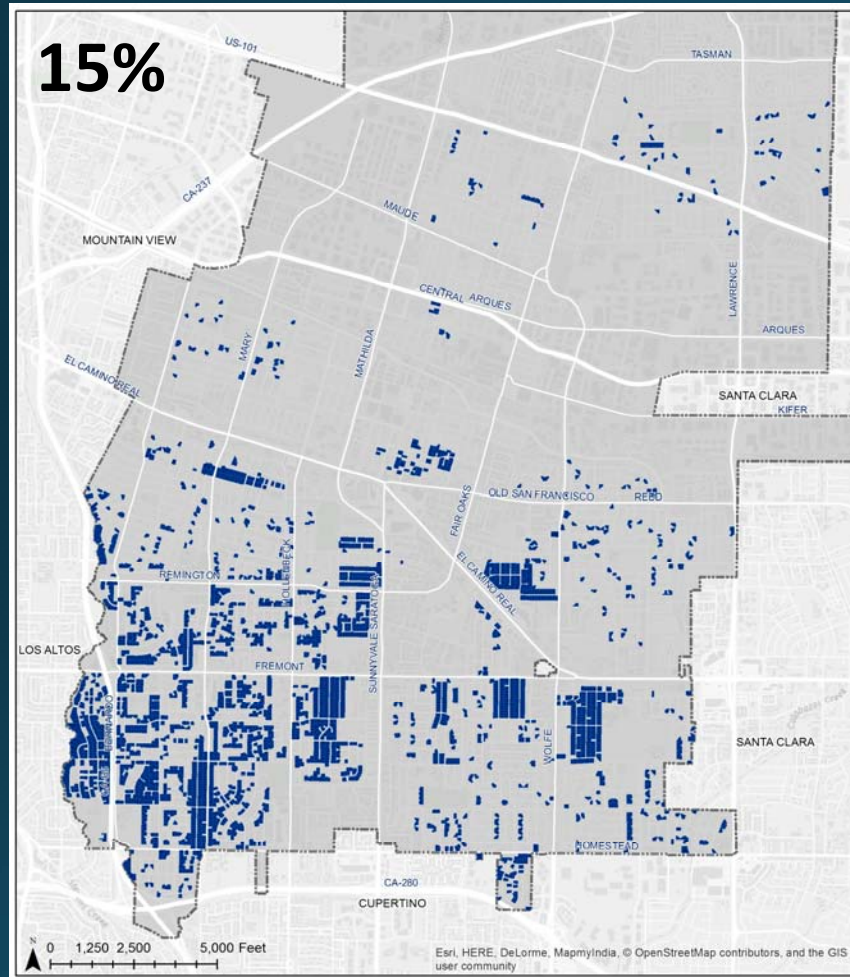
# ADU CODES IN OTHER CITIES:

