

February 20, 2022

To the City Council:

The code for ADU development in the R1A zone should retain the State legislation's parameters for height and mass:

- Height not exceeding 16' to plate line
- Size not exceeding 800 sq. ft.

With the State's mandated allowances as the baseline for all, I am asking Council to tailor this ordinance to the specific needs and expressed interests of its R1A, R1B, and R1C zoned residential neighborhoods. Why?

- This City historically has valued, and in its current workshops for the new General Plan reaffirms its appreciation of the diversity and character of its neighborhoods.
- That diversity is reflected in its various single family zoning codes, R1A, R1B, and R1C. The template and practice of code-based differentiation is there for Council to use in fashioning neighborhood-responsive code for ADUs.
- The Council itself will be reconfigured to represent districts drawn specifically to reflect communities of shared interests. The premise is to give voice and agency to those diverse areas of the City.
- All of the above affirms the understanding that one size does not fit all.
- Tailoring the ADU ordinance according to neighborhoods' diverse needs and interests would be consistent with the values and responsive governance the City Council aims for.

This request cannot fairly be labelled NIMBYism. Anyone in R1A zoned San Mateo Park who wants an ADU can build one. The height and square footage parameters the State legislated were considered adequate to spur needed new housing development. My neighborhood will contribute. But infill building does have costs, including loss of privacy for neighbors as well as loss of green space and trees. Tree filled space is the defining characteristic of The Park -- home to perhaps the greatest density of heritage trees in the City -- and is important for the environment as well as human health and well-being.

Not expanding but retaining the height and square footage parameters the State legislated will spur new housing here without overwhelming the privacy and outdoor spaces so characteristic of and valued by The Park's residents.

Urging you to take this course and respectfully submitted,

Steve Carlson

From: Daniel Schonberg <>

Sent: Sunday, February 20, 2022 7:05 PM

To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>

Subject: Fwd: Important ADU Ordinance Meeting THIS TUESDAY, 7pm - Please Join and/or Write Letters!

I am writing to express my support for the maximum possible height limits (or even no limits), allowing balconies, and removing daylight plane requirements. I stand in opposition the positions held by my neighborhood association and they do not reflect my views

Daniel Schonberg

----- Forwarded message -----

From: CNA San Mateo <cnasanmateo@gmail.com>

Date: Sun, Feb 20, 2022 at 6:34 PM

Subject: Important ADU Ordinance Meeting THIS TUESDAY, 7pm - Please Join and/or Write Letters!

Hello Neighbors - Another important meeting that will directly affect you - both what you can build on your property and importantly, what your neighbors can build on theirs.

- 1.) The city is considering 3 max height options, and seems inclined to as usual push the max available, which is 32' (vs 24' or 20' options).
- 2.) Additionally, they are considering allowing second floor balconies and windows - so again, consider your once private yard now having a window and balcony overlooking your yard from your neighbor's lot.
- 3.) Finally, they are considering removing the "daylight plane" requirement for 2-story ADUs. Basically the daylight plane exists to prevent excessive blockage of light into neighboring buildings, so you're not living in shadows 24x7 because of your neighbor's ADU.

There's a wide spectrum of opinions here, so the only way to help ensure the city does right by residents is for you to write (citycouncil@cityofsanmateo.org) or better yet, join the meeting and comment live (this is much more effective, if time consuming). They won't likely get to this item until later in the meeting, but it's impossible to gauge exactly when.

To join via Zoom – click here: [Tuesday, February 22, 2022 Zoom Meeting](#)

To join via telephone: (408) 638-0968

Conference ID: 814 9988 1689 **Passcode:** 674655

To see the draft ordinance and other info about this agenda item, click [here](#)

For additional information about the ADU Ordinance effort, please check the [What's Happening Page](#). For additional information about the City's ADU rules and permitting requirements, please check the [ADU Resources page](#).

As always, feel free to reach out if you have questions, comments, or concerns.

Thanks - CNA

From: Eric Holm <>
Sent: Tuesday, February 22, 2022 10:48 AM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>
Subject: ADU comments for tonight's meeting

Dear Council Members.

Wow, you've got a jam packed agenda tonight. Good luck. Attached are some comments I have after reviewing the current proposed ADU ordinance and supporting information for tonight's meeting.

Thank you for your consideration and continued hard work on these important issues.

-Eric Holm

2/22/2022

Dear City Council Members,

There has been great progress on the development of the ADU ordinance and I would like to thank you for the thoughtful consideration of the process. The additional diagrams requested by Council and produced by Cannon Design Group are helpful in further understanding the ultimate questions of building height and daylight plane. This letter is in support of both higher ADU building heights and a removal or raising of the daylight plane to accommodate those heights.

