



City of Sunnyvale

Agenda Item

16-0269

Agenda Date: 2/17/2017

2017 COUNCIL STUDY ISSUE

NUMBER

CDD 17-01

TITLE Evaluation of the Special Development Permit Process as it Relates to R-1.5 and R-1.7 Planned Developments

BACKGROUND

Lead Department: Community Development
Support Department(s): N/A

Sponsor(s):

Board/Commission: Planning Commission

History:

1 year ago: N/A
2 years ago: N/A

SCOPE OF THE STUDY

What are the key elements of the study?

There are two low-medium density residential zoning districts-R-1.5 and R-1.7. These two zoning districts were created to allow small lot, small single-family home developments, with the notion that the homes would be more affordable than other single-family homes. To date there are 11 areas zoned R-1.5 and three areas zoned R-1.7. The R-1.7 district is required to be paired with the Planned Development (PD) combining district zoning (i.e. R-1.7/PD). Eight of the R-1.5 districts are combined with the PD zoning district.

The Planned Development (PD) combining district is paired with a base zoning district and provides the City more oversight of the development and use of a site through the Special Development Permit (SDP) process. If a project meets the general intent of the base zoning district, the SDP allows modifications, additions and limitations to the requirements of the base zoning to meet special conditions and situations. The code expressly states that one of the purposes of the district is "allowing a proposed use that is compatible with the neighborhood but requires deviations from development standards for a successful project."

Unlike the low density zoning districts (R-1 and R-0), which have no maximum floor area ratio (FAR), both the R-1.5 and R-1.7 zoning districts have a maximum FAR of 50%. The zoning code establishes that all single-family and duplex sites which exceed the 45% Floor Area Ratio (FAR) threshold require Design Review by the Planning Commission. For each of the R-1.5 and R-1.7 developments that have the PD combining district some of the units in these developments may have been approved with modified setback standards, FARs or other zoning requirements.

Recently, single-family homeowners in older R-1.5 and R-1.7 developments (built 1993-1994) have applied to exceed the 50% FAR maximum. The Planning Commission reviewed these applications as the projects exceeded the 45% FAR threshold requiring Planning Commission design review. For sites without a zoning requirement for a SDP, a variance is required to deviate from a zoning standard. The findings for a variance are more stringent than the findings for a SDP. The Planning Commission has raised the question of whether the original SDP approvals should establish the maximum FAR for the properties such that applications to allow additions in excess of 50% should not be approved or if a different process is required to consider these requests.

This study could include an evaluation of the SDP process for additions in PD areas as it relates to small lot single-family residential projects:

- Review of existing small lot single-family residential projects (lot sizes, home sizes and FARs, requests for modifications, etc.);
- Review of prior additions/modifications that resulted in more floor area with a review of impacts of additions on the surrounding neighborhood (adjacent homes, trash collection, parking, privacy, etc.);
- Survey of residents to determine interest in allowing/not allowing further additions in their development
- Review the 50% FAR maximum to determine if it is too restrictive.
- Evaluate the factors that prompt owners to desire additions (e.g. changes in family situation, personal health or other reasons).
- Consider design guidelines for additions that are considered appropriate on small-lot single-family homes within PD areas;
- Understand the fire and building safety requirements that pertain to bedroom egress and ingress; and
- Evaluating the approval process and whether some additions may be considered administratively.

What precipitated this study?

The study was suggested after the Planning Commission reviewed several applications for single-family home additions in R-1.5/PD and R-1.7/PD zoning districts that resulted in a FAR over 50%.

Major home remodeling and reinvestment frequently starts when residential structures are about 20 years old. Approximately 224 of the 291 homes in the R-1.5 and R-1.7 developments were constructed over 20 years ago and the City is receiving requests for additions or modifications to these homes. The PD combining district zoning designation and the fact that many of the houses already exceed 45% floor area ratio, require approval of a Special Development Permit by the Planning Commission for projects involving additions to dwellings, even if a project only proposes a small addition. Planned Developments with higher densities, such as townhouse units, are less likely to request additions to homes due to the nature of ownership (often condominium where only air rights are owned and structures are owned in common) or lack of available land (for townhomes built on individually owned land and structures).

Planned Completion Year: 2017

FISCAL IMPACT

Cost to Conduct Study

Level of staff effort required: Moderate

Amount of funding above current budget required: \$15,000

Funding Source: Will seek budget supplement

Explanation of Cost: Funds would be used to hire a consultant to create Design Guidelines.

Cost to Implement Study Results

Some cost to implement

Explanation of Cost: Depending on what new regulations are adopted there would be a range of costs for training of staff and for processing applications under potentially modified regulations. These costs would be offset with development applications fees.

EXPECTED PARTICIPATION IN THE PROCESS

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Planning Commission

STAFF RECOMMENDATION

Position: No Recommendation

Explanation: The demand for additions to homes in the R-1.5 and R-1.7 zoning districts is relatively low. There is no guarantee that an SDP will be approved; often applications are not filed where staff has indicated difficulty in supporting the request. There are many ways that residential Planned Development projects could deviate from the Municipal Code; therefore it may be difficult to fully evaluate the topic when developments are unique. Staff advances a No Recommendation on this study issue, but understands the desire for more direction on small lot single-family SDP applications to deviate from the zoning standards.

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