



# **CITY COUNCIL PUBLIC HEARING**

## **UPDATED ADU ORDINANCE INTRODUCTION**

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**FEBRUARY 22, 2022**

# ADU ORDINANCE BACKGROUND

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- **March/April 2021** – Consideration of an Interim ADU Ordinance (not adopted)
- **June/July 2021** – ADU Community Workshops and Online Survey
- **August 24, 2021** – Planning Commission Public Hearing on Draft ADU Ordinance
  - Recommended approval to City Council w/amendments
- **September 7, 2021** – City Council Study Session on Draft ADU Ordinance
  - Provided direction and requested additional information

# COMMUNITY OUTREACH EFFORTS

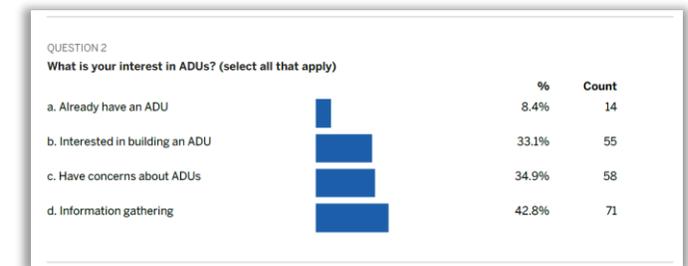
- **Community Workshop Events**

- Held on June 24<sup>th</sup> and 26<sup>th</sup>
- 65 total attendees (combined)



- **Online Community Survey**

- Survey ran from July 15<sup>th</sup> to August 22<sup>nd</sup>
- Sent to more than 2,850 email addresses
- 233 completed surveys



# PLANNING COMMISSION MEETING

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- Recommended Approval with the following modifications:
  - Increase the maximum allowable size for JADUs to 650 sq ft
  - Remove ADU size limit and allow a lot's remaining floor area ratio (FAR) to govern the size
  - Modify the objective design standards for second-story windows, balconies, and decks
  - Eliminate the owner-occupancy requirement for ADUs after 2024
  - Incentives for ADU construction that exceeds the City's REACH codes
- Additional recommendations:
  - Consider removing the R1/R2 daylight plane requirements on ADUs
  - Provide a graphic study to examine the impacts of a daylight plane on two-story ADUs built at or near the side yard setback

# CITY COUNCIL STUDY SESSION

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- Majority expressed support for:
  - Maximum JADU size limit of 650 sq ft
  - Allowing a lot's remaining floor area ratio (FAR) to govern the max size of an ADU
  - Refining the code language related to second-story decks and balconies to allow them in certain instances
- No recommendation on Height Limit and Daylight Plane
  - Requested additional graphics to illustrate how the daylight plane would affect two-story ADUs of various heights and roof designs

# ADU PERMITTING DATA

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Year	Applications Submitted	Permits Issued
2017	15	4
2018	38	22
2019	56	44
2020	91	47
2021	83*	66

*\* 26 were issued permits and 57 are under review/ready to issue*

# ADU PERMIT DATA 2020/2021

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- 174 ADU applications
  - Avg size 400-700 sq ft
  - Most for detached ADUs
- Two-story ADUs
  - 18 applications
    - 7 attached and 11 detached
  - 10 permits issued; 4 finalized
  - Two have exterior stairs
  - One deck - 250 sq ft



# DISCUSSION TOPICS

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- Ordinance Overview
- Height and Daylight Plane Graphic Study
- Size Limits
- Two-Story ADUs
  - Privacy
  - Decks
- Alternative Discretionary Review Process

# PROPOSED ADU ORDINANCE

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- ADU and JADU allowed on any lot with a single-family dwelling
- Allows “By-Right” ADUs – up to 800 sq ft size (*FAR exempt*)
- Four-foot side and rear setbacks; front yard setback can be enforced
- Design Standards
  - Attached ADUs architecturally compatible with the existing dwelling/structure
  - Offset windows from neighbor's windows to maximize privacy
- Allow ADUs in multi-family buildings as permitted by State Law
  - Convert non-habitable space into ADU(s) and up to two new detached ADUs
- Updated JADU standards consistent with State Law

# PARKING REQUIREMENTS

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- One (1) off-street parking space per ADU
- No parking required for a JADU or ADU converted from (E) floor area
- Replacement parking not required for garage/carport conversions
- Off-street parking exemptions:
  - Located within one-half mile walking distance of public transit
  - Located within an architecturally and historically significant historic district
  - When on-street parking permits are required but not offered to ADU occupant
  - When within one block of a car share vehicle

# PARKING REQUIREMENTS

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- ADU/JADU Parking Off-Street Parking Allowances
  - Up to one new voluntary parking space per ADU/JADU
  - Parking in paved setback areas
  - Existing driveway can be maintained when garage converted
  - Driveway width for single-car garage can be expanded to 20 feet
  - Tandem parking allowed

# ADU HEIGHT AND DAYLIGHT PLANE

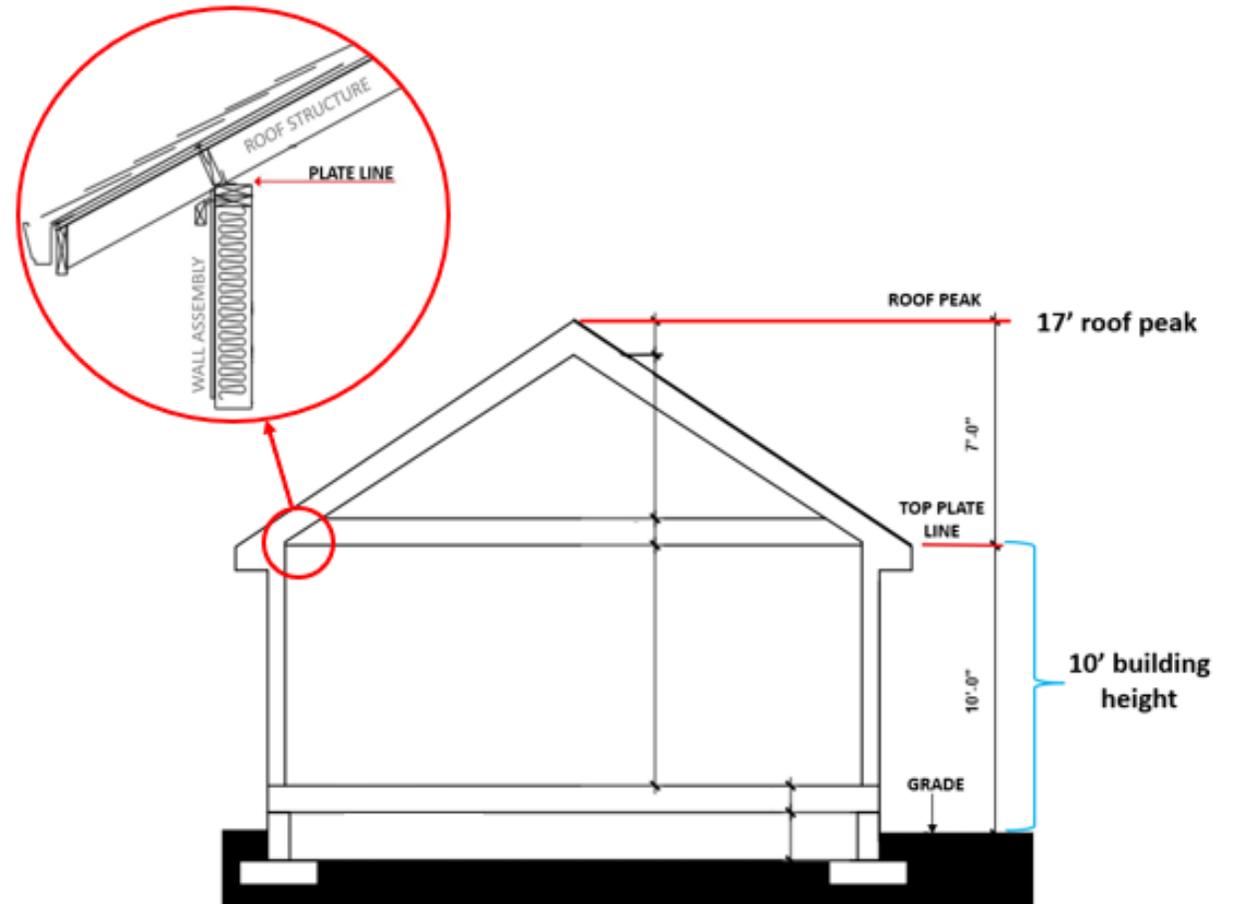
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# MEASURING BUILDING HEIGHT

