

EXHIBIT A

Amendments to the South San Francisco Municipal Code Pertaining to Accessory Dwelling Units

- A. **Revise Section 20.630.002, “Definitions” of Chapter 20.630, “Terms and Definitions” to add the following terms and definitions:**

Section 20.630.002 Definitions

Accessory Dwelling Unit. See Dwelling Unit, Accessory.

...

Dwelling Unit, Accessory. An attached, detached, or converted residential unit that provides complete independent living facilities for one or more persons and is located on a lot with an existing or proposed single or multi-unit dwelling. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same lot as the single or multi-unit dwelling is or will be situated. See also Section 20.350.035 (“Accessory Dwelling Units”).

...

Junior Accessory Dwelling Unit. A residential unit that is no more than 500 square feet in size and contained entirely within a single-unit dwelling. See also Section 20.350.035 (“Accessory Dwelling Units”).

...

Setback (Yard). The area between a property line and a building or structure which must be kept clear or open. See also Section 20.040.004 (“Measuring Distances”), and Section 20.040.012 (“Measuring Setbacks (Yards)”).

- B. **Revise Section 20.630.001, “List of Terms”, of Chapter 20.630, “Terms and Definitions” to add the following terms:**

Section 20.630.001 List of Terms

...

Accessory Dwelling Unit

Junior Accessory Dwelling Unit

...

- C. **Revise Section 20.620.002, “Residential Use Classifications” of Chapter 20.620, “Use Classifications” to read as follows:**

Section 20.620.002 Residential Use Classifications

Accessory Dwelling Unit. A dwelling unit providing complete independent living facilities for one or more persons that is located on a lot with ~~another~~ a primary, single or multi-unit

dwelling. An accessory dwelling unit may be within the same structure as the primary unit, in an attached structure, or in a separate structure on the same lot.

Accessory Dwelling Unit, Junior. An accessory dwelling unit that is no more than 500 square feet in size and contained entirely within an existing single-family structure. ~~The junior accessory dwelling unit must incorporate an existing bedroom and must be within the existing footprint of a structure and may only include an efficiency kitchen.~~ A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

Single-Unit Dwelling. A dwelling unit designed for occupancy by one household, where all rooms are internally connected and internally accessible via habitable space, and located on a separate lot from any other unit (except ~~second-living~~ accessory dwelling units, where permitted). This classification includes individual manufactured housing units installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code, and the use of a single-family residential structure as employee housing for six or fewer employees consistent with Section 17021.5 of the California Health and Safety Code.

...

Multiple-Unit Residential. This use classification refers to two or more dwelling units on a single lot. Multiple-unit development residential types include duplexes and multi-units, such as townhouses, single-unit groups, garden apartments, senior citizen residential developments, multi-story apartment buildings, and transitional residential development.

Duplex. A single building on a separate lot that contains two dwelling units or two single-unit dwellings on a single lot. This use is distinguished from an Accessory-Second Dwelling Unit, which is ~~an Accessory residential unit~~ considered a secondary residential unit, or incidental to a primary dwelling unit as defined by State law and this chapter.

Multi-Unit. Three or more dwelling units on a single site or lot. Types of ~~multiple family~~ multi-unit dwellings include townhouses, garden apartments, senior housing developments, micro-units, and multi-story apartment buildings.

- D. **Revise the Land Use Regulations Tables applicable to the Commercial, Office, and Mixed-Use Districts; Downtown Districts; Transit Village Sub-Districts; El Camino Real/Chestnut Sub-Districts; and Downtown Station Area Specific Plan Sub-Districts to read as follows:**

Table 20.090.002

Land Use Regulations—Commercial, Office, and Mixed-Use Districts

Use Classification	CC	BPO	CMX	ECRMX	Additional Regulations
Residential Use Types					
Single-Unit Dwelling	See sub-classifications below				