Building Heights

There has been much thoughtful conversation about not wanting the structures to be too large and imposing on the neighbors. I think that partially comes from our own misconceptions about how tall things actually are. Most of the houses on my street in North Central have a 2-4ft floor height above grade and a 12-14ft top plate height. If you did a current housing inventory of existing one-story homes in the city, most will have a top plate height in the 10-14ft range. Any single-story home with a front porch is going to be 10-14ft tall. Additionally, if you did a survey of existing two-story homes, most would be over 20ft to the plate. The Cannon Design Group ADU Study elevations show that most buildings need a 20ft plate height with a slab on grade construction. This is the bare minimum.

Many of the sample photos in the Cannon ADU study showing two story interior spaces appear to show a 16' plate height and those buildings are more studio-type spaces that would not support a small family. If we want to increase housing stock for families, it will be important to have full height ADUs as an option to provide a comfortable 1000-1200sf unit capable of supporting a family.

Taller buildings allow for numerous design benefits and design options. At the foundation level, designing foundations and cripple walls rather than slab on grade enables the addition of front porches, creating a more welcoming front entrance. Since height is measured from existing grade, the higher building height allows more room for thoughtful site work and site management as part of the ADU development. In many cases unless the backyard is sloped to the street, the grade may need to be raised to properly slope stormwater away from the building perimeter or to improve sewer fall without needing ejector pumps which add cost and ongoing maintenance. In other cases, if you are building in the flood plain, you need to lift your building above the flood elevation. The conversation should not be about whether someone could build two stories under the most ideal conditions but, rather, what is the building height that would allow the greatest number of opportunities to create a two-story structure and the 16ft or even 20ft heights significantly impact the ability to build two stories. The ordinance should allow for variation in site conditions or should have modifiers to allow for different conditions such as flood plain, existing structures with higher sill heights, or negatively sloped lots.

If the ADU is attached to the primary residence, it should be able to maintain the existing residence heights; especially when you are trying to match the style and character of the main house. Therefore, attached ADUs should be 24ft to plate and 32ft to ridge. Providing a different height for a detached ADU isn't consistent; suggesting both heights should be set at a max of 24ft to plate and 32ft to ridge. When you factor in the requirements of the new SB9 law which allows subdivision of houses to follow R1 height provisions or 24ft to plate and 32ft to ridge with the same setback as ADUs, it doesn't make a lot of sense for the ADU provision to be more stringent. Therefore, the ADU height should follow the primary R1 building heights and consequentially SB9 building heights.

Daylight Plane

Regardless of the building height, the other limiting factor is the daylight plane. The Daylight Plane on the surface seems like a noble thing to keep. As the name suggests, it is meant to preserve daylight on adjacent properties. In reality, the Daylight Plane does very little to change the amount of daylight on an adjacent property. The offset second floor which is smaller than the first leads to a large building footprint overall and, perversely, the intended goal of reducing impacts to neighbors from a structure has the inverse effect of creating a larger structure.

In my neighborhood there are many R2 developed lots that were constructed before the daylight plane requirements. The difference between a house built within the daylight plane envelope and one that does not is negligible. There is very little difference on the amount of daylight on an adjacent property and the more impactful sensation is just how much land the adjacent unit occupies. If you see the attached **Appendix 1** diagrams of a standard site with a detached ADU, you can see the difference between different building heights is really dependent more on the ridge height. The attached diagrams show the shadows cast from the different examples are maybe an extra foot or two of shadow on the adjacent property in the early morning or afternoon for some months out of the year while a larger footprint building is felt year-round. The houses that are 15' from the property line are just as impactful as the houses that are 4' from the property line. The houses that are one story are almost as impactful as the houses that are two stories. Instead, we should encourage a compact footprint by allowing the greatest flexibility to increase height.

Requiring a building to follow the daylight plane and second-floor step back results in the overall building occupying a larger ground floor footprint. Regardless of building height, if there is a building there, you see it, no matter what, and making it a couple feet taller doesn't change the daylight as much as the larger building footprint adjacent to your property. Not having such a significant offset to follow the daylight plane allows for more cost-effective building techniques, faster building times, and greater variety of buildings; all while reducing the overall building footprint on the land. As someone who looks out on every type of two dwelling model from my backyard, the taller structures take up less building footprint and are actually less imposing than those following the daylight plane. One of the adjacent properties built to follow the daylight plane is, in reality, a larger home adjacent to my property and no noticeable difference in the daylight that falls on my property. If the neighbor had been allowed to build straight up or with a reduced offset, the overall structure would have been smaller and would have functioned better for them rather than following the prescriptive daylight plane setbacks.

In keeping with the spirit of allowing and encouraging the greatest number of small housing units possible, Council should allow the taller building heights and, at a minimum, allow a 20ft plate height at the property line setback. That could easily be accomplished by an ADU daylight plane adjustment of 4ft in the ordinance. This would lead to greater variety of second story ADUs, more flexibility for different site conditions, more economical builds, and better interior spaces of the small ADUs.

