



CITY COUNCIL PUBLIC HEARING

UPDATED ADU ORDINANCE INTRODUCTION

MARCH 7, 2022

ADU ORDINANCE BACKGROUND

- **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
- **February 22, 2022** – City Council Public Hearing on Draft ADU Ordinance
 - Continued with direction

CITY COUNCIL DIRECTION

- The height limit for attached ADUs should be 24 feet to top plateline and 32 feet to roof peak;
- The height limit for detached ADUs should be 16 feet to top plateline and 24 feet to roof peak;
- Include an option that allows for detached ADUs to increase their height limit when on-site parking is retained/created; and
- The final decisionmaker on an appeal of an ADU subject to the alternative discretionary review process should be the City Council.

ADU PERMITTING DATA

Year	Applications Submitted	Permits Issued
2017	15	4
2018	38	22
2019	56	44
2020	91	52*
2021	83	68*

** Revised from earlier presentation.*

ADU PERMIT DATA 2020/2021

- 174 ADU applications
 - Avg size 400-700 sq ft
 - Most for detached ADUs
- Two-story ADUs
 - 17 applications
 - 3 attached and 14 detached
 - 10 permits issued; 5 pending; and 2 appear to be abandoned
 - Two have exterior stairs
 - One deck - 250 sq ft



TWO-STORY ADU PERMIT DATA

- **Attached two-story ADU applications (3)**
 - Median plate height: 18.2 feet (range: 16.5 ft – 20.8 ft)
 - Median peak height: 24.25 feet (range: 21.7 ft – 24.8 ft)
 - Average size: 681 square feet (range: 578 sq ft – 800 sq ft)
 - Two built over existing attached garages
- **Detached two-story ADU applications (14)**
 - Median plate height: 18.5 feet (range: 15 ft – 24 ft) *12 of 14 had plate heights below 20.5 ft*
 - Median peak height: 23.3 feet (range: 19 ft – 29.6 ft) *12 of 14 had peak heights below 24.7 ft*
 - Average size: 806 square feet (range: 445 sq ft – 1,200 sq ft).
 - Four built over existing detached garages (no expansion of footprint)
 - *Plate heights were 15', 16', 16' and 18.7'*
 - Three built over existing garage with a first-floor addition
 - Three included a new detached garage

NEIGHBORING CITY ADU STANDARDS

- Data compiled by 21 Elements
- Detached ADU Height Limits
 - 16 feet (peak) – nine jurisdictions
 - 17 feet (peak) – two jurisdictions
 - 16 feet/20 feet (one-/two-story to peak) – San Bruno, San Carlos
 - 16 feet/35 feet (within req. SB/meets req. SB) – Pacifica
 - 18 feet/24 feet (plate/peak) – Portola Valley
 - 20 feet/24 feet (flat/pitched roof) – Redwood City
 - Varies (underlying zone district) – Half Moon Bay, Brisbane, Belmont

ADU ORDINANCE REVISIONS

- The final decisionmaker on an appeal of an ADU subject to the alternative discretionary review process is the City Council.
- The height limit for attached ADUs is 24 feet to top plateline and 32 feet to roof peak.
- The height limit for detached ADUs is 16 feet to top plateline and 24 feet to roof peak.
- For a detached ADU that seeks to exceed the height limit, an application for discretionary review, pursuant to Section 27.19.045, shall be submitted.

ALTERNATIVE DISCRETIONARY REVIEW

- 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/City Council

ALTERNATIVE DISCRETIONARY REVIEW

- Follow Single-Family Dwelling Design Review (SFDDR) Process
- Processing time – Anticipated to be 60-90 days *(varies depending on applicant responsiveness)*
- Application fee – \$4,000 deposit
 - CDD Director has authority has the authority to set a deposit amount below the amount indicated in the fee schedule
 - All unused money refunded when process completed

APPLICATION PROCESSING INCENTIVE

- Alternative Discretionary Review Process Streamlining Options:
 - Condensed Review Process
 - All steps completed, but in shorter time period; decision within four weeks of being deemed complete
 - Time savings – 2-4 weeks
 - Concurrent Planning and Building Review
 - Allow submittal of both applications at the same time
 - Building permit cannot be issued until PA approved and appeal period completed
 - Building permit application submitted “at risk” if appealed or denied
 - Time savings – 60-90 days
- Establish as a Community Development Policy, per Council direction
- City Council review after 12 months

RECOMMENDATION

- Introduce an Ordinance *(as drafted, or as modified)* 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”
- Staff will schedule a one-year review with the City Council to review implementation and determine if any updates/revisions are needed.

NEXT STEPS

- Bring back Ordinance to City Council for 2nd 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.

Thank You

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