

ORDINANCE NO. ____

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY
AMENDING ARTICLE 2, ARTICLE 5, ARTICLE 30, ARTICLE 36, ARTICLE 37,
AND ARTICLE 45 OF THE REDWOOD CITY ZONING ORDINANCE AND
AMENDING CHAPTER 38 OF THE REDWOOD CITY MUNICIPAL CODE**

WHEREAS, Amending Articles 2, 5, 30, 36, 37, and 45 of the Redwood City Zoning Ordinance and Chapter 38 of the Redwood City Municipal Code (the “Ordinance Amendments”) change Accessory Dwelling Units (ADU) regulations to encourage development of ADUs in specific single-family and multifamily districts; and

WHEREAS, on July 1, 2014 and September 2, 2014, the Planning Commission held study sessions to consider amendments to the regulations and provide direction; and

WHEREAS, on October 6, 2015, the Planning Commission held a duly noticed public hearing and recommended the proposed Ordinance Amendments; and

WHEREAS, on October 26, 2015, the City Council held a public hearing to consider the proposed Ordinance Amendments; and

WHEREAS, a notice of public hearing on the proposed Ordinance Amendments was mailed to interested parties and published in the Daily News 10 days prior to the public hearing; and

WHEREAS, at the duly noticed October 26, 2015, public hearing, the City Council considered the whole of the record and public comments received.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDWOOD CITY DOES
ORDAIN AS FOLLOWS:**

Section 1. The recitals set forth above are true and correct, and are hereby incorporated herein by this reference as if fully set forth in their entirety.

Section 2. The City Council hereby finds that the proposed Ordinance Amendments are in the public interest and consistent with the Redwood City General Plan.

Section 3. These proposed Ordinance Amendments have been reviewed with respect to applicability of the California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.). Adoption of an ordinance regarding second units in a single-family or multifamily residential zone to implement the provisions of Government Code is an action that is statutorily exempt from the provisions of CEQA, as described in the CEQA Guidelines, Section 15282(h).

Section 4. The City Council of the City of Redwood City adopts the following Ordinance Amendments:

- a. Amend Article 2, Section 2.2 of the Redwood City Zoning Ordinance by adding the text shown in double underline (example) and deleting the text shown in ~~strikeout (example)~~, as provided in Exhibit A. Wording in brackets ([example]) is information only and is not to be included in the published ordinance;
- b. Amend Article 5 of the Redwood City Zoning Ordinance by adding the text shown in double underline (example) and deleting the text shown in ~~strikeout (example)~~, as provided in Exhibit B. Wording in brackets ([example]) is information only and is not to be included in the published ordinance;
- c. Amend Article 30, Section 30.5 of the Redwood City Zoning Ordinance by adding the text shown in double underline (example) and deleting the text shown in ~~strikeout (example)~~, as provided in Exhibit C. Wording in brackets ([example]) is information only and is not to be included in the published ordinance;
- d. Amend Article 36, Section 36.5 of the Redwood City Zoning Ordinance by adding the text shown in double underline (example) and deleting the text shown in ~~strikeout (example)~~, as provided in Exhibit D. Wording in brackets ([example]) is information only and is not to be included in the published ordinance;
- e. Amend Article 37 of the Redwood City Zoning Ordinance by repealing it in its entirety and replacing it with the language provided in Exhibit E. Wording in brackets ([example]) is informational only and is not to be included in the published ordinance;
- f. Amend Article 45, Section 45.2 of the Redwood City Zoning Ordinance by adding the text shown in double underline (example) and deleting the text shown in ~~strikeout (example)~~, as provided in Exhibit F. Wording in brackets ([example]) is information only and is not to be included in the published ordinance; and
- g. Amend Chapter 38, Article 6 of the Redwood City Municipal Code by adding the text shown in double underline (example) and deleting the text shown in ~~strikeout (example)~~, as provided in Exhibit A. Wording in brackets ([example]) is information only and is not to be included in the published ordinance.

Section 5. This Ordinance shall go into effect 30 days following its adoption.

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EXHIBIT A

Revisions to Article 2: Definitions

Article 2 - Definitions

Sections:

2.1 Use of Definitions.

2.2 Definitions.

[All sections not listed below remain unchanged.]

2.2 Definitions.

Accessory Building. See Section 36.5 (Accessory Buildings).