**BUILDING HEIGHT:** The vertical distance, measured from existing grade to the highest plate line of the structure directly above that point.

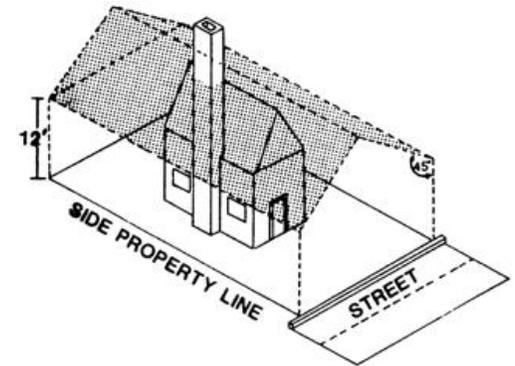
**PLATE LINE:** The point where the top of the wall assembly meets the roof structure.



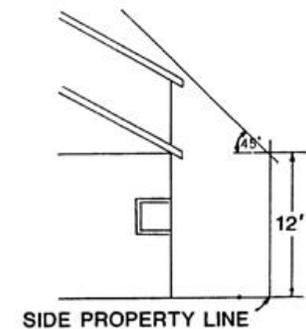
# DAYLIGHT PLANE

- Intended to provide light and air, and govern bulk and mass on adjacent properties
- The daylight plane defines the *building envelope* on a property
- R1/R2 zones required to comply with daylight plane requirements

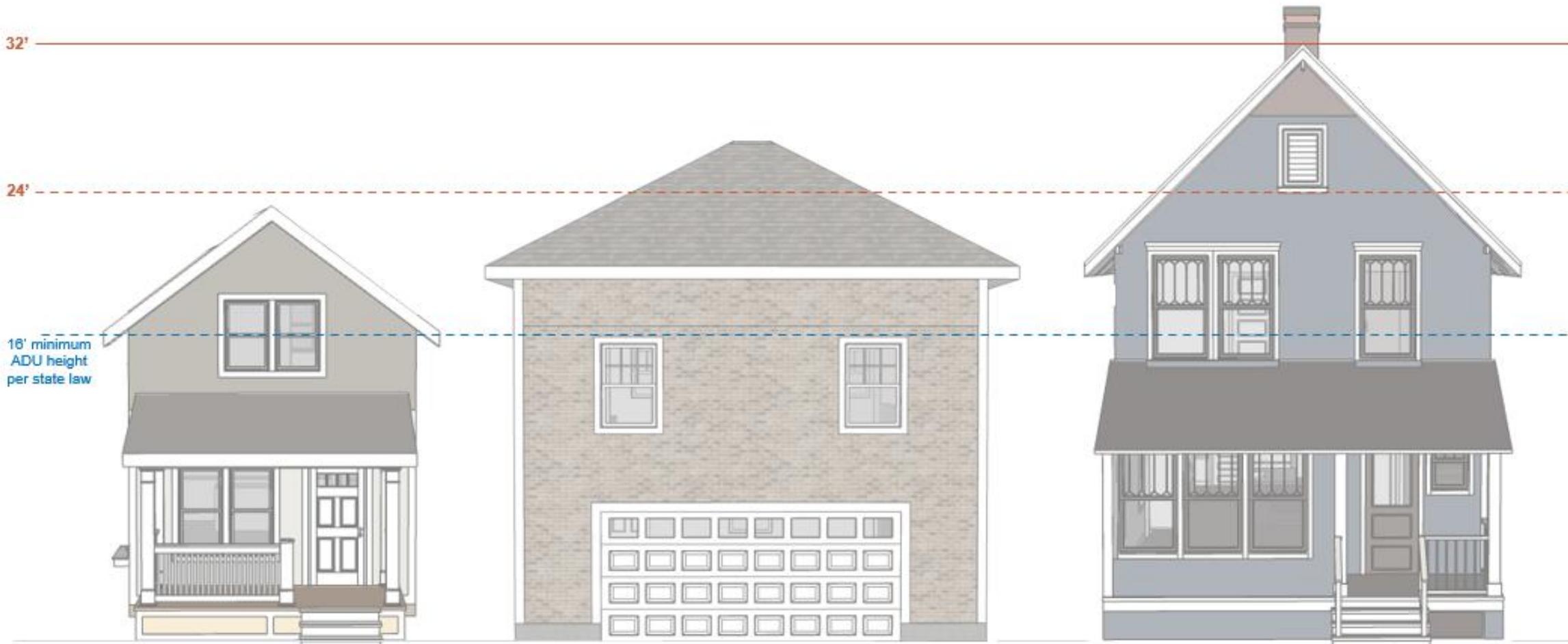
THE DAYLIGHT PLANE



CROSS SECTION OF THE DAYLIGHT PLANE



# ADU BUILDING HEIGHT



32'