Use Classification	CC	BPO	CMX	ECRMX	Additional Regulations
Residential Use Types					
<i>Single Unit Detached</i>	(1)	(1)	-	(1)	
<i>Accessory Dwelling Unit</i>	(1)	(1)	P	(1) <u>P</u>	See Accessory Dwelling Units in Chapter 20.350
<i>Single Unit Semi-Attached</i>	(1)	(1)	(1)	(1)	
<i>Single-Unit Attached</i>	(1)	(1)	C	P(2)	
Multi-Unit Residential	<i>See sub-classifications below</i>				
<i>Duplex</i>	(1)	-	C	(1)	
<i>Multi-unit</i>	(1)	-	P(3)	P(2)	
<i>Senior Citizen Residential</i>	(1)	-	P(3)	P(2)	

Table 20.100.002
Land Use Regulations—Downtown Districts

Use Classification	DMX	DRL	DRM	DRH	Additional Regulations
Residential Uses					
Single-Unit Dwelling	<i>See sub-classifications below</i>				
<i>Single Unit Detached</i>	(1)	P	P	C	
<i>Accessory Dwelling Unit</i>	(1) <u>P</u>	P	P	P	See Accessory Dwelling Units in Chapter 20.350
<i>Single Unit Semi-Attached</i>	(1)	P	P	P	
<i>Single-Unit Attached</i>	MUP(2)	P	P	P	
Multiple-Unit Residential	<i>See sub-classifications below</i>				
<i>Duplex</i>	MUP(2)	P	P	P	
<i>Multi-Unit</i>	P/MUP(4)	P	P	P	
<i>Senior Citizen Residential</i>	P/MUP(4)	P	P	P	

Table 20.250.003
Land Use Regulations for Transit Village Sub-Districts

Uses Permitted	TV-C	TC-R	TV-RM	TV-RH	Additional Regulations
Residential Use Classifications					
Single-Unit Dwelling	<i>See sub-classifications below</i>				
<i>Single-Unit Attached</i>	-	-	P	P	
<u><i>Accessory Dwelling Unit</i></u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Accessory Dwelling Units in Chapter 20.350</u>
Multi-Unit Residential	P(1)	P(1)	P	P	

Uses Permitted	TV-C	TC-R	TV-RM	TV-RH	Additional Regulations
Residential Use Classifications					
Elderly and Long-term Care	-	-	C	C	See Group Residential Facilities in Chapter 20.350

Table 20.270.003
Land Use Regulations for El Camino Real/Chestnut Sub-Districts

Uses Permitted	ECR/C-MXH	ECR/C-MXM	ECR/C-RH	Additional Regulations
Residential Use Classifications				
Single-Unit Dwelling	<i>See sub-classification below</i>			
<i>Single-Unit Attached</i>	P(1)	P	P	
<u>Accessory Dwelling Unit</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Accessory Dwelling Units in Chapter 20.350</u>
Multi-Unit Residential	<i>See sub-classifications below</i>			
<i>Multi-Unit</i>	C(1)	C	C	
<i>Senior Citizen Residential</i>	C(1)	C	C	
Elderly and Long-Term Care	C(1)	C	C	See Group Residential Facilities in Chapter 20.350

Table 20.280.003
Land Use Regulations Downtown Station Area Specific Plan Sub-Districts

Uses Permitted	DTC	GAC	DRC	TO/RD	LCC	LNC	Additional Regulations
Residential Use Classifications							
Single-Unit Dwelling	<i>See sub-classifications below</i>						
<i>Single Unit Detached</i>	(1)	(1)	(1)	-	(1)	(1)	
<i>Accessory Dwelling Unit</i>	(1) <u>P</u>	(1) <u>P</u>	(1) <u>P</u>	-	(1) <u>P</u>	(1) <u>P</u>	See Accessory Dwelling Units in Chapter 20.350
<i>Single Unit Semi-Attached</i>	(1)	(1)	(1)	-	(1)	(1)	
<i>Single-Unit Attached</i>	(1)	(1)	(1)	-	(1)	(1)	
Multiple-Unit Residential	<i>See sub-classifications below</i>						
<i>Duplex</i>	(1)	-	(1)	-	(1)	(1)	
<i>Multi-Unit</i>	C	C (3)	C (3)	-	C (3)	C (3)	
<i>Senior Citizen Residential</i>	C	-	C	-	C (3)	C (3)	