~~Accessory Dwelling Unit. See Article 37 (Accessory Dwelling Units). An accessory dwelling is an attached or detached residential unit (secondary dwelling unit) on the same lot as a primary dwelling unit which provides complete living, sleeping, eating, cooking, and sanitation facilities separate and independent of the main residence provided that the accessory dwelling unit complies with the requirements in Section 37.3.~~

Building, Accessory. See Accessory Building.

Dwelling, Accessory. See Accessory Dwelling Unit.

In-Law Unit. See Accessory Dwelling Unit.

Second Unit. See Accessory Dwelling Unit.

Structure, Accessory. See Accessory Building.

EXHIBIT B
Revisions to Article 5: RH (Residential – Hillside) and R-1
(Residential-Single Family) Districts

Article 5 - RH (Residential - Hillside) and R-1 (Residential-Single Family) Districts

Sections:

5.1 Purpose.

5.2 Uses Allowed by District.

5.3 Lot Area.

5.4 Lot Width.

5.5 Lot Coverage.

5.6 Building Height.

5.7 Setback Requirements.

5.8 Additional Regulations for Sloping Lots.

5.9 Pervious Area and Stormwater Requirements.

[All sections not listed below remain unchanged.]

5.5 Lot Coverage.

Total lot coverage is limited to 40 percent of the lot area. Not more than 40 50 percent of the required rear yard shall be covered by any combination of accessory buildings or an accessory dwelling unit subject to Section 36.5 (Accessory Buildings) and Article 37 (Accessory Dwellings).

5.6 Building Height.

Maximum building height is 28 feet and structures shall not exceed 2.5 stories. See Section ~~32.10~~ 36.5 (Accessory Buildings) and Article 37 (Accessory Dwelling Units) for accessory building and accessory dwelling unit height regulations, respectively. See Article 2 (Definitions) for information on how “story” and “height of building” are measured.

5.7 Setback Requirements.

- B. **Applicability.** Setbacks in this section apply to main buildings. See Article 36 for further information on setbacks for fences, accessory ~~structures~~ buildings, or other types of improvements. See Article 37 for setback information regarding accessory dwelling units.

EXHIBIT C
Revisions to Article 30: Off-Street Parking and Loading

ARTICLE 30 Off-Street Parking and Loading

Sections:

30.1 Purpose.

30.2 Required Number of Parking Spaces—Downtown Parking Zone.

30.3 In-Lieu Parking Fee.

30.4 Required Number of Parking Spaces—Mixed-Use Zoning Districts.

30.5 Required Number of Parking Spaces—Outside of the Downtown Parking Zone and Mixed-Use Zoning Districts.

30.6 Size and Spaces.

30.7 Parking Area Standards, Spaces and Aisles.

30.8 Required Loading Facilities.

30.9 Access Drives.

30.10 Access to Public Right-of-Way.

30.11 Improvement of Rights-of-Way.

30.12 Joint Use of Parking Space.

30.13 Character of Obligation.

30.14 Approval of Parking or Loading Plans.

30.15 Fractional Measurements.

30.16 Location of Required Parking and Loading Facilities.

30.17 Exceptions for Parking Assessment District.

30.18 Improvements for Parking and Loading Facilities.

[All sections not listed below remain unchanged.]

30.5 Required Number of Parking Spaces—Outside of the Downtown Parking Zone and Mixed-Use Zoning Districts.

A. Residential Uses.

1. Dwellings, single-family containing four (4) bedrooms or less: two (2) covered spaces; not located within any required front or side yard.
2. Dwellings, single-family, containing more than four (4) bedrooms: two (2) covered spaces, plus five-tenths (0.5) covered space for every bedroom beyond (fractional spaces shall be rounded up to a full space).
3. Accessory dwelling units: one (1) covered or uncovered space; ~~not located within any required front or side yard.~~ If uncovered, the space may be located on a driveway within a required front, side or rear yard setback area. Tandem parking to meet the accessory dwelling unit parking requirement is permitted.
4. Dwellings, duplex: two (2) spaces per unit not located within any required front or side yard.
5. Dwellings, multiple family: includes townhouses, condominiums, and rental apartments: two (2) spaces per unit, one (1) covered for each unit, plus one (1) space for every four (4) units for guest or visitor parking; not located within any required front or side yard. For all multiple dwelling developments containing four (4) or more dwelling units on a single site, all required off-street guest or visitor parking spaces shall be clearly marked as “reserved for guests” or “reserved for visitor” parking, or similarly so marked, designated, and maintained at all times.