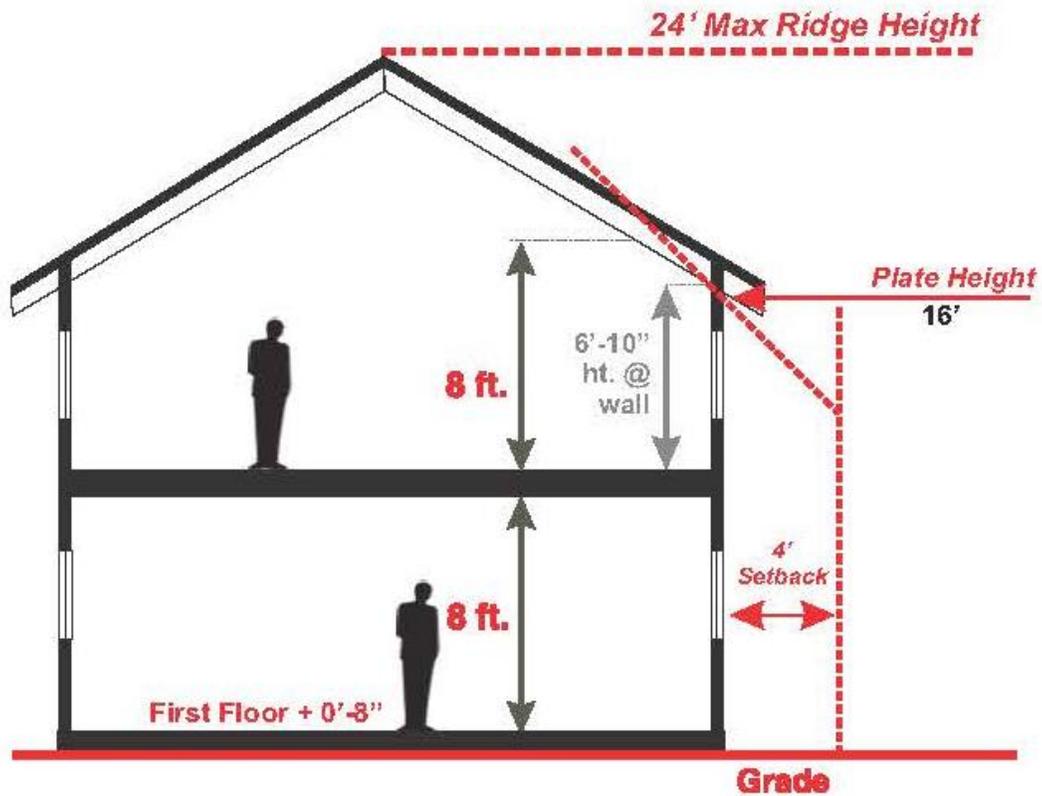
24'