Thank you for your time to consider these recommendations,



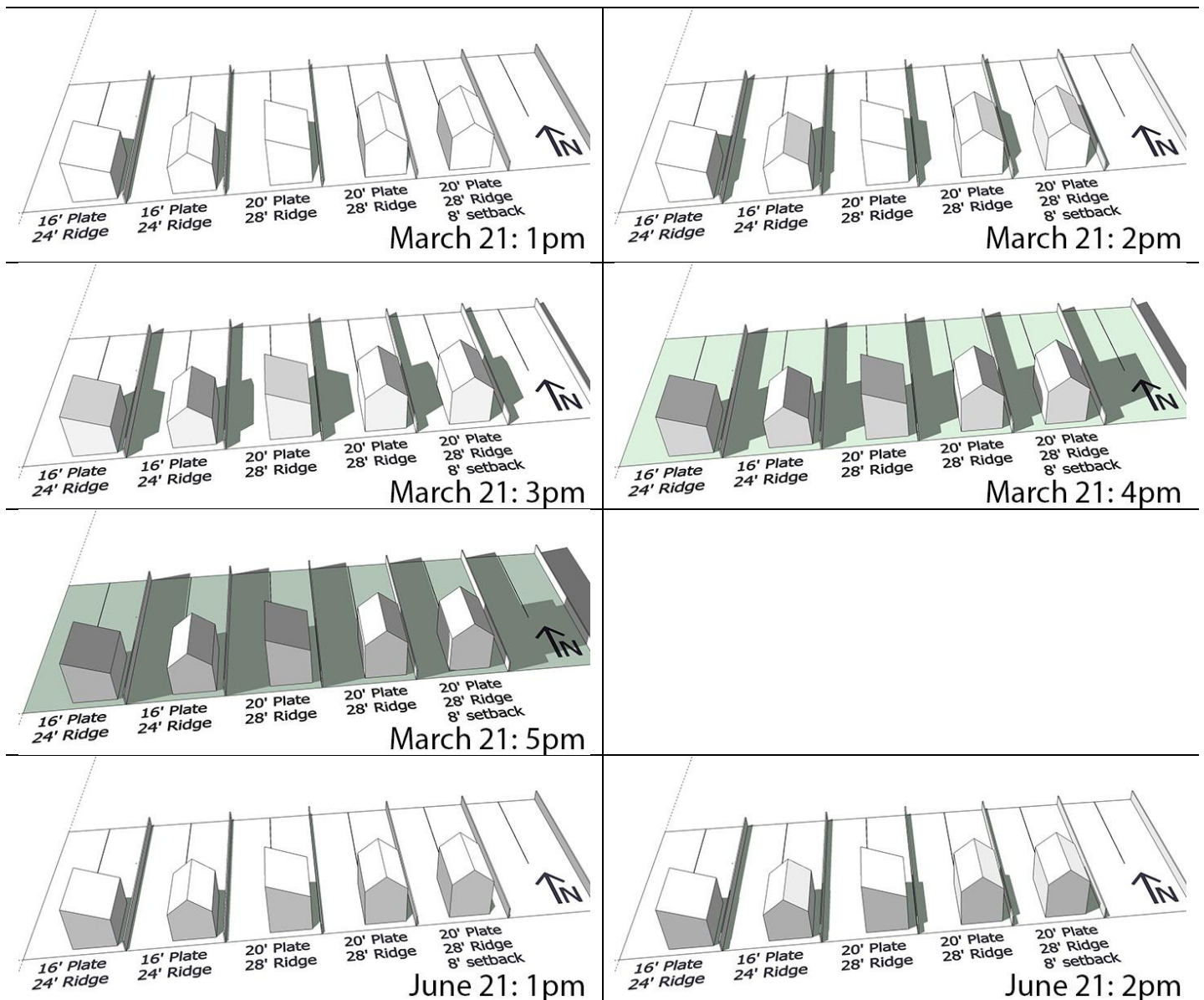
Eric Holm

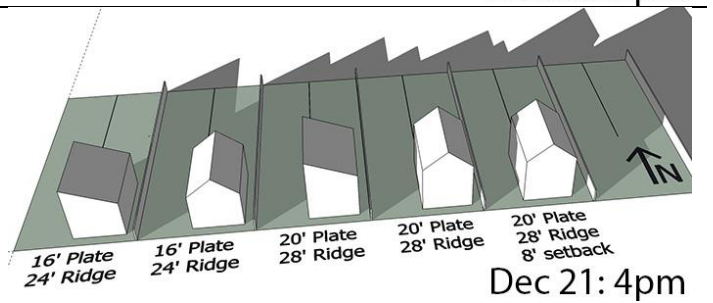
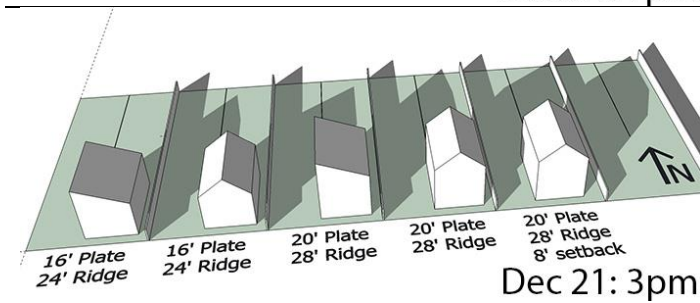
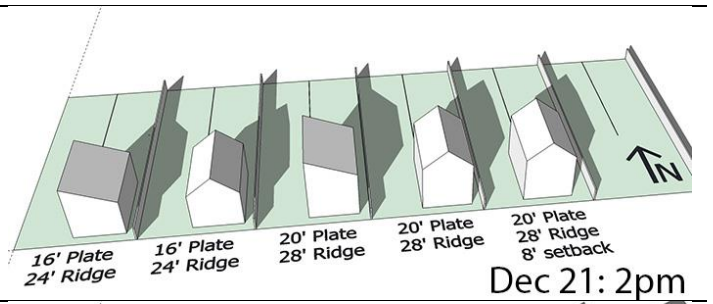
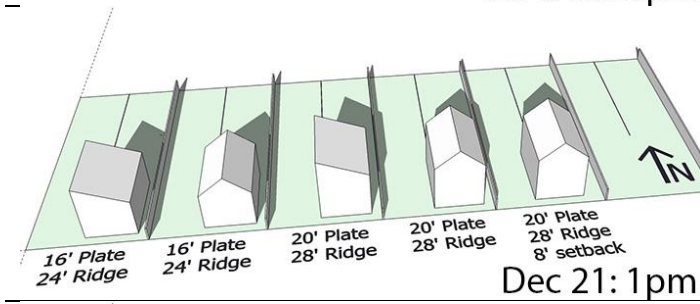
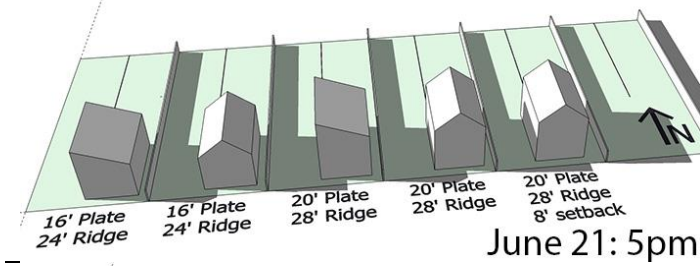
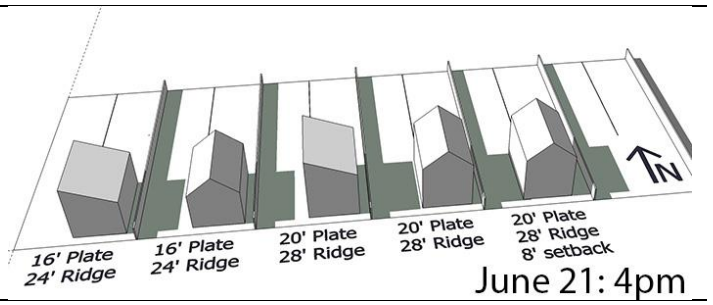
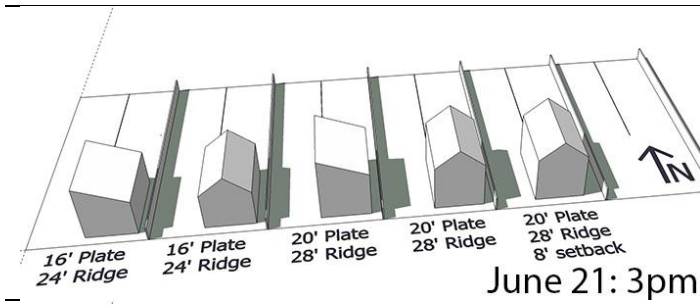
SM resident, Architect, Parks and Recreation Commissioner

Appendix 1:

These shadow study diagrams show similar 1200sf buildings on a standard 4500sf lot with a 6ft fence. The images are captured at each solstice and in the spring to provide a shadow range throughout the year. Each building shows a different plate and ridge height to show the difference in cast shadows between the different forms. They are all set 4' from the property line except the 20ft/28ft one indicated with an 8' setback. The line in the middle of each lot is the midpoint added for shadow reference.

You can see that the difference between roof types changes the depth of shadows and the difference between the plate heights does not have a significant change to the shadows cast. In fact, a 20f/28ft structure with a shed roof has nearly the same cast shadow footprint as a 16ft/24ft gabled structure. This shows that the daylight plane is not the same with each roof type and could easily be increased to facilitate more two-story structures with little impact to daylight on the neighbors.





From: Genel Morgan < >
Sent: Sunday, February 20, 2022 8:38 PM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>
Subject: Proposed ADU rules

Dear Council Members,

I have lived in San Mateo most of my life and have seen many changes take place over the last 70 years. I have become aware that the council will be considering local ADU rules at your meeting February 22. I am writing to share my concerns.

It is my understanding that there are certain State rules which apply to ADUs that address square footage and height, but that local governments can allow dimensions in excess of State rules. It is also my understanding that neighbors do not need to be notified when these permits are issued.