The following exceptions to the requirements may be allowed:

1. For any multiple dwelling development, any portion of which is located within five hundred (500) feet of the right-of-way of El Camino Real or Woodside Road (between Alameda de las Pulgas and Highway 101): two (2) spaces per unit for two (2) bedroom or larger units; and one and one-half (1.5) spaces per unit for studio or one (1) bedroom units; including one (1) covered space for each unit; plus one (1) space for every four (4) units for guest or visitor parking.
2. The Zoning Administrator may reduce or eliminate the required number of guest or visitor spaces (a) if adequate street parking is available, and/or (b) if only one (1) parking space is reserved per unit for residents, and/or (c) if the site is in close proximity to retail shopping facilities.
6. Rooming or boarding houses: one (1) covered space for each bedroom, but not less than three (3) spaces; not located within any required front or side yard.

A minimum of two-thirds (2/3) of the total number of parking spaces required by Section 30.5(A) above, with the exception of Section 30.5(A)(3) accessory dwelling units, for a single building site shall be covered and located within a garage or carport. One-third (1/3) or less of the total number of required parking spaces may be uncovered.

EXHIBIT D

Revisions to Article 36: Exterior Site Improvements

ARTICLE 36 Exterior Site Improvements

Sections:

36.1 Purpose.

36.2 Applicability.

36.3 Fences.

36.4 Arbors.

36.5 Accessory Buildings.

36.6 Disaster Shelters.

36.7 Outdoor Equipment, Decks and Patios.

36.8 Pools and Spas.

36.9 Sidewalks and Park Strips.

[All sections not listed below remain unchanged.]

36.5 Accessory Buildings.

The requirements of this section apply to all accessory buildings in any zoning districts.

A. Definition.

1. Accessory Building. An accessory building is any subordinate detached building located on the same lot as a main building or buildings, and serves a purpose that is customarily incidental to the main structure, such as a garage or storage buildings. Where an ~~accessory~~ building is in any way connected at any point to a main building, it ~~must~~ shall comply with the requirements for the main buildings of the underlying zoning district. Accessory buildings do not include disaster shelters or accessory dwelling units, which are regulated separately in Section 36.6 (Disaster Shelters) and Article 37 (Accessory Dwelling Units).
2. Accessory Building, Small. A small accessory building is any subordinate detached building located on the same lot as a main building or buildings that is 30 square feet or less without a foundation, and serves a purpose that is customarily incidental to the main structure, such as a shed. Where a small accessory building is in any way connected at any point to a main building, the small accessory building shall comply with the requirements for the main buildings of the underlying zoning district.

- ###### **B. Use of Accessory Buildings.**
- Accessory buildings ~~cannot~~ shall not include ~~conditioned habitable~~ space ~~(as defined as habitable by the Building Code).~~ Bathrooms in accessory buildings are limited to being a "half" bath with two water fixtures. No more than two (2) water fixtures are permitted for accessory buildings on lots with residential uses. Any building with more than two (2) water fixtures, such as ~~Any building with~~ a full bathroom, including toilet, bath/shower, and sink or used as sleeping quarters ~~must~~ shall comply with the same required setbacks and development standards for that apply to main buildings ~~in that~~ for the underlying zoning district.

- ###### **C. Location.**
- An accessory building ~~must be located behind the rear~~ shall not project beyond the front wall line of ~~the~~ the main building and shall meet the following setback requirements:

1. **Front Yard.** An accessory building shall comply with the minimum front yard setback of the underlying zoning district.

4. ~~2.~~ **Side Yard.** For both interior and exterior street side yard setbacks, the accessory building ~~must~~ shall meet the minimum side yard setbacks of the main building (refer to individual zoning district articles for further information).

2. ~~3.~~ **Rear Yard.** A minimum rear yard setback of 6 feet.

3. ~~3.~~ **Setback from Other Buildings.** The accessory building ~~must~~ shall be set back at least 6 feet from ~~any other main-buildings~~ on the same lot.

D. **Height.** The total height of an accessory building is limited to 14 feet, and the top of the wall height is limited to 9 feet.

Provisions for Small Accessory Buildings without Foundations.

1. **Height.** Accessory buildings of 30 square feet or less (“small” accessory ~~structures~~buildings) without foundations shall not exceed 7 feet in height, or the maximum height of a fence allowed in ~~the yard~~ a required setback.

