

6.1. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOSTER CITY RECOMMENDING THAT THE CITY COUNCIL ADOPT THE GREEN AND LIVABLE ACCESSIBLE DWELLING UNIT RESOURCE (GLADUR) PRE-REVIEWED DESIGNS FOR DETACHED ACCESSORY DWELLING UNITS (ADUs) PREPARED BY THE HOUSING ENDOWMENT AND REGIONAL TRUST OF SAN MATEO COUNTY (HEART) FOR THE IMPLEMENTATION OF HOUSING ELEMENT PROGRAM H-D-4-c, "PREAPPROVED ADU/JADU DESIGNS AND EXPEDITED REVIEW"; AND FIND THE PROGRAM WITHIN THE SCOPE OF THE ENVIRONMENTAL IMPACT REPORT (SCH Number 2022010509) PREPARED FOR THE FOSTER CITY HOUSING AND SAFETY ELEMENTS UPDATE

1. Open Public Hearing
2. Staff Report
3. Public Testimony
4. Close Public Hearing
5. Adopt Resolution No. P- -24

Project Planner: Helen Gannon, Senior Planner, 650-286-3245 or hgannon@fostercity.org

DATE: June 6, 2024

STAFF REPORT

AGENDA ITEM NO. 6.1

TO: FOSTER CITY PLANNING COMMISSION

PREPARED BY: HELEN GANNON, SENIOR PLANNER

PROJECT LOCATION: CITYWIDE

REQUESTED ACTION/PURPOSE

That the Planning Commission adopt a resolution (Attachment 1) recommending that the City Council adopt the Green and Livable Accessible Dwelling Unit Resource (GLADUR) pre-reviewed designs for detached accessory dwelling units (ADUs) prepared by the Housing Endowment and Regional Trust of San Mateo County (HEART) for the implementation of the Housing Element program H-D-4-c, "Preapproved ADU/JADU Designs and Expedited Review," ("Program") and find the Program within the scope of the Environmental Impact Report (SCH Number 2022010509) prepared for the Foster City Housing and Safety Elements Update.

NOTICING/PUBLIC OUTREACH

Notice of the June 6, 2024, Planning Commission Public Hearing was made available to the public in the following ways:

- Ad in the Foster City Islander – May 22, 2024
- Foster City Website: www.fostercity.org – May 15, 2024
- Electronic Marquee Sign in Leo Ryan Park – May 22, 2024, through June 6, 2024
- Public Posting Places – May 15, 2024

BACKGROUND

An accessory dwelling unit (ADU) is an attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. ADUs are also commonly known as in-law, granny units, or second units.

The City's Housing Element 2023-31 includes ten programs under H-D-4 to encourage and promote ADUs/Junior ADUs (JADUs), including promotion and public information, financial incentives, preapproved designs, amnesty, objective design standards, monitoring, and so on.

In addition, Assembly Bill (AB) 1332, approved in October of 2023, requires local agencies by January 1, 2025, to develop a program for the preapproval of ADU plans, whereby the local agency accepts ADU plan submissions for preapproval and approves or denies the preapproval applications. In an effort to streamline the accessory dwelling unit permitting process, the bill requires a local agency to either approve or deny an application for a detached accessory dwelling unit within 30 days that utilizes an accessory dwelling unit plan preapproved by the local agency.

Staff recommends that the city adopt the GLADUR pre-reviewed designs for detached ADUs by HEART to implement the Program and comply with state law.

ANALYSIS

On [March 20, 2024](#), the City of Foster City's 2023-2031 Housing Element Update was adopted. Housing Element Implementation Program H-D-4-c "Preapproved ADU/JADU Designs and Expedited Review," requires the city to adopt preapproved ADU/JADU designs/plans to streamline the review process, facilitate reduced applicant cost, and expedite review for ADUs/JADUs by no later than December 2024.

[AB 1332](#) also requires local jurisdictions to develop a program for the preapproval of ADU plans. AB 1332 added section 65852.27 to the Government Code to require local agencies to develop a program for the preapproval of accessory dwelling unit plans by January 1, 2025. As part of that program, a local agency must accept accessory dwelling unit plans submitted for preapproval by an applicant and can review those plans pursuant to the standards established in Government Code section 65852.2. A local agency can also proactively develop and preapprove plans as part of the program for use by anyone who wants to construct an accessory dwelling unit. When an applicant proposes to build an ADU using any of these preapproved plans, the city must either approve or deny the application for preapproval of the ADU plan within 30 days.

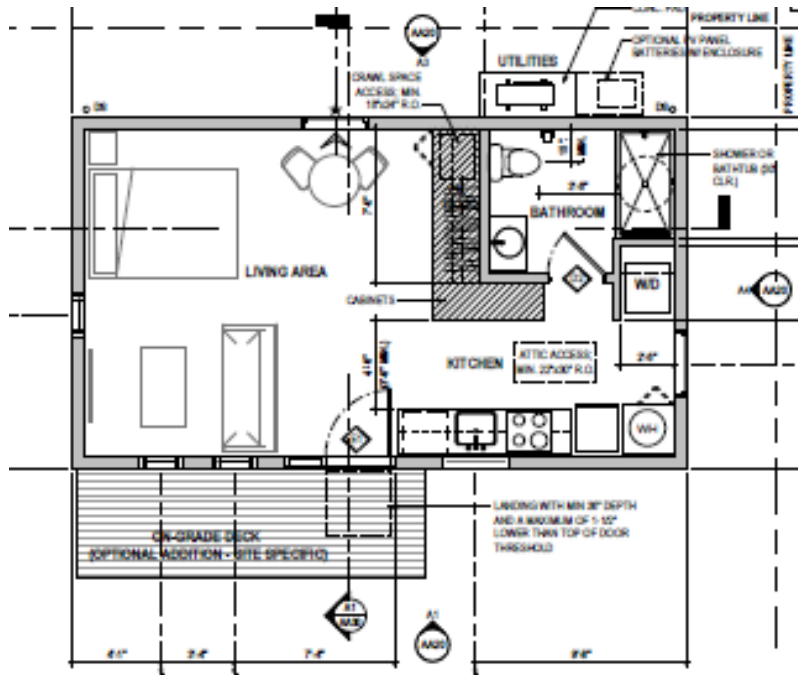
Currently, HEART is the only entity in the County of San Mateo that offers pre-reviewed designs for ADUs. While the Housing Element program H-D-4- includes JADUs, the HEART does not currently offer JADU pre-reviewed plans. To date, five (5) jurisdictions, South San Francisco, Daly City, Belmont, Redwood City, and East Palo Alto, have partnered with HEART and provided pre-review of the GLADUR ADU designs.

