MEETING DATE: December 17, 2019

ITEM TITLE: A presentation from the Planning Division on the State-mandated parking provisions related to Accessory Dwelling Units as requested by the Planning Commission.

RECOMMENDATION:
It is recommended that the Commission receive a presentation from the Planning Division on the State-mandated parking provisions related to Accessory Dwelling Units as requested by the Planning Commission.

FISCAL IMPLICATIONS:
None.

BACKGROUND:
On October 7, 2019, the City of San Carlos’ Planning Commission held a study session to review State-mandated regulations for Accessory Dwelling Units (ADUs). At the close of this study session, the Planning Commission directed Planning Division staff to meet with the Transportation and Circulation Commission (T&C) to present the State’s requirements specifically related to parking, as well as the parking concerns expressed by the public who attended the ADU study session. Any feedback expressed by the T&C will be shared with the Planning Commission during its subsequent meeting on ADUs, which is expected in February, 2020.

ADUs are defined as independent living quarters for one household with full facilities for sleeping, eating, cooking, and sanitation on the same lot as a primary single-family dwelling. The ADU may be attached, detached, or located within the living areas of the primary dwelling unit on the lot. ADUs are currently allowed in San Carlos’ RS-3, RS-6, and RM-20 zoning districts. Attachment 1 of this report includes the Planning Commission staff report from the October 7, 2019 study session; Attachment 2 contains the slide presentation that was given at the October 7, 2019 study session.

ANALYSIS:
As part of its response to California’s housing crises, the State passed a series of new laws with the goal to make ADU development more feasible. The first set of laws became effective in 2017; more recently the State passed another set of laws for ADUs that will become effective January 1, 2020.

The following table presents the City of San Carlos’ previous parking standards for ADUs, the standards that became applicable in 2017, and the standards that will apply come January 1, 2020.

Table 1. Evolution of Parking Standards for ADUs.
### ADU TYPE

<table>
<thead>
<tr>
<th>ADU TYPE</th>
<th>PRE-2017 REQUIREMENT</th>
<th>POST-2017 STATE MANDATED PARKING PROVISIONS</th>
<th>UPCOMING STATE PARKING PROVISIONS, EFFECTIVE JANUARY 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Construction Attached or Detached</td>
<td>1 onsite parking space</td>
<td>1 onsite parking space; can be tandem or in setback area. <strong>No parking required if:</strong></td>
<td>1 onsite ADU parking required</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• within a 1/2 mile from public transit</td>
<td>No parking replacement required for the single-family home if parking is lost during ADU construction (pending clarification from the State).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• within an architecturally and historically significant historic district.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• in an area where on-street parking permits are required, but not offered to the occupant of the ADU.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• located within one block of a car share area.</td>
<td></td>
</tr>
<tr>
<td>Convert Existing Garage</td>
<td>1 onsite parking space, AND must replace the parking that was lost due to garage conversion onsite.</td>
<td>0 parking required, AND must replace the parking that was lost due to garage conversion onsite.</td>
<td>0 parking required AND no replacement parking for single-family home required.</td>
</tr>
<tr>
<td>Conversion-detached (pool house or any other existing detached accessory structure)</td>
<td>1 onsite parking space.</td>
<td>0 parking required.</td>
<td>0 parking required.</td>
</tr>
</tbody>
</table>


During the Planning Commission study session on October 7, 2019, community members and the Planning Commission wanted to learn more about parking impacts as a result of more leniency given to ADUs. Senate Bill (SB) 1069, effective in 2017, reduced parking requirements to one space per ADU. The legislation authorizes off-street parking to be tandem or in setback area unless specific findings such as fire and life safety conditions are made. SB 1069 exempts its one space parking requirement if the ADU meets any of the following criteria:

- Is within a half mile from public transit.
- Is within an architecturally and historically significant historic district.
- Is part of an existing primary residence or an existing accessory structure.
- Is in an area where on-street parking permits are required, but not offered to the occupant of the ADU.
- Is located within one block of a car share area.

Furthermore, Assembly Bill (AB) 68, which will become effective January 1, 2020 restricts cities from requiring single-family house replacement parking when its garage is converted to an ADU. It also clarifies that a half mile from “public transit” includes any bus stop and is measured in walking distance.

Although the State laws limit local regulation of ADU parking requirements, many community members at the study session still expressed concerns around the lack of off-street parking requirements for ADUs including:
• Potentially increasing on-street parking demand in neighborhoods with already limited parking options.
• Issues with fire truck circulation and accessibility when there is too much on-street parking especially in the San Carlos Hills
• Imbalance in the residents to parking ratio

Staff recommends the T&C receive a presentation from the Planning Division on the State-mandated parking provisions related to Accessory Dwelling Units and provide any feedback for staff to share with the Planning Commission.