I strongly object to the approval of 2 story ADUs. With the small setbacks of 4 feet on sides and rear, a 2 story ADU could literally look into the backyard of their neighbor or even into their house. Some privacy should be considered when application for such an ADU is made. I am not against ADUs, just two story ones.

While I support the need for more housing in San Mateo, I believe that consideration needs to be given to ALL residents, not just the ones wanting to build ADUs. What one resident does, will impact their neighbors. In this day and age there are so many selfish people who give no consideration to anyone else. We all have to live in this city together.

While I have learned that "no one owns the air or a view", many homeowners have invested in their property (and paid more for it) to have a view. Someone building an addition on their house or a two story ADU should not have the right to obstruct that view.

One neighbor should not be able to negatively impact the value of their neighbor's property.

Finally, I strongly object to any consideration to upzone single family neighborhoods. It feels like a "feeding frenzy" about building housing in San Mateo (led by corporate builders). It is totally appropriate to build higher density housing close to transit, but allowing this kind of building willy-nilly throughout the city will, in the long run, totally change the feel of this city I love. I strongly disagree with Council members Lee and Bonilla. Thank you Council member Rodriguez for your concern for existing residents and the impact massive building and upzoning will have on quality-of-life issues.

Along with concerns about building decisions, I want to see specific ways infrastructure is planned for with each permit granted.

Please, consider how your decisions will impact All residents, not just the ones wanting to build an ADU or support corporate builders without regard to existing residents.

Sincerely
Genel Morgan
San Mateo

From: Lisa Nash <
Sent: Tuesday, February 22, 2022 2:56 PM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>
Subject: Public Comment on ADU Ordinance Amendments

Thank you for the thoughtful way that the San Mateo ADU ordinance is being developed. Given the serious affordable housing in the Bay Area, ADU's represent a real opportunity to create new housing to decrease that gap.

A successful, sustainable ADU policy is one that takes into consideration the needs of those who want to build the ADU, those who want to live in the ADU, and those who live around the ADU. There is no "one size fits all" policy given the unique land areas that ADU's are built on. There needs to be flexibility and compromise in applying the policy given that each situation has its unique characteristics (as staff has pointed out).

That is why I support the following as the foundation for San Mateo's ADU ordinance:

- The ADU baseline height should be 16 feet to the top plate line/24 feet to roof peak, but there should be a discretionary application process so that Planning staff can see if the specifics of the project warrant a higher limit;
- There should be a daylight plane requirement so that existing neighbors are not overwhelmed by a large structure (in this case, "good light can make good neighbors" instead of "good fences");
- The design standards proposed by staff regarding exterior stairs, second floors and larger decks/balconies should be adopted, including a Zoning Administrator level application for new decks/balconies for new two-story ADU's;
- City Council, and not the Planning Commission, should be the final decision-maker on ADU appeals. This extends the review process, but, given that this is an updated ordinance, it is prudent for City Council to weigh in for a period of time until the "devil's in the details" issues are worked out;
- The staff recommendation on ADU and JADU size limits is accepted;
- There is a review of the updated ADU ordinance in one year to understand its impact and recommend any changes to make it more successful.

City staff has listened to input from many parts of our community and has come up with a policy that respects the interests of all the parties involved in the creation of ADU's. That will help make ADU's a welcome addition to our community, rather than a source of controversy, when they are so clearly needed.

Thank you,
Lisa

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Lisa Diaz Nash

From: Michael Nash <>
Sent: Tuesday, February 22, 2022 1:47 PM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>
Cc: Patrice Olds <polds@cityofsanmateo.org>
Subject: ADU Ordinance

Dear City Council

Tonight's discussion on the ordinance for ADU's should be guided by the needs of the neighbors not only the builders of ADUs.

A program that is imbalanced in favor of the builder could easily be detrimental to the neighboring residents. Building tall structures on the property line is hard to do without damaging the views, privacy and sunlight of the neighboring homes. It would be a sad outcome if ADU construction became controversial and divisive.

I do applaud the concept of supporting the State mandated ADU allowances for ministerial approval but allowing for a discretionary application that enables larger ADUs when appropriate for the project. Our planning department should be capable of determining whether an ADU design makes sense or not by considering it against the local conditions and design standards that are in place for residential construction.

For this reason, it makes sense to maintain ministerial approval at the 16 ft plateline and 24 ft. roof peak heights. Taller ADUs could be achieved using the discretionary application process when the circumstances are right. If ministerial approval is set at the higher levels, the ordinance would allow large ADU designs even when they are inappropriate.

It is essential that a council representing the people of the City consider the impact on neighbors of an ADU, and not only the desires of those who wish to build one. The state has set the table for ADUs by right, eliminating public comment and review for significant strictures. It is not in the City's interest to expand that permission.

The advanced materials note the diversity of situations and the challenge of creating a "one rule fits all" regime. I applaud that line of thinking. The recommendation to allow a tight ministerial approval process with a discretionary option makes sense in a city as diverse as ours.