E. Revise the Parking Requirement Tables for Required On-Site Parking Spaces and Required Parking Spaces for Downtown Districts to read as follows:

**Table 20.330.004
Required On-Site Parking Spaces**

Land Use Classification	Required Parking Spaces	
Residential Use Classifications		
Single-Unit, Detached or Attached		
<i>Less than 2,500 square feet and 4 or fewer bedrooms</i>	2 spaces per dwelling unit	<u>General Requirements for all Single-Unit Residential Parking:</u> At least one space must be within a garage. A carport shall not be substituted for a required garage except for existing dwellings on lots adjacent to a lane.
<i>2,500 to 2,999 square feet or 5 bedrooms</i>	3 spaces per dwelling unit	
<i>3,000 square feet or more or 6 or more bedrooms</i>	4 spaces per dwelling unit	
Accessory Dwelling Unit	1 space for each <u>accessory dwelling unit or bedroom, whichever is less</u> , except accessory dwelling units which meet the criteria set forth in Section 20.350.035(<u>G H</u>) are exempted from the parking requirement.	
Multi-Unit Residential		

**Table 20.330.007
Required Parking Spaces, Downtown Districts**

Land Use Classification	Required Parking Spaces	
Single-Unit, Detached or Attached		
<i>Less than 900 sq. ft. and less than 3 bedrooms</i>	1 space per dwelling unit, 2 spaces maximum per unit	<u>General Requirements for all Single-Unit Residential Parking**:</u> For new construction, required parking up to 2 spaces must be within a garage. For existing development, all existing garage spaces, up to a maximum of two spaces, must be maintained. A carport shall not be substituted for a required garage except for existing dwellings on lots adjacent to a lane.
<i>900 to 2,500 sq. ft. or 3 or 4 bedrooms</i>	2 spaces per dwelling unit, minimum and maximum per unit	
<i>2,501 sq. ft. or more than 4 bedrooms</i>	3 spaces per dwelling unit, minimum and maximum per unit	
Accessory Dwelling Unit	1 space for each <u>accessory dwelling unit or bedroom, whichever is less</u> , except accessory dwelling units which meet the criteria set forth in Section 20.350.035(<u>G-H</u>) are exempted from the parking requirement.	
Multi-Unit Residential		

- F. **Revise Section 20.320.004, “Alterations and Enlargements to Nonconforming Structures” of Chapter 20.320, “Nonconforming Uses, Structures and Lots” to read as follows:**

Section 20.320.004 Alterations and Enlargements to Nonconforming Structures

Nonconforming structures may be enlarged, extended, structurally altered, or repaired in compliance with all applicable laws subject to the following provisions:

...

C. Notwithstanding the requirements of subsection A above, an accessory dwelling unit in compliance with Section 20.350.035 (“Accessory Dwelling Units”) and State law may be developed on a lot that contains a single or multi-unit dwelling that is nonconforming with respect to standards. ~~If the single-unit dwelling is nonconforming because it does not meet parking standards, an accessory dwelling unit may be established when parking for the primary dwelling unit is provided to meet the applicable requirements of Chapter 20.330 (“On Site Parking and Loading”). Notwithstanding the requirements of Chapter 20.330, parking for the primary dwelling unit may be located in any configuration on the site, such as covered spaces, uncovered spaces, or tandem spaces, or mechanical parking lifts.~~

...

- G. **Revise Section 20.350.035, “Accessory Dwelling Units” of Chapter 20.350, “Standards and Requirements for Specific Uses and Activities” is amended and replaced in its entirety to read as follows:**

Section 20.350.035 Accessory Dwelling Units

A permit shall be issued as a ministerial matter without discretionary review or hearing for an accessory dwelling unit within 60 days of receiving a complete application if there is an existing single or multi-unit dwelling on the lot and if the requirements of this Chapter (“Accessory Dwelling Units”), other requirements of the Zoning Ordinance, and other applicable City codes are met. If the permit application to create an accessory dwelling unit is submitted with a permit application to create a new single or multi-unit dwelling on the lot, the application for the accessory dwelling unit shall not be acted upon until the application for the new single or multi-unit dwelling is approved.