## *MINIMUM LOT SIZE*

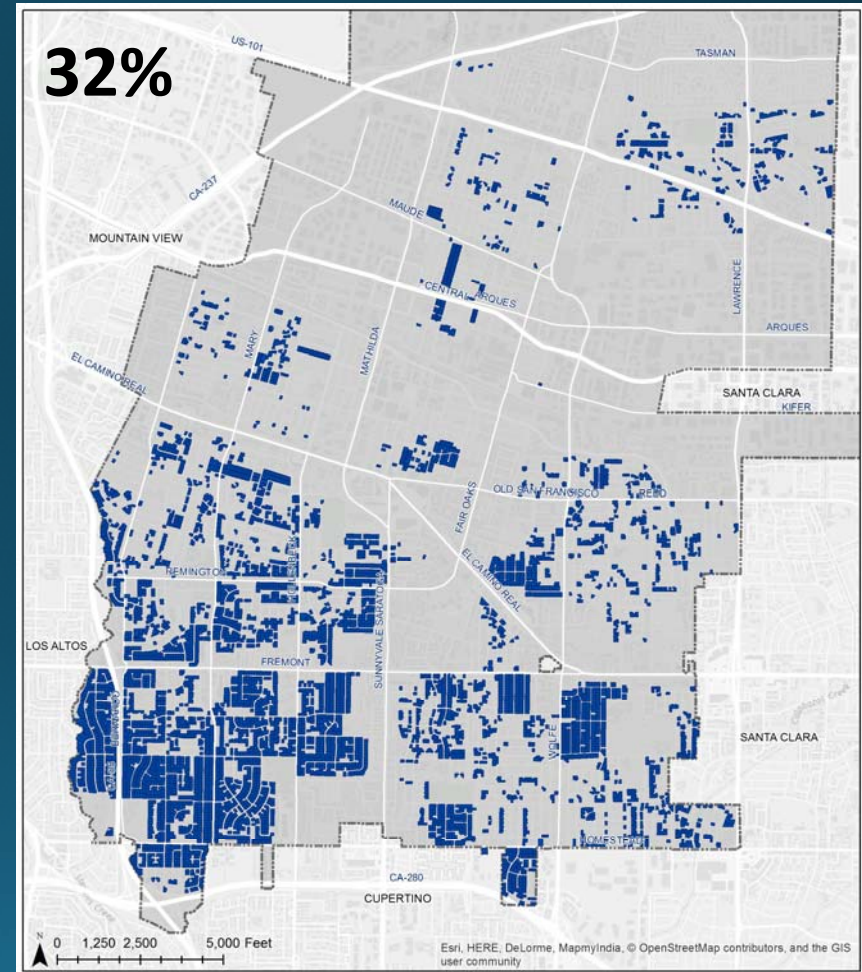
- 5 /15 cities do not have a min. lot size requirement for ADUs:  
Cupertino, Gilroy, Milpitas, Mountain View, Palo Alto
- In other cities, ADU min. lot size varies from **5,000 SF to 1 acre**



# 19,266 Lots are within R-0 & R-1 zones



8,500 SF



R-0 7,000 & R-1 8,000 SF

# STAFF RECOMMENDATION

## Minimum lot size

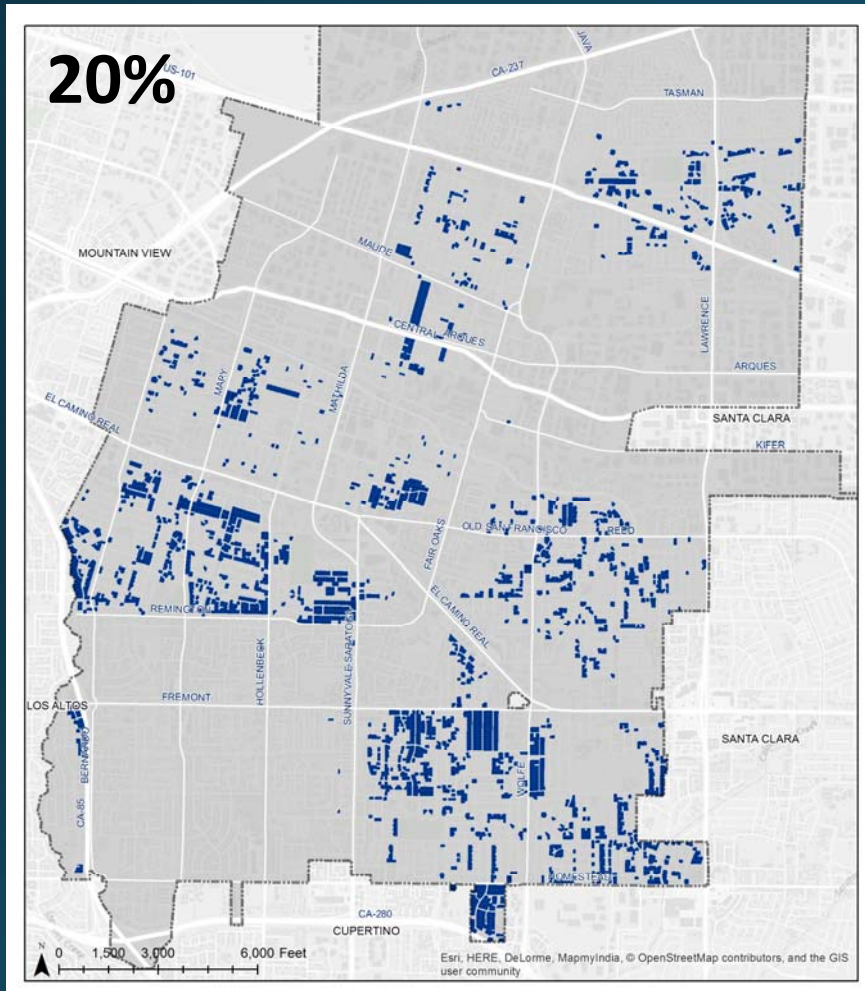
- **7,000 SF in R-0 zone**
- **8,000 SF in R-1 zone**
- **5,000 SF in R-2 & DSP – No Change**