16' minimum  
ADU height  
per state law

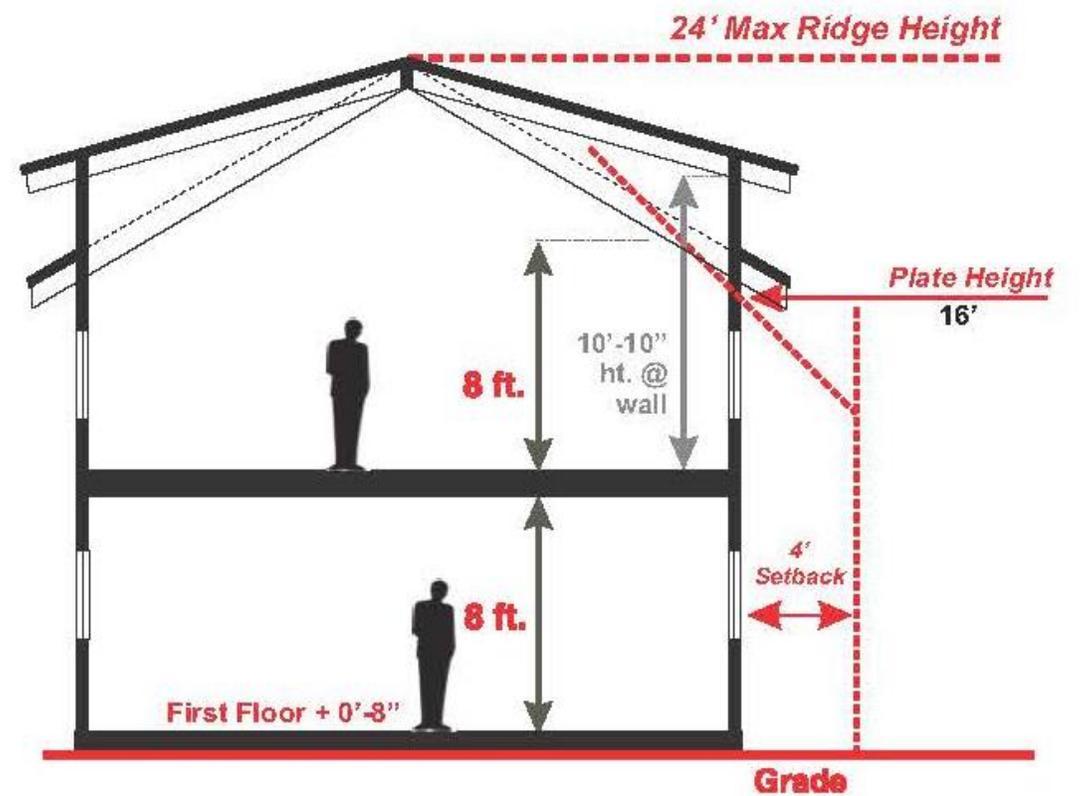
**a. 16' Plate Height / 24' Roof Peak**

**b. 20' Plate Height / 28' Roof Peak**

**c. 24' Plate Height / 32' Roof Peak**

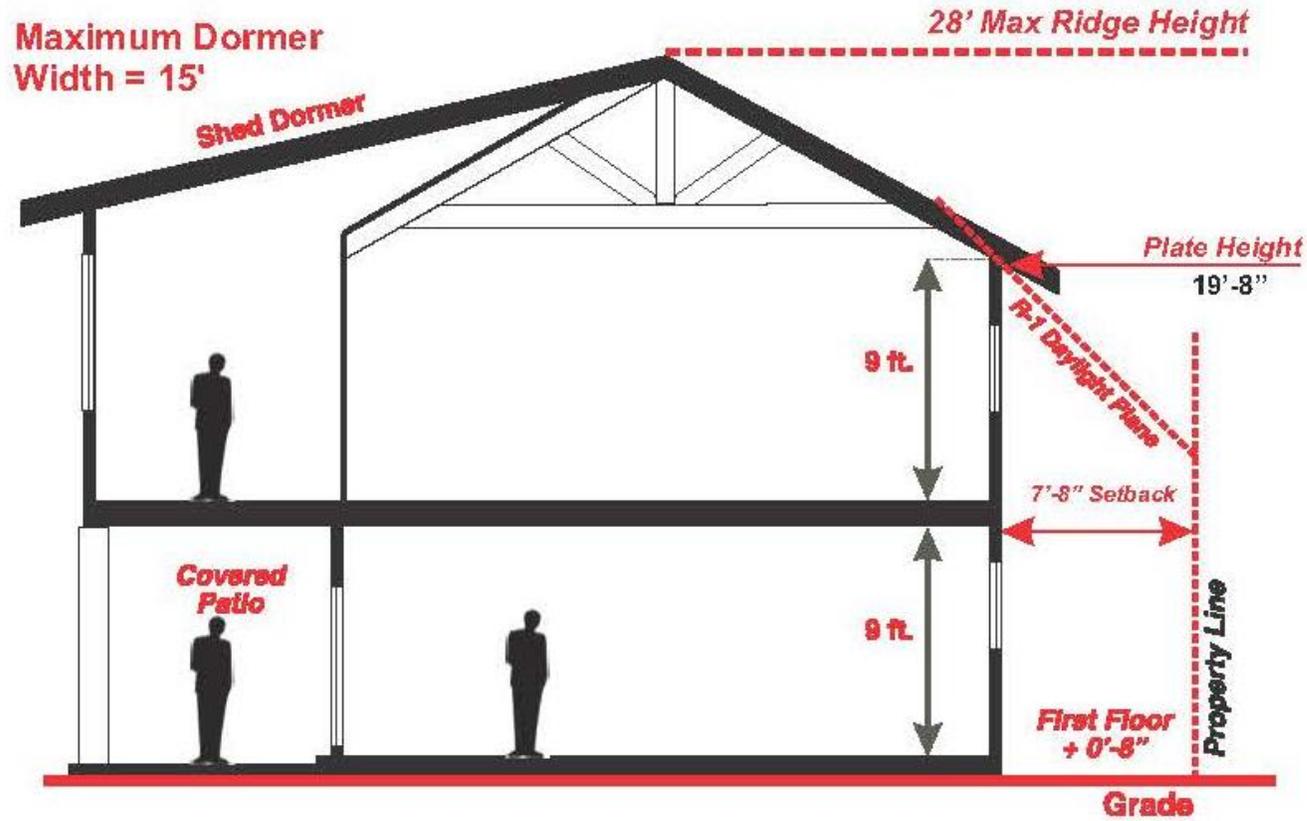


**Gable Roof**

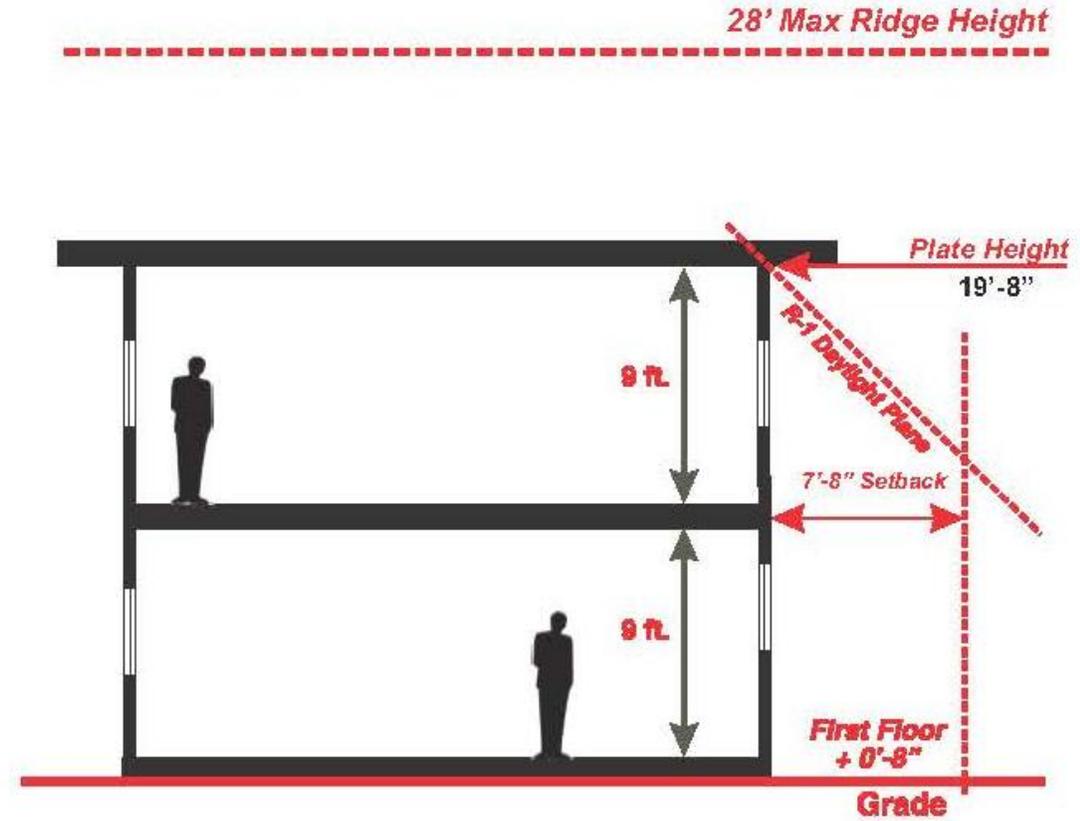