- A. **Location.** Accessory dwelling units may be established on any lot in any district where single and/or multi-unit dwellings are permitted or conditionally permitted, and a single or multi-unit dwelling has been previously established or is proposed to be established in conjunction with construction of an accessory dwelling unit.
- B. **Type of Unit.** An accessory dwelling unit shall provide separate, independent living quarters for one or more persons. An accessory dwelling unit may be one of the following:
1. **Attached:** Added to the primary dwelling unit, typically to the side or rear.

2. ***Detached:*** A freestanding structure.
3. ***Converted:*** Located within the walls of an existing or proposed dwelling unit or existing accessory structure, or non-livable area within an existing multi-unit dwelling structure.

C. Number of Units Allowed.

1. ***Single-Unit Lot:*** On a lot with an existing or proposed single-unit dwelling, one of the following shall be permitted:
 - a. One accessory dwelling unit or junior accessory dwelling unit within the existing or proposed space of the primary dwelling unit or an accessory structure;
 - b. One detached, new construction accessory dwelling unit plus one junior accessory dwelling unit within an existing or proposed single-unit dwelling;
 - c. One detached accessory dwelling unit or one attached accessory dwelling unit.
2. ***Multi-Unit Lot.*** Up to two detached accessory dwelling units are permitted on a lot with an existing or proposed multi-unit dwelling. Within an existing multi-unit dwelling structure, the number of accessory dwelling units permitted shall be up to 25 percent of the existing number of units or one unit, whichever is greater, and shall only be permitted within the portions of the structure that are not used as livable space provided that the unit complies with the California Building Standards Code as set forth in Title 15 of this Code.

D. Development Standards. Except as provided below, accessory dwelling units shall conform to the height, landscaping, lot coverage, setbacks and other zoning requirements of the zoning district in which the site is located, the development standards in this chapter, other requirements of the zoning ordinance, and other applicable City building, electrical, fire, utility and structural safety codes.

1. Where an existing space within a dwelling unit or accessory structure is converted to an accessory dwelling unit, or where a new accessory dwelling unit is constructed in the same location and built to the same dimensions as an existing structure, no setback shall be required, but the structure shall conform to height, lot coverage and other zoning requirements of the zoning district in which the site is located, the development standards in this chapter, other requirements of the zoning ordinance, and other applicable City codes.
2. The minimum street side, interior side, and rear yard setbacks for a detached or attached accessory dwelling unit shall be 4 feet, except as provided in (1) above.
3. A detached or attached accessory dwelling unit shall be located at least 6 feet to the rear of the primary dwelling unit and any other existing or proposed structures on the lot, as applicable.

4. The maximum height for a detached accessory dwelling unit shall be 16 feet. The maximum height for an attached dwelling unit shall conform to the height requirements of the zoning district where the site is located.
5. Each accessory dwelling unit shall have a separate entry or exterior door access from the primary unit. Where possible, the exterior entry for an attached accessory dwelling unit or an accessory dwelling unit located within an existing single-unit dwelling shall not be located adjacent to the primary front door of the primary dwelling unit.
6. Development standards for lot coverage, floor area ratio, open space and/or setbacks of the zoning district in which the site is located that does not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height with 4-foot side and rear yard setbacks shall be waived.

E. Maximum Floor Area.

1. Attached Accessory Dwelling Unit. The total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the floor area of the primary unit or 800 square feet, whichever is greater, with a maximum allowable floor area of 1,000 square feet.
2. Detached Accessory Dwelling Unit. The total floor area of a detached accessory dwelling unit shall not exceed 1,000 square feet.
3. Converted Accessory Dwelling Unit. When an accessory dwelling unit is created within an existing accessory structure, an expansion beyond the existing physical structure is limited to 150 square feet and shall be solely to accommodate ingress and egress.