PC: Staff Recommendation

HHSC: 6,500 SF in R-0 zone

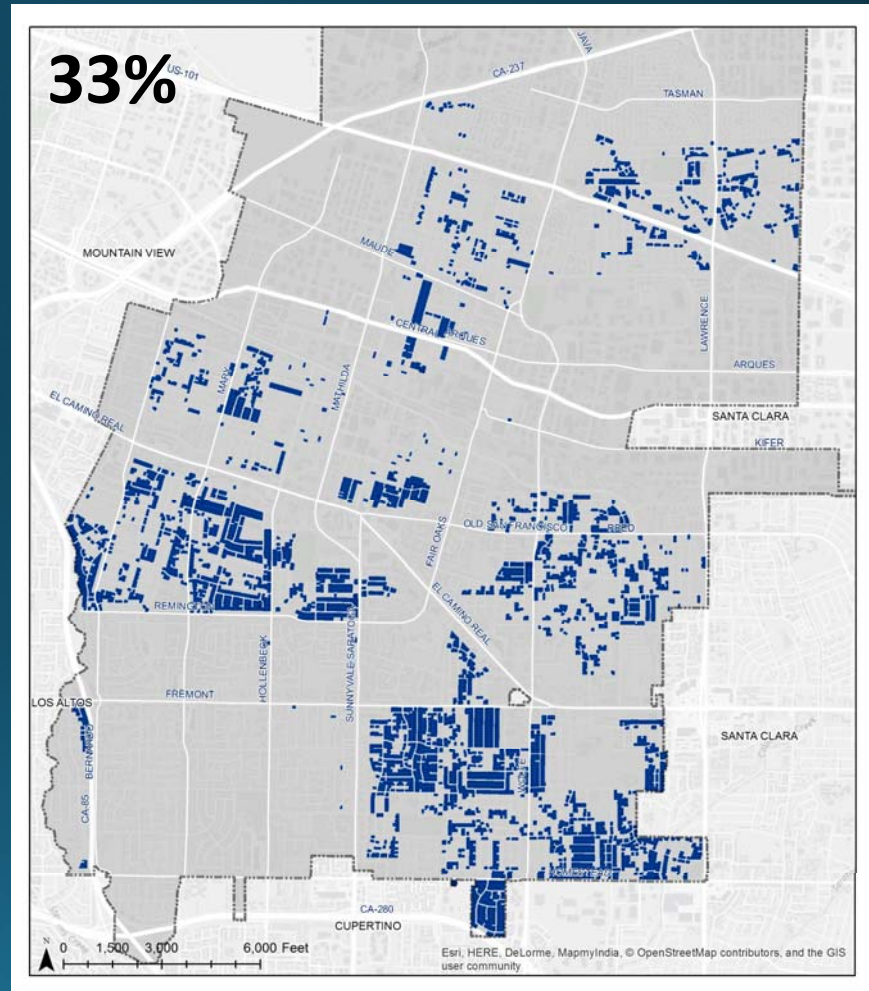
8,000 SF in R-1 zone