**Gable Roof with Dormers**

**ADUs that Conform to the 16 ft Plate / 24 ft Ridge Height Limit**

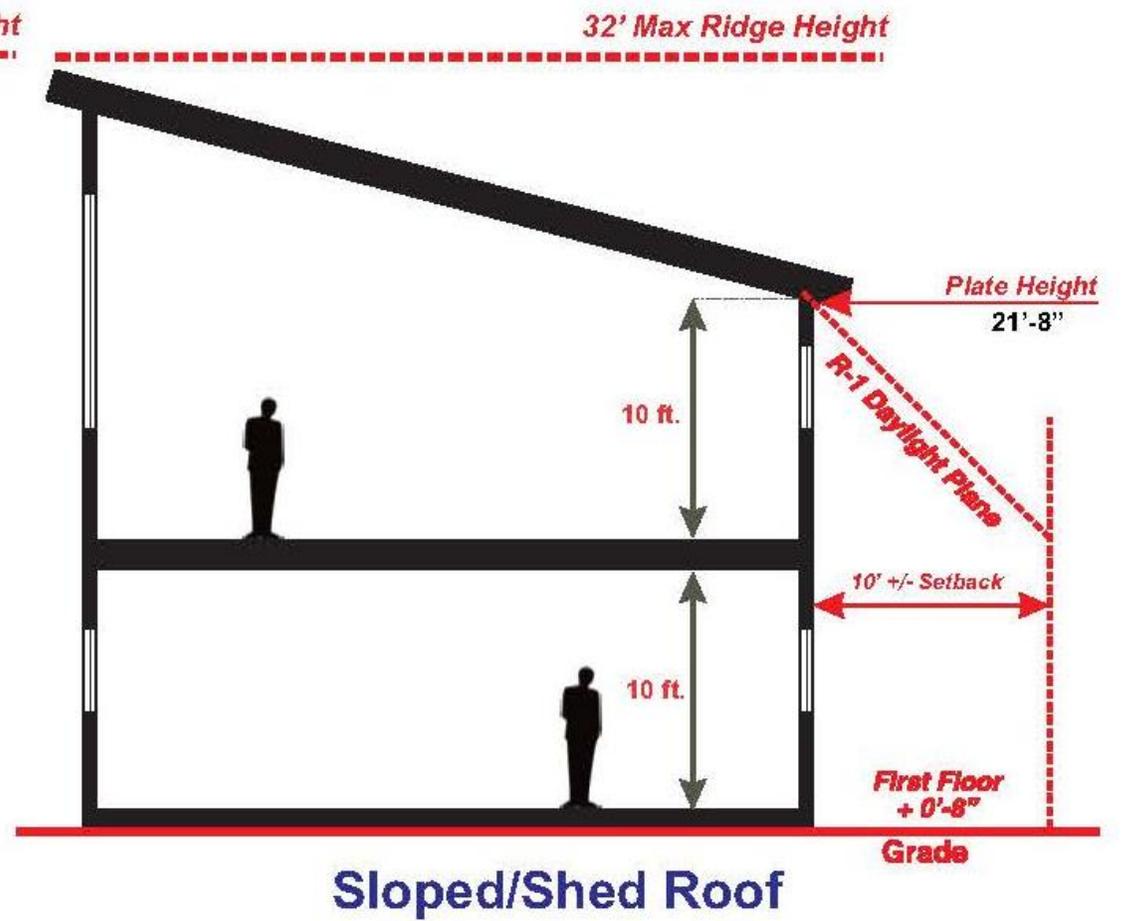
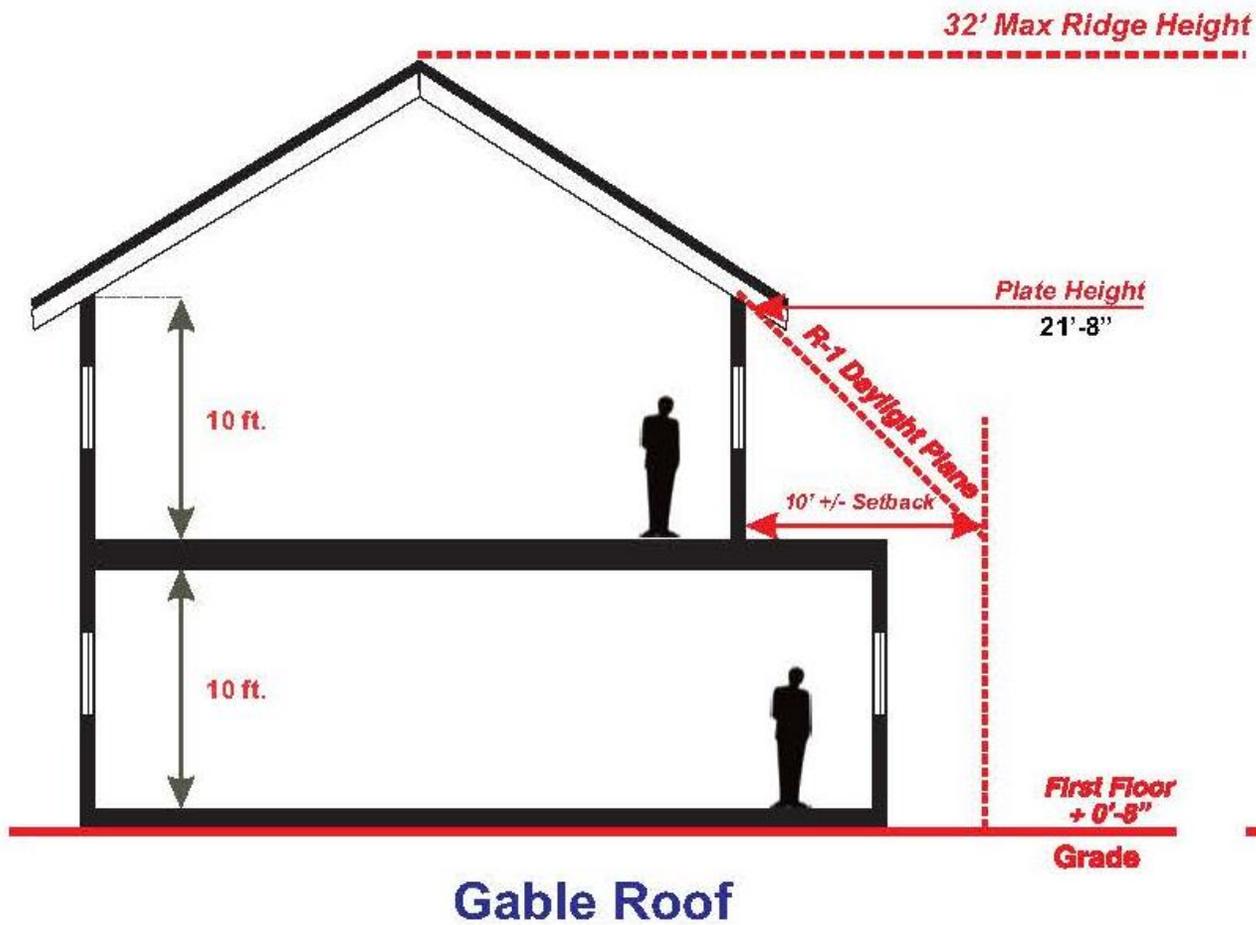


**Gable Roof with Shed Roof Extension**

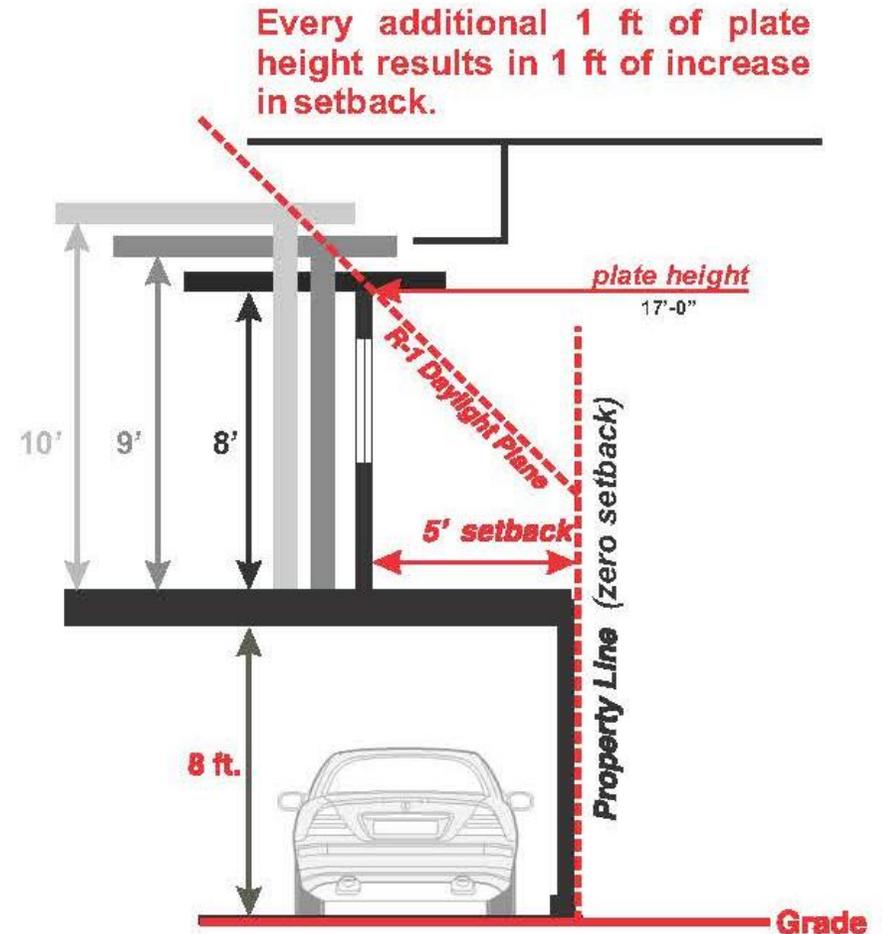
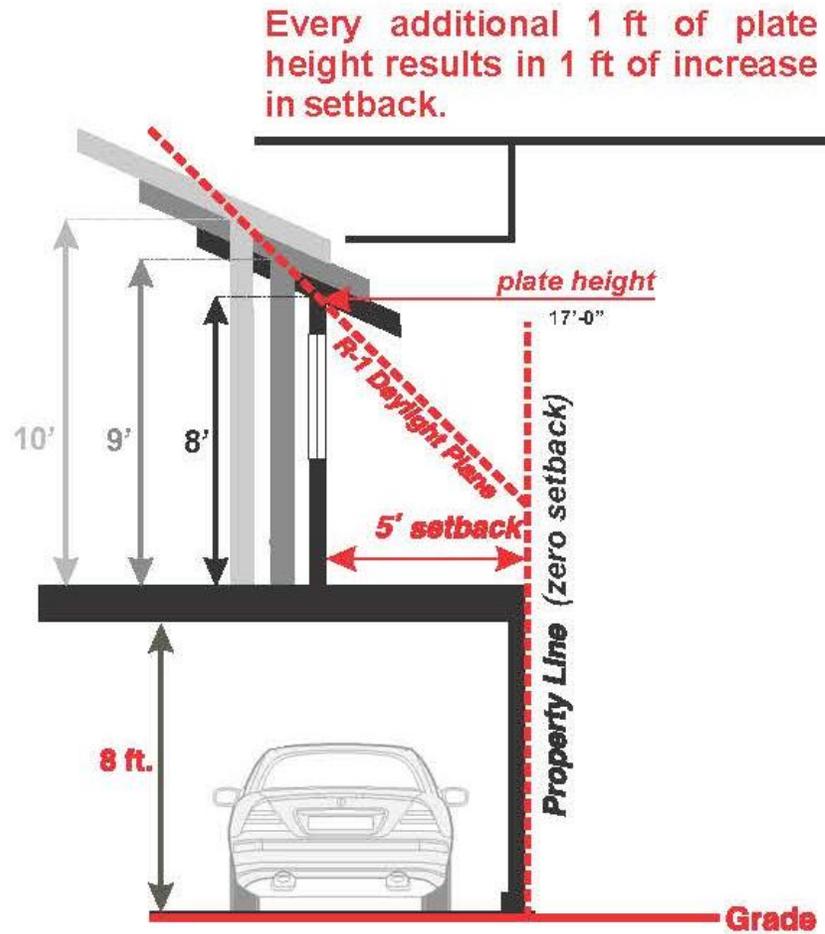