F. Architectural Compatibility. An accessory dwelling unit shall be designed and constructed so as to blend with and complement the existing or proposed single or multi-unit dwelling in terms of height, roofing, siding materials and color.

G. Parking. One independently usable on-site parking space shall be provided for each accessory dwelling unit or bedroom, whichever is less, unless the accessory dwelling unit meets any of the following criteria, in which case no parking spaces shall be required:

1. Within a half-mile walking distance of public transit;
2. Within an architecturally and historically significant historic district, as determined by the Chief Planner;
3. Is part of an existing or proposed primary dwelling unit or accessory structure;
4. Is in an area where on-street parking permits are required, but not offered to the occupant of the accessory dwelling unit; or

5. Within one block of a car share area.

If a space is required, it shall be provided in addition to the required parking for the primary single or multi-unit dwelling and shall comply with all development standards set forth in Chapter 20.330 (“On-Site Parking and Loading”). Required parking may be provided as tandem parking on a driveway or in setback areas unless the Chief Planner makes specific findings that tandem parking and parking in setback areas is not feasible because of specific topographical conditions and/or conditions that would pose a risk to health and safety or violate any fire or building code provisions. Replacement parking shall not be required when existing off-street parking for the primary single or multi-unit dwelling is converted to an accessory dwelling unit or demolished in conjunction with the construction of an accessory dwelling unit.

H. **Code Compliance.** An accessory dwelling unit shall comply with all applicable provisions of the South San Francisco Municipal Code relating to health, welfare, public peace and safety, in effect at the time of approval of the building permit, and as follows:

1. If the proposed accessory dwelling unit is attached or within the primary dwelling unit, the primary unit must comply with all building, electrical, plumbing, and housing code requirements in effect at the time the building permit is issued for the accessory dwelling unit.
2. Products of combustion detectors shall be required for each primary and accessory dwelling unit.
3. Delay of Enforcement of Building Standards.
 - a. Prior to January 1, 2030, the owner of an accessory dwelling unit that was built before January 1, 2020 may submit an application to the Chief Building Official requesting that correction of any violation of building standards be delayed for five years. For purposes of this section, “building standards” refers to those standards enforced by local agencies under the authority of Section 17960 of the California Health and Safety Code.
 - b. The Chief Building Official shall grant the application if the Chief Building Official determines that enforcement of the building standard is not necessary to protect health and safety. In making this determination, the Chief Building Official shall consult with the Fire Marshal.
 - c. No applications pursuant to this section shall be approved on or after January 1, 2030. However, any delay that was approved before January 1, 2030, shall be valid for the full term of the delay that was approved at the time of the approval of the application.
 - d. Until January 1, 2030, any notice to correct a violation of building standard that is issued to the owner of an accessory dwelling unit built before January 1, 2020 shall include a statement that the owner has a right to request a delay in

enforcement of the building standard for an accessory dwelling unit pursuant to this section.

- e. This section shall remain in effect until January 1, 2035 and as of that date is repealed.
- I. **Use Limitation.** An accessory dwelling unit may be rented separate from a primary single or multi-unit dwelling but may not be sold or otherwise conveyed separate from the primary unit.
- J. **Deed Restrictions.** Prior to obtaining a building permit for an accessory dwelling unit, a deed restriction, approved as to form and content by the City Attorney, shall be recorded with the County Recorder's office, which shall include the pertinent restrictions and limitations of an accessory dwelling unit identified in this chapter. Said deed restriction shall run with the land, and shall be binding upon any future owners, heirs, or assigns. A copy of the recorded deed restriction shall be filed with the Department stating that:
 - 1. The accessory dwelling unit cannot be sold separately.
 - 2. The accessory dwelling unit is restricted to the maximum size allowed per the development standards.
 - 3. The restrictions shall be binding upon any successor in ownership of the property, the City may enforce these provisions at the cost of the owner, and enforcement may include legal action against the property owner including revocation of any right to maintain an accessory dwelling unit on the property.
- K. **Junior Accessory Dwelling Units.** A junior accessory dwelling unit is a unit that is no more than 500 square feet in size and contained entirely within an existing or proposed single-unit dwelling within the existing footprint. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.
 - 1. **Development Standards.** Junior accessory dwelling units shall comply with the following standards:
 - a. *Number of Units Allowed.* Only one junior accessory dwelling unit may be located on any lot in any district where single-unit dwellings are permitted or conditionally permitted. A junior accessory dwelling unit may only be combined with a newly constructed detached accessory dwelling unit that conforms to the development standards in this chapter.
 - b. *Location.* A junior accessory dwelling unit may only be located on a lot where a single-unit dwelling has been previously constructed or is proposed to be constructed in conjunction with construction of a junior accessory dwelling unit. A junior accessory dwelling unit must be created within the walls of an existing or proposed single-unit dwelling.