## Staff Recommendation R-0



7,000 SF

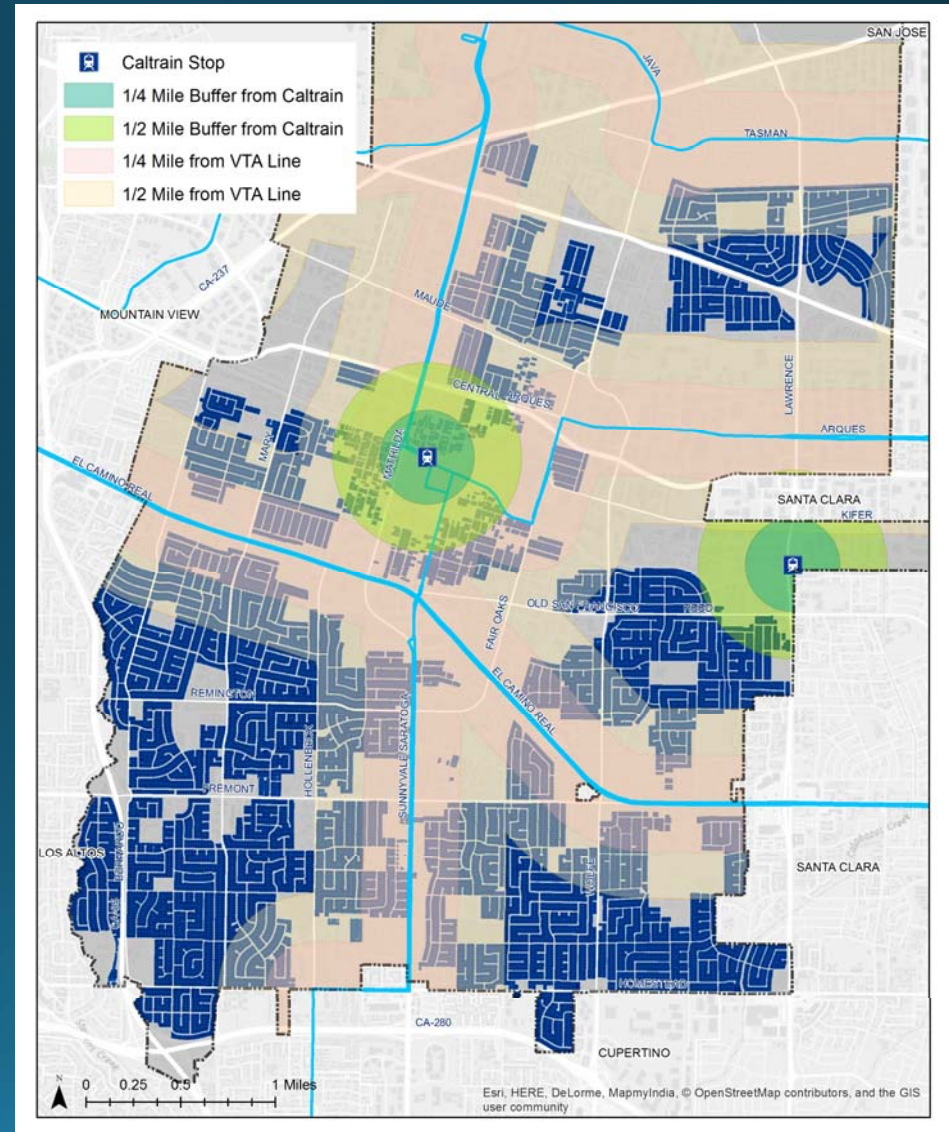
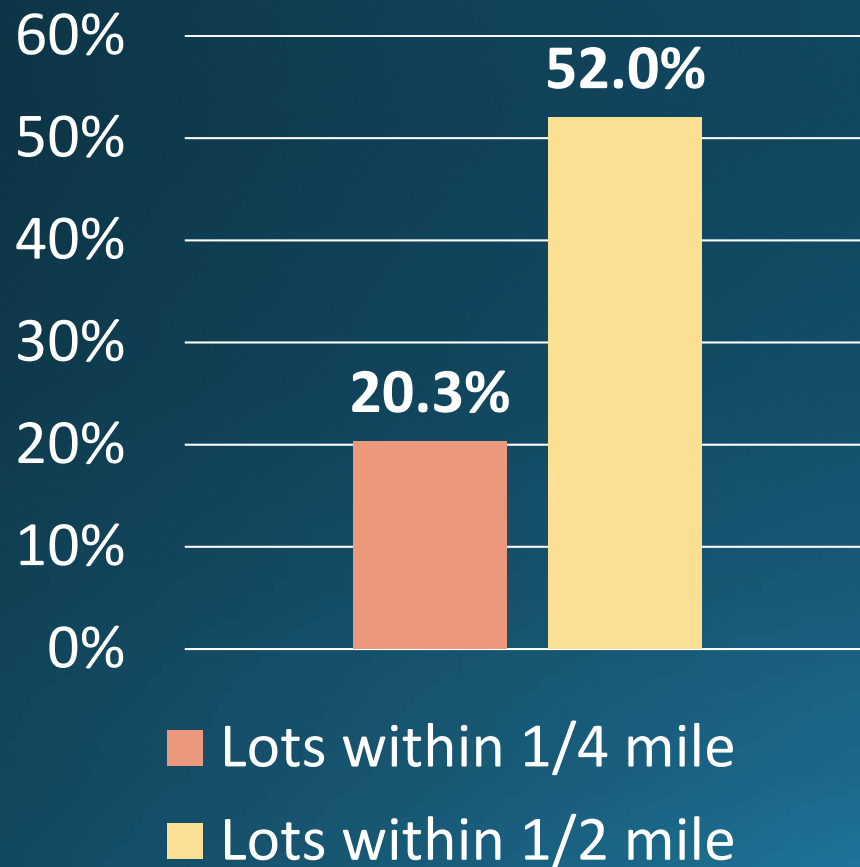
## HHSC Recommendation R-0