**Flat Roof**

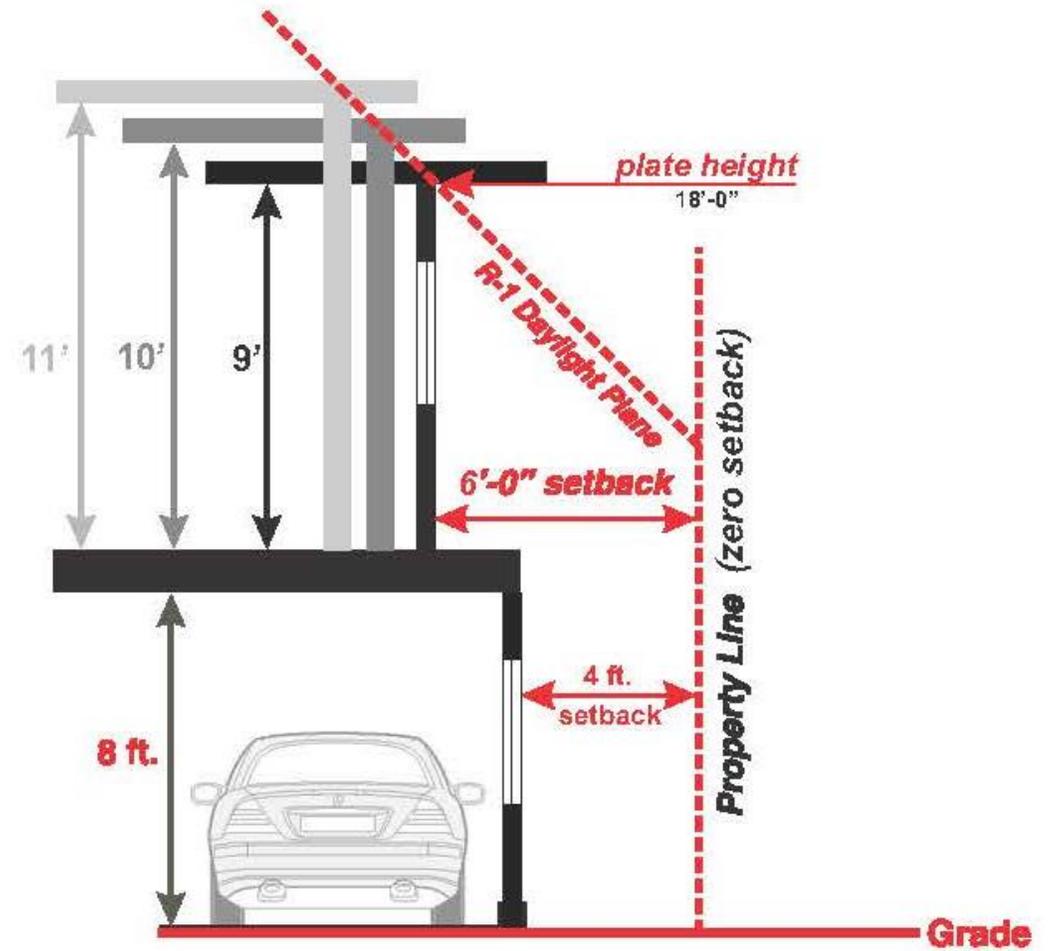
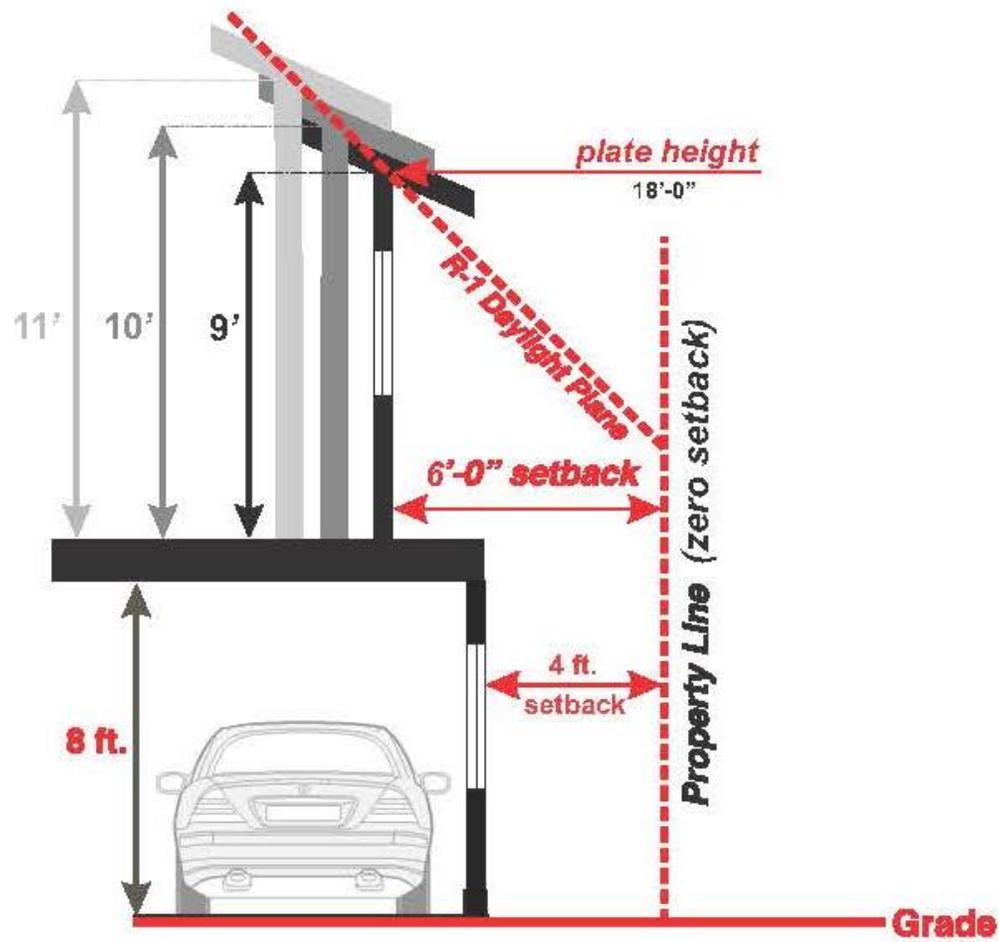
**ADUs that Conform to the 20 ft Plate / 28 ft Ridge Height Limit**