Also, since policy is the Council's responsibility, I also support the ability to appeal a Planning Commission decision to the Council. This is a new program that we all hope will help fulfill our affordable housing needs. It is untested, and the number of ADUs will need to expand from historic levels if it is to have that desired impact. The council should be involved until the program has settled into a routine matter to be sure it evolves in a productive way.

Regards,

Michael Nash

From: Davida Rabbino < >

Sent: Monday, February 21, 2022 4:12 PM

To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>

Subject: ADUs in San Mateo

Dear City Councilor,

ADUs, while offering opportunities for needed additional housing, need not intrude on neighbors' privacy and enjoyment of their properties. For R1A zoned areas, we strongly urge that you use the discretion allowed by the State to:

- Limit height to the 16 ft. allowance sanctioned by State law.*
- Retain 800 sq. ft. maximum size specified by State law.*
- Adopt design standards that are sensitive to the close proximity units may have to property lines, overlooking private, neighboring backyards, by maintaining existing daylight plane rules.*
- Allow San Mateo's neighborhoods a say about how new housing development will be built to blend wisely into each distinct neighborhood, understanding that one size does not fit all at the State OR local level.*

I feel strongly that San Mateo needs smart, sensitive growth, not one-size mandates.

N. Davida Rabbino

31 Aug 2021

TO: San Mateo City Council Members (cc to SMUHA)
FROM: Sugarloaf HOA
RE: Accessory Dwelling Units in San Mateo – Feedback

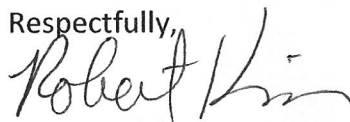
The Sugarloaf HOA Board is providing this feedback to the San Mateo City Council based on our recent understanding of actions taken by the City Council to enable and promote the use of Accessory Dwelling Units (ADUs).

The Sugarloaf HOA consists of 226 homes along three public streets (De Anza Blvd, Parkwood Drive, and Toyon Court) and nine private lanes. About 15% of the HOA's homes have historically been rental properties. As you are aware, rental properties typically house more adult residents than an owner-occupied home, and this leads to additional automobiles requiring parking spaces. Many areas of our HOA are already impacted by inadequate parking availability on the public streets. The private streets are regulated as fire lanes, and have no homeowner/tenant parking allowed on the streets. Thus, the private lanes are currently in a situation where automobiles, particularly those from higher occupant density rental units, are overflowing onto the public streets to locate parking. The enablement of ADUs by the City Council makes a bad situation worse, particularly on those nine private lanes and the surrounding public streets.

In addition to the clear and direct impact on parking issues, ADUs in a development such as Sugarloaf (attached single-family homes in "townhouse" style) will be additionally impactful aesthetically. The allowed height limits for ADUs combined with our small lot sizes will cause irreparable damage to the appearance and property values of the neighborhoods.

Unfortunately for our HOA, this is not the only example of state or local authorities taking actions which erode the quality of life in our development. The state's passage of CA Civil Code 4741 forces HOAs to allow a minimum of 25% rental occupancy of its homes. These are both examples of state and local authorities infringing on a HOA's ability to manage its affairs and sustain quality of life for its members. We are all in favor of finding solutions to the need for more housing in certain areas of California, including San Mateo. But, this HOA stands opposed to efforts by the San Mateo City Council to enable ADUs within Sugarloaf HOA given the negative impact created by such legislation. We urge the City Council to more appropriately consider negative impacts when addressing housing strategy, including advocating on behalf of its citizens and neighborhoods with the State Legislature.

Respectfully,

 31-AUG-2021

Robert Kiss, President of Sugarloaf HOA
Sugarloaf HOA Board of Directors
www.sugarloafhoa.org

From: Bob Kiss < >

Sent: Tuesday, February 22, 2022 10:03 AM

To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>

Cc: Patrice Olds <polds@cityofsanmateo.org>; Drew Corbett <dcorbett@cityofsanmateo.org>; San Mateo United Homeowners Association <sanmateounitedhoa@gmail.com>

Subject: Sugarloaf HOA Letter to San Mateo City Council Regarding ADU Ordinances

Dear City Council Members,

Please find attached a letter from the Sugarloaf Homeowners Association regarding your deliberations on ADU ordinances for the city. We certainly hope that this information will be taken into consideration as the Council makes decisions.

Thank you for your dedicated service to the community.

Sincerely,

Robert Kiss
President, Sugarloaf HOA
www.sugarloafhoa.org

21 Feb 2022

TO: San Mateo City Council Members (cc to SMUHA & SM City Manager)
FROM: Sugarloaf HOA
RE: Accessory Dwelling Units in San Mateo – Feedback Letter #2

The Sugarloaf HOA Board is providing this feedback to the San Mateo City Council on the topic of Accessory Dwelling Units (ADUs). This is a follow-up to our feedback provided on 31Aug2021.

Based on information obtained regarding the historical submission and permitting of ADU applications in San Mateo, along with the projections from the General Plan Update (GPU) Alternatives Evaluation Report, we would like to share our perspective on the current debate regarding parameters allowed for ADUs.