Respectfully submitted by:

[Signature]

Steven Machida
Public Works Director

ATTACHMENT(S):
1. Planning Commission Staff Report
2. Staff Presentation to PC
SUMMARY:

The purpose of this Study Session is to review regulations affecting Second Dwelling Units (i.e. “granny flats”, or “in-law units”). The Study Session will include policy options for the Commission to consider and give direction upon, and provide an opportunity to hear from the community. This work WILL ultimately lead to a Zoning Ordinance amendment to bring San Carlos’ regulations into compliance with State law. The primary code section that would be affected under this work is Municipal Code Chapter 18.23.210, which regulates Second Dwelling Units; however, Staff will also bring back other code sections where Second Units are referenced, including corrections, clarifications, and minor improvements to ensure compliance with recent state-mandated legislative changes related to Accessory Dwelling Units (ADUs).

After the Study Session, Planning Staff will return to the Planning Commission at a future date with proposed Zoning Ordinance amendments for recommendation to the City Council.

BACKGROUND:

The State adopted three new laws (SB 1069, AB 2299, and AB 2406) applying to ADUs and JADUs in late 2016, 2017, and 2018. On September 13, 2019 three new bills (AB 68, AB 881, and SB 13) were passed by the Assembly and the Senate and are awaiting the Governor’s signature. On August 30, 2019 the governor signed AB 670 which prohibits HOAs from restricting ADUS (for a summary of these bills see Attachment 2). Updates to the state laws are intended to expand housing opportunities by reducing zoning barriers, better streamline approval and expand capacity to accommodate the development of ADUs and Junior Accessory Dwelling Units (JADUs). These housing options help address a variety of housing needs and provide much needed lifecycle housing options (whether just graduating and starting out, to empty nester downsizing) for family members, seniors, friends, students, caretakers, the disabled, and many more members of the community.

The purpose of the Study Session is to obtain feedback from the Commission and the community so that staff can develop proposed regulations that comply with recently revised state laws while also maintaining the best qualities of San Carlos’ local neighborhoods.

Accessory Dwelling Units (ADUs), also known as granny flats or in-law units, provide independent living quarters for one household with full facilities for sleeping, eating, cooking, and sanitation on the same lot as a primary single-family dwelling. The ADU may be attached, detached, or located within the living areas of the primary dwelling unit on the lot. ADUs are
currently allowed in San Carlos’ RS-3, RS-6, and RM-20 zoning districts. ADUs count towards the Regional Housing Allocation (RHNA) numbers.

**Junior Accessory Dwelling Units (JADUs)** are very small living units, up to 500 square feet, a bedroom within an existing single-family home. A JADU must include an efficient kitchen and exterior door to an existing, legal bedroom. It may include a bathroom or may share a bathroom with the main house. JADUs are allowed in every zoning district that allows a single-family dwelling. Currently, the City of San Carlos has a Second Dwelling Unit (ADU) Ordinance but no JADU ordinance. Adoption of a JADU ordinance is optional; however, if done, it must comply with applicable state laws. Similar to ADUs, JADUs also count towards RHNA numbers.

**ANALYSIS:**

Following an extensive evaluation of the current code compared to the state regulations and policies from neighboring cities, Staff identified several sections of the Code that must be changed to comply with state law, as well as a number of policy topics to be considered as part of the overall ordinance update. The overall strategy of the ADU ordinance update includes two principles. The first is to facilitate the construction of more ADUs while also conforming to the state laws. The second is to maintain the overall neighborhood character through good design practices while also remaining consistent with the recent single-family home size and massing requirements.

**Policy Topics for Discussion:**

1. Maximum Size for Attached ADUs
2. Maximum Size for Detached ADUs
3. ADUs Above Detached Garages and Design Guidelines
4. Rental Terms for ADUs
5. Incentives to Designate ADUs for Affordable Housing
6. Increase the allowable rear yard footprint for ADUs

An analysis of each of these topics and recommendations, including policies from neighboring cities, is included as Attachment 1. This document will be utilized during the Study Session to guide discussions with the Commission and members of the public. The recommended changes would comply with state laws.

**PUBLIC OUTREACH:**
A postcard advertising this study session was mailed to all residences in San Carlos in mid September 2019. In addition, notice was also posted using San Carlos’ social media accounts such as Facebook, Twitter, and Next Door. A notice was also included in the October-December 2019 edition of San Carlos’ City of Good Living Newsletter, which is mailed to every resident and a notice was published in the newspaper on September 26, 2019.

NEXT STEPS:

Upon receiving direction from the Planning Commission, Staff will revise, reorganize and develop a proposed Accessory Dwelling Unit Ordinance, including provisions for Junior Accessory Dwelling Units and bring these back to the Planning Commission for review and comment. Once the Planning Commission recommends that the City Council should approve the ordinance amendment, staff will bring the amendment to the City Council for consideration at a public hearing.