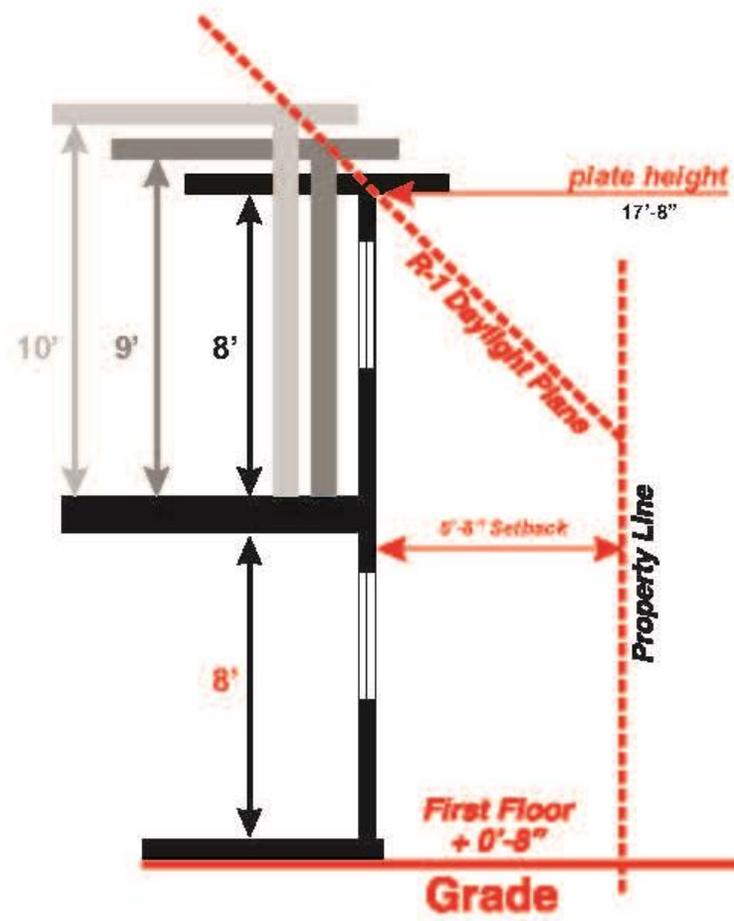
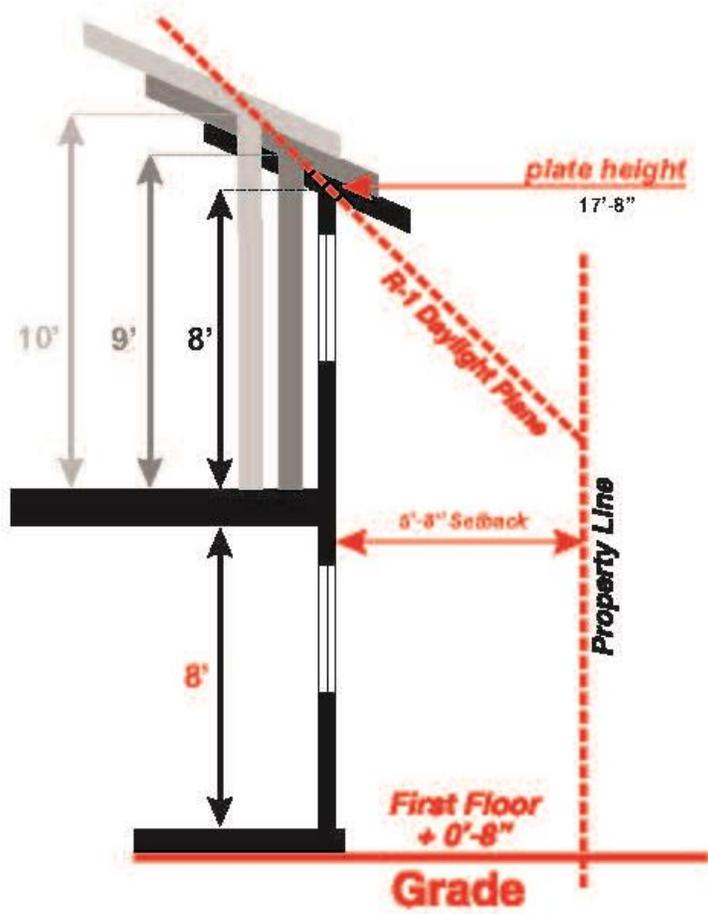
**ADUs that conform to the 24 ft Plate / 32 ft Ridge Height Limit**