2. **Location.** Small Accessory buildings without foundations ~~must~~ shall be located in the rear of the lot, behind the rear wall line of ~~the~~ a main building and may be located in ~~the~~ a required interior side or rear yard setback area.

3. **All Other Requirements.** All other requirements of this section apply.

E. **Total Amount of Accessory Buildings.** Any combination of accessory buildings or an accessory dwelling unit, ~~must~~ shall not cover more than 50 percent of the required rear yard area.

EXHIBIT E

Repeal Article 37 in its entirety and replace with the following:

ARTICLE 37 Accessory Dwelling Units

Sections:

37.1 Purpose, Scope.

37.2 Definition.

37.3 Development Standards

37.4 Application.

37.5 Neighbor Notification.

37.6 Rental Only.

37.7 Homeowner Occupancy.

37.1 Purpose, Scope.

The purpose of this section is to:

- A. Allow accessory dwelling units on single-family residential properties while respecting the character of the residential neighborhood.
- B. Increase the availability of a variety of housing types that is accessible for all income groups.
- C. Support affordable housing and multi-generational living.
- D. Encourage housing construction or alteration to meet the needs of residents with special needs including residents with disabilities.
- E. Create flexibility in the design and location of accessory dwelling units.
- F. Maintain adequate setback requirements and height limitations.

37.2 Definition

Accessory Dwelling Unit. An accessory dwelling unit, commonly known as a second unit or in-law unit, is an attached or detached dwelling unit that is located on the same lot as a single-family dwelling and provides complete living, sleeping, eating, cooking, and sanitation facilities separate and independent of the main dwelling.

37.3 Development Standards.

An accessory dwelling unit may be constructed on the same lot as an existing or proposed single-family dwelling in the RH, R-1, R-2, R-3, R-4, and R-5 zoning districts, subject to the following development standards:

- A. **Number and Location:** No more than one accessory dwelling unit may be constructed on the same lot that has an existing or proposed single-family dwelling, and may be attached to or detached from a single-family dwelling.
- B. **Lot Coverage:**
 1. **Overall Lot Coverage:** The maximum allowable lot coverage for all structures on a single-family lot, including an accessory dwelling unit and accessory buildings, shall be limited to the maximum allowable lot coverage of the underlying zoning district.
 2. **Rear Yard Coverage:** The maximum allowable coverage in a required rear yard setback area is 50 percent.
- C. **Building Height and Setbacks:**
 1. **Attached Accessory Dwelling Unit:** The height and setbacks of an attached accessory dwelling unit shall be subject to the maximum building height and minimum setback standards of the underlying zoning district.

2. **Detached Accessory Dwelling Unit:** The height and setbacks of a detached accessory dwelling unit shall be subject to the maximum building height and minimum setback standards in the underlying zoning district.
 - a. **Exception:** A detached accessory dwelling unit may encroach within a required rear yard setback provided it meets the following standards:
 1. **Minimum Rear Yard Setback:** A minimum rear yard setback of ten (10) feet shall be required.
 2. **Maximum Height:** A maximum building height of 14 feet and wall height of 9 feet shall be permitted.
 3. **Other Development Standards:** The accessory dwelling unit shall comply with the minimum front and side setback standards of the underlying zoning district.
3. **Building Height Limitation:** The building height of a detached accessory dwelling unit shall not exceed the building height of a single-family dwelling on the same lot.
4. **Distance Between Buildings:** A minimum setback of six (6) feet shall be required between an accessory dwelling unit and any single-family dwelling or accessory buildings on the lot.
5. **Square Footage and Number of Bedrooms:** The maximum allowable floor area for an accessory dwelling unit shall not exceed 640 square feet and no more than one (1) bedroom shall be permitted, with the following exceptions:
 - a. **Accessible Units:** Units meeting the California Building Code requirements for disabled access are permitted to have up to 700 square feet of floor area.
 - b. **RH and R-1 Lots Greater Than or Equal to 10,000 Square Feet:** For lot sizes greater than or equal to ten thousand (10,000) square feet in the RH and R-1 zoning districts, the maximum allowable floor area for an accessory dwelling unit is 800 square feet and no more than two (2) bedrooms shall be permitted.
6. **Definition of Floor Area:** For the purposes of this Article, floor area for an accessory dwelling unit shall not include garages, carports, and parking structures.
- D. **Parking:** One covered or uncovered space is required in addition to the existing spaces that were legally constructed for the single family dwelling. The parking space for the accessory dwelling unit may be located on a driveway within a required setback area in accordance with Article 30 (Off-Street Parking and Loading).
- E. **Pervious Area in Front Yard:** The front yard shall be subject to the minimum pervious area and stormwater requirements of the underlying zoning district.
- F. **Architectural Standards:** An accessory dwelling unit shall be architecturally compatible with the architectural style and exterior paint and materials of the single-family dwelling on the same lot.