- c. *Separate Entry Required.* A separate exterior entry shall be provided to serve a junior accessory dwelling unit. Where possible, the exterior entry for a junior accessory dwelling unit shall not be located adjacent to the primary front door of the primary dwelling unit.
 - d. *Interior Entry Required.* If a junior accessory dwelling unit is constructed without a separate sanitation facility, the unit shall have interior doorway access to the primary dwelling unit.
 - e. *Kitchen Requirements.* The junior accessory dwelling unit shall include an efficiency kitchen, requiring and limited to the following components:
 - i. A sink;
 - ii. A cooking facility with appliances; and
 - iii. A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the unit.
 - f. *Minimum and Maximum Floor Area.* The minimum total floor area of a junior accessory dwelling unit shall be at least the minimum area of an efficiency unit as described in Section 17958.1 of the California Health and Safety Code but shall not exceed a maximum of 500 square feet of floor area.
2. ***Parking.*** No additional parking shall be required.
3. ***Owner Occupancy.*** The owner of a parcel proposed for a junior accessory dwelling unit shall occupy as a principal residence either the primary dwelling unit or the accessory dwelling unit.
4. ***Sale Prohibited.*** A junior accessory dwelling unit shall not be sold independently of the primary dwelling on the parcel.
5. ***Deed Restriction.*** Prior to obtaining a building permit for a junior accessory dwelling unit, a deed restriction, approved by the City Attorney, shall be recorded with the County Recorder's office, which shall include the pertinent restrictions and limitations of a junior accessory dwelling unit identified in this section. Said deed restriction shall run with the land, and shall be binding upon any future owners, heirs, or assigns. A copy of the recorded deed restriction shall be filed with the Department stating that:
- a. The junior accessory dwelling unit shall not be sold separately from the primary dwelling unit;
 - b. The junior accessory dwelling unit is restricted to the maximum size allowed per the development standards;
 - c. The junior accessory dwelling unit shall be considered legal only so long as either the primary dwelling unit, or the junior accessory dwelling unit, is occupied by the owner of record of the property;

- d. The restrictions shall be binding upon any successor in ownership of the property and lack of compliance with this provision may result in legal action against the property owner, including revocation of any right to maintain a junior accessory dwelling unit on the property.

L. Utilities and Impact Fees.

1. No accessory dwelling unit shall be permitted if it is determined that there is not adequate water or sewer service to the property.
2. Only an accessory dwelling unit constructed with a new single or multi-unit dwelling shall be required to have a new or separate utility connection, including a separate sewer lateral, between the accessory dwelling unit and the utility. If a new or separate utility connection is required pursuant to this section or installed upon request of the property owner, a connection fee or capacity charge shall be charged that is proportionate to the size in square feet of the accessory dwelling unit or its drainage fixture unit (DFU) values. Separate electric and water meters shall be required for the accessory dwelling unit.
3. ***Impact Fees.*** No impact fees may be imposed on an accessory dwelling unit that is less than 750 square feet in size. For purposes of this section, “impact fees” include the fees specified in Sections 66000 and 66477 of the Government Code, but do not include utility connection fees or capacity charges. For accessory dwelling units that have a floor area of 750 square feet or more, impact fees shall be charged proportionately in relation to the square footage of the primary dwelling unit.