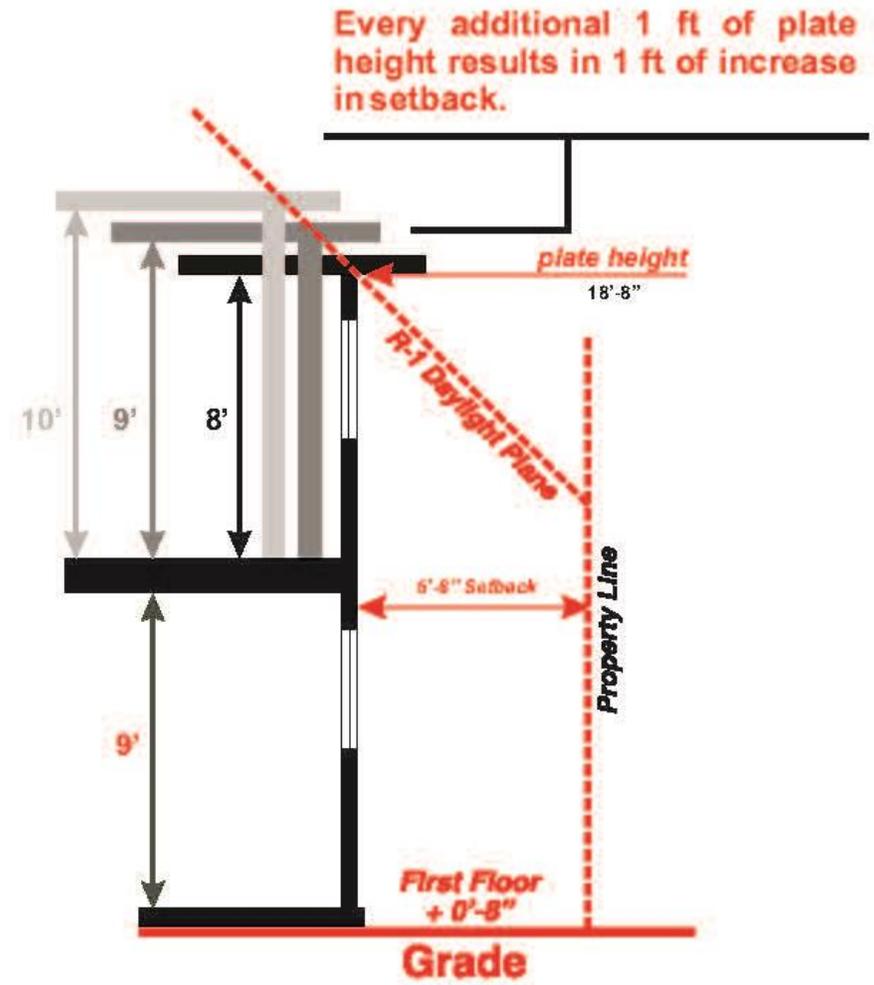
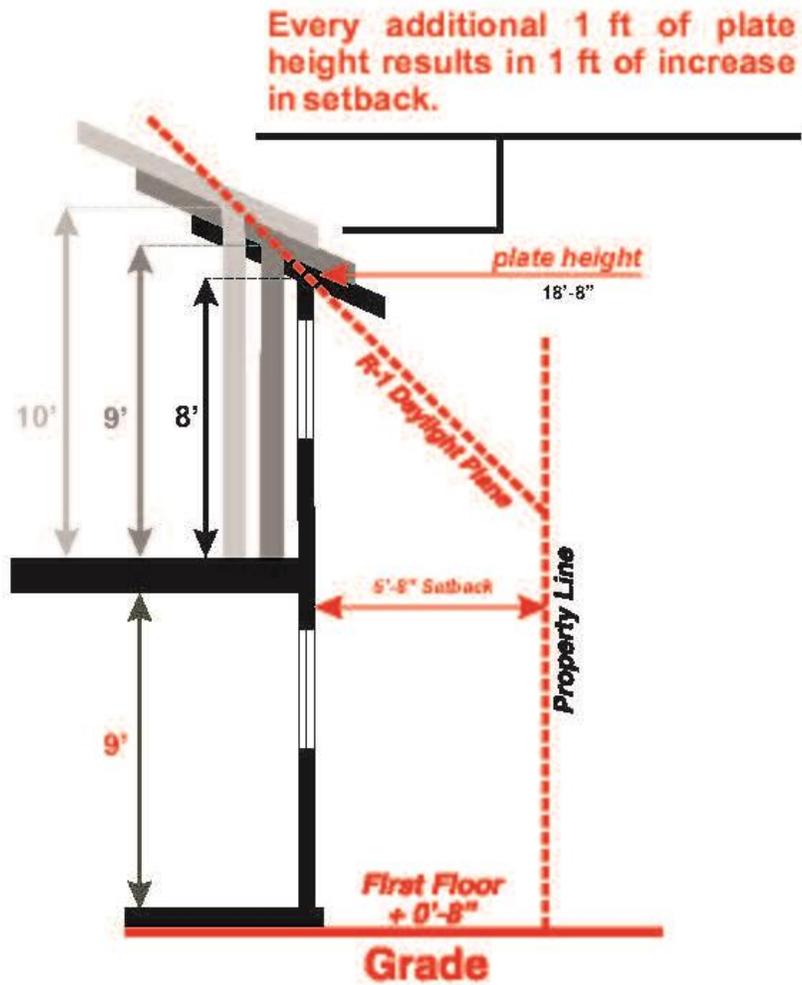
ADU Addition Over Existing Garage  
0 ft side yard setback



**ADU Over Garage - New Construction**  
**4 ft side yard setback**



**New ADU Construction  
First Floor w/ 8 ft Plate**



New ADU Construction  
First Floor w/ 9 ft Plate



# ADU/JADU SIZE LIMITS

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- State Law Requirements
  - 800 sq ft (exempt from FAR)
  - ADU Minimum size
    - Studio or one bedroom unit – 850 sq ft
    - Two+ bedroom unit – 1,000 sq ft
    - Up to 1,200 sq ft
  - JADUs - up to 500 sq ft
- Proposed ADU Ordinance
  - ADUs – no size limit; governed by lot's FAR
  - JADUs – 650 sq ft



# TWO-STORY ADUs

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# TWO-STORY DESIGN STANDARDS

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- Obscured glazing, up to five feet from the finished floor, required for second-story windows located within five feet of a property line
- Exterior stairs and landings
  - Setback of at least five feet from the nearest lot line
  - Size limited to the minimum area required to allow ingress and egress
- Larger second story deck or balcony subject to alternative discretionary review process



# ALTERNATIVE DISCRETIONARY REVIEW

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- Provides path for ADUs that do not meet all objective standards
  - Larger second story decks (for example)
- Zoning Administrator (ZA) findings:
  - Consistent with applicable objective design standards in the adopted R1 Single-Family Dwelling Design Guidelines
  - Not result in a negative privacy impact on an abutting residential lot
  - Not result in a negative impact to public health, safety, or welfare
- ZA decision won't preclude the ability to receive a ministerial permit for an ADU that is in full compliance with Ordinance
- ZA decision may be appealed to the Planning Commission
  - As drafted, PC action would be final

# DISCUSSION TOPICS

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- ADU Height Limit (Plate/Max)?
  - 16'/24'; 20'/28'; or 24'/32'
- Comply with R1/R2 Daylight Plane?
- Maximum Size
  - ADUs - 1,200 sq ft or up to site's floor area limit
  - JADUs - 500 sq ft or 650 sq ft
- Decks for Two-Story ADUs
  - Allow exterior stairs and landing (min 5 ft setback)
  - ZA Review/Approval for larger ADU decks
- Alternative Discretionary Review Process
  - Planning Commission appeals – final decision or appealable to Council?

# NEXT STEPS

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- Bring back Ordinance to City Council for 2<sup>nd</sup> reading (March)
- Ordinance takes effect 30 days after its formal adoption (April)
- Approved ordinance sent to HCD within 60 days of adoption for final review/acceptance
- Update ADU related handouts and informational materials
- Schedule 1-2 Community Workshops (May/June)
  - Provide overview of updated ADU regulations and a forum to answer resident questions.

# RECOMMENDATION

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Introduce an Ordinance to amend San Mateo Municipal Code Chapter 27.19 – “Accessory Dwelling Unit and Junior Accessory Dwelling Unit – Residential Zones” in accordance with changes to State law and to amend San Mateo Municipal Code Section 27.04.165 by adding a definition for “Junior Accessory Dwelling Unit”

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# Questions?

Zachary Dahl, AICP

CDD Deputy Director

[zdahl@cityofsanmateo.org](mailto:zdahl@cityofsanmateo.org)

(650) 522-7207





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**TWO STORY  
FORM EXAMPLES  
ADU STUDIES**

CANNON DESIGN GROUP  
March 23, 2021