Figure 1 provides the relative contributions to additional housing projected to come from new housing (as defined in the GPU report) and from ADUs. Historical ADU data were obtained from City Manager Drew Corbett covering 2017-2021. A conservative assumption was made that the city would permit 100 ADUs each year going forward in parallel with any GPU “net new” housing. This number of 100 significantly exceeds the number of ADU permits issued on average (37 over ’17-’21) and at peak (66 in ’21). The average permit approval rate was ~75% over ’17-’21. So, this estimate of 100 ADU permits per year going forward seems a reasonable increase taking into account the simplified path forward based on State Legislation. Figure 1 looks at the GPU alternatives A, B, and C, showing the contribution from ADUs relative to the total net new housing projected under those alternatives. A factor not modeled in the analysis is that a GPU net new housing unit likely holds more residents than an ADU. The finding here is that ADUs represent a relatively small proportion (at most 9 – 14%) of the projected net new housing on a unit basis. The ADU contribution would likely be even smaller on a “new residents” basis.

Why is this an important point? In our last letter to the Council, we commented on the negative impact of ADUs increasing the resident density in existing neighborhoods on the already challenged parking situations. In addition, we commented on the negative impact of ADUs on existing neighborhoods from the aesthetics perspective. Both of these factors trigger dissatisfaction among existing San Mateo residents. You have previously heard from other HOAs, Neighborhood Associations, and San Mateo residents regarding concerns about aesthetic impacts in particular. This is linked to the ongoing debate on whether the city of San Mateo will follow the state of California’s mandated allowances for ADU parameters or whether the city will go beyond the state and allow even broader parameters (e.g., height, area). We have seen the feedback from other groups specifically asking the Council to NOT go beyond the state mandated allowances.

As residents, we have come to recognize that the state’s mandates must be followed at this time. But, the notion that the Council may choose to go beyond the state’s mandated

allowances is very concerning. Given the relatively small contribution to the overall net new housing that could be expected, such an action by the Council would trigger significant dissatisfaction in many neighborhoods of the city for relatively little gain against the housing shortage. We urge the Council to NOT go beyond the state’s mandated allowances, making that decision on behalf of the many neighborhoods that would be negatively impacted beyond that already required by State Legislation. **Please make a decision to hold the line on the already inflicted bleeding; Please do not make it worse!** Please do not pit neighbor against neighbor and create a new problem for what is clearly limited benefit toward the real problem.

