



Sunnyvale

Accessory Dwelling Unit Ordinance Update

City Council
December 10, 2019



Recent State ADU Legislation Updates

◆ 2016 – Major State Legislation

- Overhaul Regulations
 - Ministerial permitting
 - Create min/max standards

◆ 2017 – City Housing Element Implementation

- ◆ Reduced minimum lot size

◆ 2018 – Clean up regulations

- ◆ Clarified regulations (e.g. parking)
- ◆ Allowed conversions in all SF zoning districts

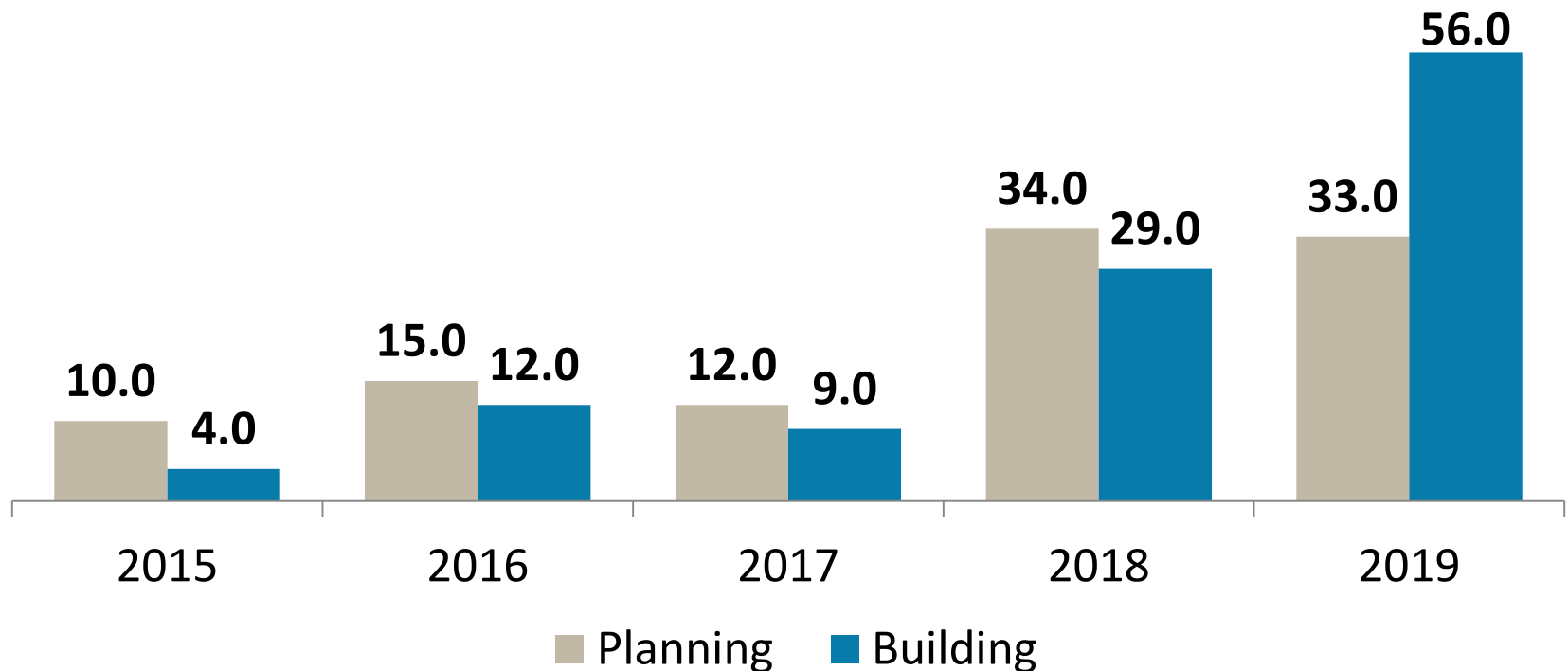
◆ 2019 – Major State Legislation

- ◆ Multiple ADU bills enacted
- ◆ Further streamline process

Accessory Dwelling Unit Permits

2015-2019

Planning and Building Permits Issued



2019 City Proposed ADU Changes

Summary

- Streamlined process
- Planning approval limitations
- No Owner occupancy requirement
- Replacement/ADU parking
- Limitations on charging impact fees
- Short-term rentals

Streamlined ADUs

Single-family Zoning Districts

- **Building Permit Approval:**
 - ◆ Standard ADU (SADU)
 - Detached:
 - 800 s.f. maximum
 - 4 ft. min. side/rear setbacks
 - 16 ft. maximum height
 - Converted: Existing s.f. within Single-Family dwelling;
 - ◆ Junior Accessory Dwelling Unit (JADU)
 - ◆ 500 sq. ft. max
 - ◆ Requires owner occupancy/deed restriction
 - ◆ Development standards may not restrict ADUs
 - ◆ No short-term rentals

Streamlined ADUs

Multi-family Residential Zoning Districts

- **Building Permit Approval**
 - ◆ All multi-family lots entitled to:
 - Up to two:
 - ◆ 800 s.f. detached SADUs
 - ◆ 4 ft. min. side/rear setbacks
 - ◆ 16 ft. maximum. height; *and*
 - SADUs converted from existing non-livable sq. ft. within multi-family structure
 - ◆ No development standards restriction
 - ◆ No short-term rentals

Streamlined SADUs

Multi-family Residential Zoning Districts - *continued*

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

SADUs Subject to Planning Approval

Non-streamlined SADUs

- Single-family SADUs that are not streamlined:
 - ◆ Detached SADUs exceeding 800 s.f. (max 1,000 s.f.)
 - ◆ Attached new construction SADUs
 - Including on second level of primary dwelling unit
- Multi-family ADUs are only allowed per the streamlined requirements

Other Requirements

Deed Restrictions

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

Replacement/ADU parking

- No replacement parking if garage is converted
- No parking required for ADU

Limitations on Charging Impact Fees

Transportation Impact Fee

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

Should the City Allow Short-term Rental SADUs?

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

Recommendation

Staff and Planning Commission

- Exempt from CEQA
- Adopt Urgency Interim Ordinance
- Introduce Ordinance amending Title 19 (Zoning) of the Sunnyvale Municipal Code