

# Accessory Dwelling Unit City Code Text Amendment

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- Zoning Code text amendment related to Accessory Dwelling Units
  - ✓ Incorporate changes to State law
  - ✓ Implement the Housing Action Plan

- Housing Action Plan accepted in Fall 2016
  - ✓ Program 2: Achieve “Affordable by Design” Housing
  - ✓ Strategy: Reduce barriers to second dwelling unit construction
- State law changes – effective January 2017
  - AB 2299 and SB 1069: Reduce requirements for ADUs
  - AB 2406: Created optional Junior ADU category

## Amendment: Rental Period and Deed Restrictions

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- Remove requirement for owner occupancy deed restriction
  - ✓ Property owners no longer need to live on the property
- Establish minimum 30-day rental period
  - ✓ Minimize short-term rentals and encourage local workforce housing

## Amendment: Utility Fees and Connections

- Newly constructed ADUs
  - ✓ Pay water/sewer connection fees
  - ✓ Provide separate meter
- Internal conversion of existing living space or accessory structure to ADU
  - ✓ No longer pay water/sewer connection fees
  - ✓ Separate meter not required (encouraged)

- Detached single-story: accessory structure setbacks
- Detached two-story: primary residence setbacks
- Internal conversion: setbacks sufficient for fire safety

## Amendment: Size, Bedrooms, and Foundation

- Maximum size:
  - ✓ Existing – 700 sq. ft.
  - ✓ Proposed – 1,200 sq. ft.
- Remove requirement limiting ADUs to one bedroom to facilitate additional construction
- Remove requirement for permanent foundation to allow flexibility in foundation types

- Newly constructed ADUs – one off-street space, with the following exceptions:
  - ✓ Within half-mile of transit stop
  - ✓ Within a historic preservation district
  - ✓ Within one block of a car-share vehicle
  - ✓ Unit is 750 square feet or less
- No parking required for internal conversion
- Parking eliminated by garage conversion must be replaced



## Amendment: Standards for Hillside Areas and Preservation Districts

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- State law prohibits discretionary permits for ADUs
- Establish standards in hillside areas
  - ✓ Observe rear and side setbacks of 15 feet
- Establish standards in Preservation Districts
  - ✓ Demonstrate consistency in design
  - ✓ Contributing properties– submit historic resource survey (no negative impact to resource)

## Amendment: Junior Accessory Dwelling Units

- Junior ADU – interior conversion of a single-family residence:
  - ✓ 500 sq. ft. maximum
  - ✓ Access to the primary residence and exterior
  - ✓ Owner occupancy deed restriction required
  - ✓ Limited kitchen facilities required
  - ✓ May utilize an existing bedroom
  - ✓ No utility fees or parking space required



Unit Size (Square Feet)		Percentage of Impact Fees Assessed
Larger Than	Up To	
Internal Conversion		0%
-	750	0%
751	950	25%
951	1,200	50%

- Development of interim guidance and project website
- Community meeting – February 8, 2017
  - ✓ Notice: CAB, neighborhood groups, developers, non-profits, Nextdoor, Twitter
  - ✓ Over 100 attendees
- Meetings with local realtor groups
- Information provided through radio and newspaper

- Permit fees are cost prohibitive
- Requirement for separate water connection unnecessary
- Supplemental income generated by vacation rentals would be lost
- Removing the owner occupancy deed restriction would negatively affect neighborhood character

- Exempt from California Environmental Quality Act (CEQA) per Section 15282(h)
- Adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county is statutorily exempt

- June 7, 2017 – Cultural Heritage Board review of proposed standards in Preservation Districts
- Recommendation:
  - ✓ Reword requirement for historic report to more precisely address historic and archeological resources
  - ✓ Add language requiring applicants to obtain Conceptual Landmark Alternation Permit review

- June 22, 2017 – Planning Commission unanimously recommended that Council approve amendments
- Recommended changes to proposal:
  - ✓ Clarify the number of units allowed
  - ✓ Waive parking for units up to 750 sq. ft.
  - ✓ Clarify staff-level architectural review only required if visible from a public street
- Commissioners divided on the proposed 30-day minimum rental period



- Requirements for public improvements
- Procedures for ADUs built without permits
- Utility certificate procedures for ADUs
- Pre-reviewed building plans
- Fire sprinkler requirements

The Planning Commission and Planning and Economic Development Department recommend that the Council:

- Introduce an ordinance amending Zoning Code Sections 20-22.030, 20-36.040, 20-42.130, and 20-70.020 to allow for Accessory Dwelling Units and Junior Accessory Dwelling Units in compliance with State law and in support of the City's Housing Action Plan.

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## Proposed Revisions – Summary

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- Require rental duration no less than 30 days
- Remove owner-occupancy deed restriction
- Waive utility fee connections for internal conversions
- Reduce setback requirements for some ADUs
- Modify square footage and bedroom limitations
- Remove permanent foundation requirement
- Waive parking requirements in certain situations
- Add standards for hillside and historic areas
- Add provisions for Junior ADUs