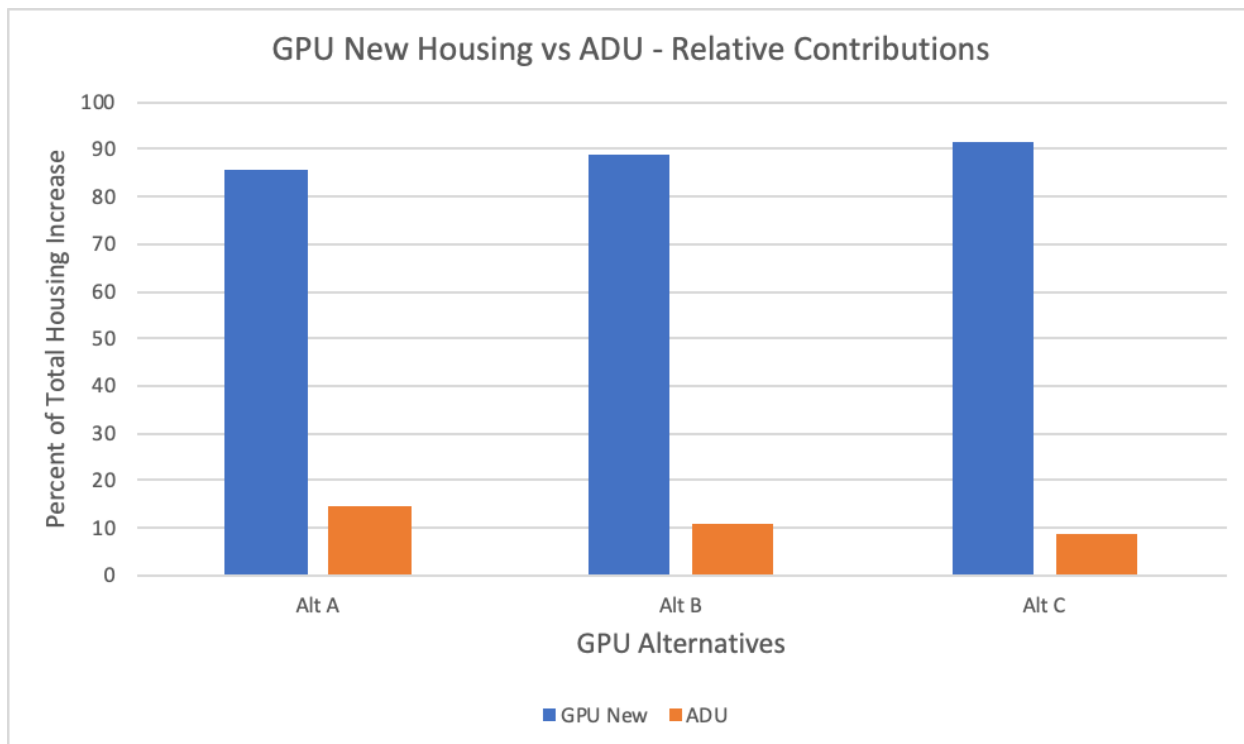


Figure 1 – Relative contributions of GPU new housing and ADUs. Model based on ADU submission/permit data from 2017-2021 and GPU Alternatives Evaluation Report net new housing for the three alternatives.

Please let us know if you would be interested in any further input from our HOA. And thank you to the Council members for the hard work you do on behalf of the city of San Mateo.

Respectfully,

Robert Kiss

Robert Kiss, President of Sugarloaf HOA
 Sugarloaf HOA Board of Directors
www.sugarloafhoa.org

DIANNE WHITAKER ARCHITECT
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SAN MATEO, CALIFORNIA
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February 20, 2022

Rick Bonilla, Mayor
City of San Mateo
California

RE: Ordinance Introduction - Accessory Dwelling Unit Ordinance Amendments

Dear Mayor Bonilla:

Thank you for taking your time to meet with me on Wednesday morning. I know as Mayor you receive many requests from constituents asking for a meeting. As someone who spent his career in the building construction industry, it is always helpful to discuss my concerns with someone who speaks the same language. Our timing was fortuitous: I see from the City's website that this item is scheduled for a public hearing (Item 12) at City Council's Tuesday, February 22, 2022 meeting.

As promised, I am writing this correspondence to summarize our conversation, which includes my concerns with regard to the proposed ordinance amendments for ADU's and JADU's.

Is a Junior Accessory Dwelling Unit (JADU) a completely different 'animal' from an Accessory Dwelling Unit (ADU), or is a JADU a subcategory of an ADU?

I ask this question because I am particularly concerned with how **the issue of parking** is handled. In the Proposed Ordinance, the issue of parking for ADU's is discussed at length (over three-quarters of a full page) in Section 27.19.050 Development Standards. (i) Number and Type of Required Parking Spaces. Parking for JADU's merits one short sentence – "No additional off-street parking is required for a JADU." in Section 27.19.110 Development Standards. (k) Parking.

If I am reading the language of the Proposed Ordinance correctly, parking for an ADU:

- May be located in the required front, side and rear yard setback areas;
- Replacement off-street parking is not required when a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU; [I have added the underlining.]
- No additional off-street parking shall be required for an ADU if it meets one of the following five conditions: located within one-half mile walking distance of public transit; located within an architecturally and historically significant historic district; located in part of the proposed or existing legally permitted primary residence or an existing legally permitted accessory structure; located in an area requiring on-street parking, permits are required but not offered to the occupant of the ADU; or when located within one block of a car share location.

Section 27.04.165 DWELLING. (c) “Junior accessory dwelling unit” means an additional, independent living unit constructed within the walls of a proposed or legally existing single-family residence, including attached garages. [I have added the underlining.]

Conversion of an existing, attached garage to a JADU is an attractive and cost effective way of achieving additional housing options for homeowners of modest means. So, why is the loss of a garage for creation of an ADU, either from conversion or demolition, *treated differently* than the loss of a garage when converted to a JADU?

If a JADU is a completely different ‘animal’ than an ADU, why is language regarding replacement parking (yes or no) for a converted garage NOT included in Section 27.19.110(k)? If a JADU is a subcategory of an ADU, why not amend the statement “Replacement off-street parking is not required when a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU” to include **or a JADU**? [Section 27.19.050(i) (3)]

I currently have a client who would like to convert the existing, attached, garage into a Junior Accessory Dwelling Unit. The family resides in the Parkside neighborhood of San Mateo. The majority of the homes in this neighborhood were constructed in the mid-1950’s and are one of five floor plans offered by the developer. In all five configurations, the garage sits forward of the house, generally at the 15-foot required front setback line (i.e. Replacement parking would be within the required front yard setback area.) Current interpretations from the San Mateo Planning Division indicate replacement parking must be provided because “JADU’s are not subject to the same parking protections as ADU’s and provision of replacement parking would be required.” If this inequality between ADU’s and JADU’s is not resolved, entire neighborhoods in San Mateo will be unable to take advantage of new state legislation that allows for increased housing options.

One final comment: Limiting the plate height of an ADU to 16 feet would most likely require a concrete slab floor/foundation and less than 8-foot ceiling height(s) if the proposed ADU is for a two-story design. I would therefore suggest that City Council select the option of 20 feet maximum to top of plate and 28 feet maximum to roof peak.

Thank you for listening to my concerns.

Sincerely,

Dianne R Whitaker, AIA

Dianne Whitaker Architect