37.4 Application.

An accessory dwelling unit that includes a second-story element shall require approval of an Architectural Permit in accordance with Article 45, prior to the issuance of a Building Permit.

37.5 Neighbor Notification.

An application for an accessory dwelling unit with a second-story element shall include notification to adjacent property owners and tenants in accordance with Article 49 (Public Notice).

37.6 Rental Only.

The accessory dwelling unit shall not be intended or offered for sale, nor sold, but may be rented.

37.7 Homeowner Occupancy:

- A. The property owner shall live on-site in either the main unit or the accessory dwelling unit.
- B. Exception: The homeowner may live off-site and rent out both the main house and the ADU if the homeowner has a medical condition that requires residency elsewhere or accepts a job offer outside of the San Francisco Bay Area.
 1. Process for Review. Applications for Exception to the Homeowner Occupancy Requirement shall be filed with the Community Development Department by owner of the property affected and shall be reviewed by the Planning Manager or his/her designee. The application shall include pertinent information as may be required by the Planning Manager or his/her designee that demonstrates conformance with the exception criteria described in Section 37.7(B).
 2. Action. The Planning Manager may take the following actions within 45-days of application submittal:
 - a. Request additional information.
 - b. Approve or deny the application.
 - c. A written decision will be provided to the applicant.

EXHIBIT F

Revisions to Article 45: Architectural Permits

Article 45 Architectural Permits

Sections:

45.1 Purpose.

45.2 Applicability.

45.3 Design Guidelines.

45.4 Application Filing.

45.5 Fee Payment.

45.6 Procedures and Decisions.

45.7 Findings.

45.8 Additional Findings for Sloping Lots.

[All sections not listed below remain unchanged.]

45.2 Applicability.

A. **When Required.** Prior to issuance of a building permit, any use that includes new construction, changes to the exterior of a building or other site modification shall obtain an Architectural Permit, except for the following:

1. One-story additions or modifications to existing accessory dwelling units, single-family homes or duplexes, or the construction of new one-story accessory dwelling units or accessory buildings, on lots:
 - a. With an average slope of less than 15 percent; or
 - b. With an average slope of 15 percent or more resulting in a total gross floor area of less than 3,000 square feet.
2. Projects otherwise requiring a Planned Development Permit or Planned Community Permit unless imposed as a requirement as a condition of approval.

B. **Portions of Building Subject to Review.** The following portions of the building are subject to review:

1. Portions of structures facing a publicly-accessible street or place; and
2. Portions of the sides and rear of a structure which are within 50 feet of a publicly-accessible street; and
3. Exterior building materials for accessory dwelling units and single and two-family dwellings.

EXHIBIT G

Revisions to Chapter 38: Water System Regulations

Chapter 38 Water System Regulations

Article 1. Water Service Areas.

Article 2. Water Service and Facilities Charges.

Article 3. Connection Fees.

Article 4. Water Fund.

Article 5. Refunds.

Article 6. Water Main Upgrade.

Article 7. Cross Connection Control.

Article 8. Recycled Water Use.

[All sections not listed below remain unchanged.]

Article 6. Water Main Upgrade.

Section 38.26. Water Main Upgrade – All Water Service Areas:

The following requirements shall apply to all water service areas defined in Section 38.1.

Upon the construction of a new building (except an accessory dwelling unit) (residential or commercial) or upon the performance of substantial commercial or substantial residential remodeling, a minimum eight inch (8") diameter water main shall be constructed from the nearest point of connection of an existing water main six inch (6") diameter or greater size through the entire street frontage if the existing water main serving the property is less than six inch (6") diameter.

In addition, regardless of the level and size of development and remodeling, a minimum eight inch (8") diameter water main shall be constructed from the nearest point of connection of an existing water main six inch (6") diameter or greater size through the entire street frontage if:

(1) the existing water main, regardless of size, does not provide adequate flows and pressures to support the additional growth for fire protection, fire suppression, and domestic use purposes as determined by the City according to the City Standards; and

(2) a fire hydrant is required and the existing water main is less than six inch (6") in diameter.