6,500 SF

# PROXIMITY TO HIGH QUALITY TRANSIT

Total # of lots = 20,870



# STAFF RECOMMENDATION

## Transit Location

- **Not included in the staff recommendation**

### Why?

- Potential changes in transit system
- Difficult to implement

# OWNER OCCUPANCY REQUIREMENT

- Deed Restriction
- 20-year Term
- One unit must be owner occupied
- Property can be sold during the 20-year term



# ADU CODES IN OTHER CITIES:

## *OWNER OCCUPANCY*

### **8 Cities do not require owner occupancy:**

- Cupertino, Gilroy, Los Gatos, Los Altos Hills, Morgan Hill, Mountain View, San Jose, Santa Clara

### **7 Cities require owner occupancy:**

- Campbell, Los Altos, Milpitas, Monte Sereno, Palo Alto, Saratoga, Sunnyvale

### **4 Cities require deed restriction:**

- Campbell, Los Altos, Palo Alto, Sunnyvale



# STAFF RECOMMENDATION

## Owner-occupancy

- **Keep 20-year owner-occupancy – No Change**
- **Keep deed restriction – No Change**

PC: \*Permanent owner-occupancy

HHSC: Same as PC

# OUTREACH EFFORTS

- 2 Outreach Meetings in June
- Planning Commission Study Session on July 10
- Planning Commission on Sep 11
- Housing & Human Services Commission on Sep 20
- Online Survey (June 12 – August 15)



# OUTREACH OUTCOME



- The current ADU code is too restrictive
- Confusion/concerns about the owner-occupancy
- Impact on single-family neighborhoods
- Many in favor of ADUs near transit
- Providing technical assistance to homeowners

# IMPACT AND CONNECTION FEES

## IMPACT FEE

## ADU

Housing

No

Park Dedication

No

Transportation

Yes

Utility

No \*Except under certain conditions

Schools

Yes \*Exempt in certain context

# TIF RATES IN OTHER CITIES

- 1) At the multi-family rate  
~ 60%-80% of SFD rate
- 2) At the senior housing rate  
~ 25% of SFD rate
- 3) Exempt ADUs from TIF



# STAFF RECOMMENDATION

## Other policies related to ADU

- **Set TIF rate for ADUs at multi-family rate**

**PC:** Same as Staff Recommendation

**HHSC:** Same as Staff Recommendation



Questions?