HEART OVERVIEW

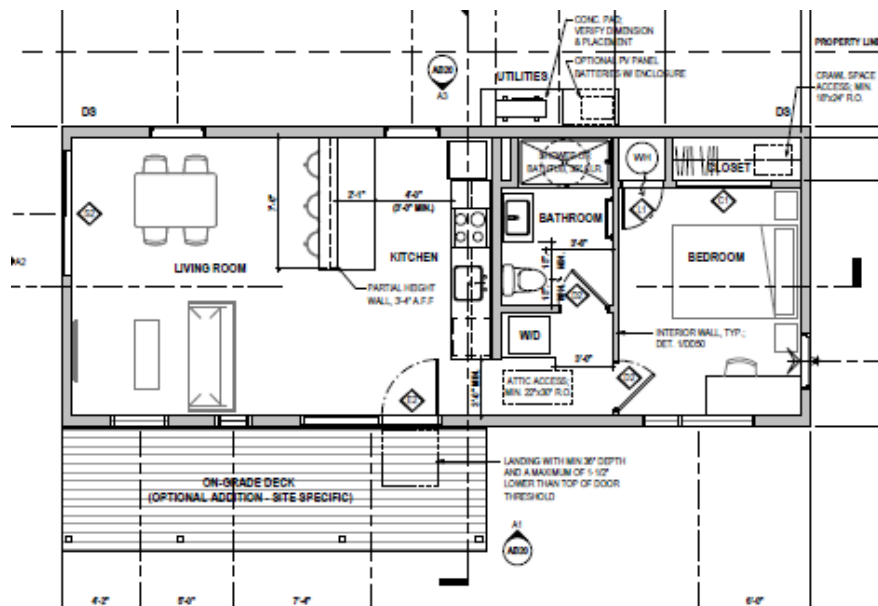
HEART is a non-profit corporation founded in 2003 to create and preserve affordable housing for low- and moderate-income families throughout San Mateo County by providing access to first-time homebuyer loans, developer loans, housing consulting services, and designs for accessory dwelling units. HEART is funded through a JPA with cities in San Mateo County, including the City of Foster City, as dues paying members. In addition, HEART actively pursues grants and donations for its programs. HEART's ADU design program, the Green and Livable Accessible Dwelling Unit Resource (GLADUR), was funded through a \$296,000 grant from the Bay Area Air Quality Management District. HEART hired an architectural firm to prepare energy-efficient, all-electric detached ADU designs that can be downloaded by the public at no cost. In addition, HEART partners with jurisdictions to provide pre-reviewed plans to expedite the building permit approval process.

GLADUR currently offers four (4) schematic detached ADU designs, including:

- **400-SF studio;**



- **575-SF 1-bedroom unit, rectangular footprint;**



- 745-SF 1-bedroom unit, square footprint; and

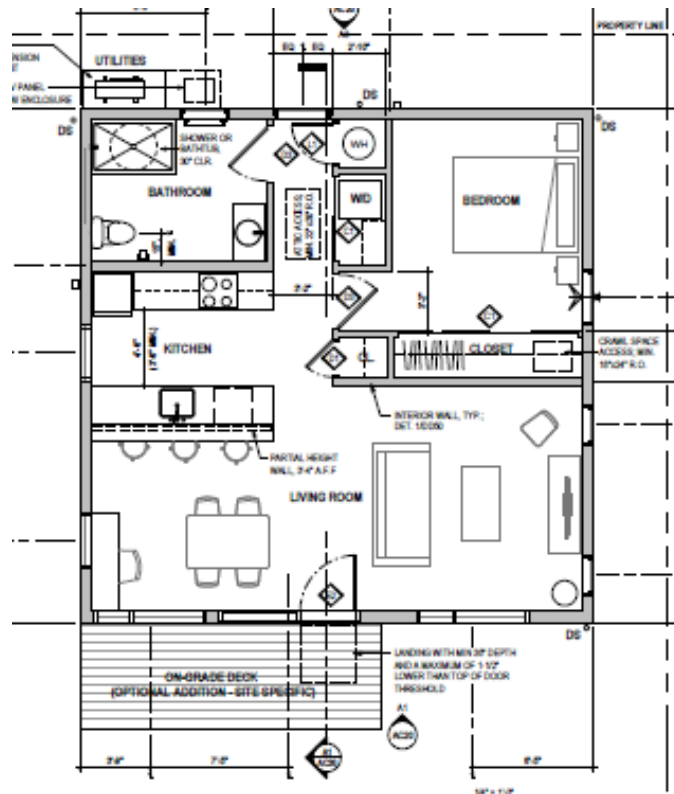


Figure 3: 1-bedroom ADU Floor Plan (HEART GLADUR Plans Sheet AC11)

- 800-SF 2-bedroom unit.

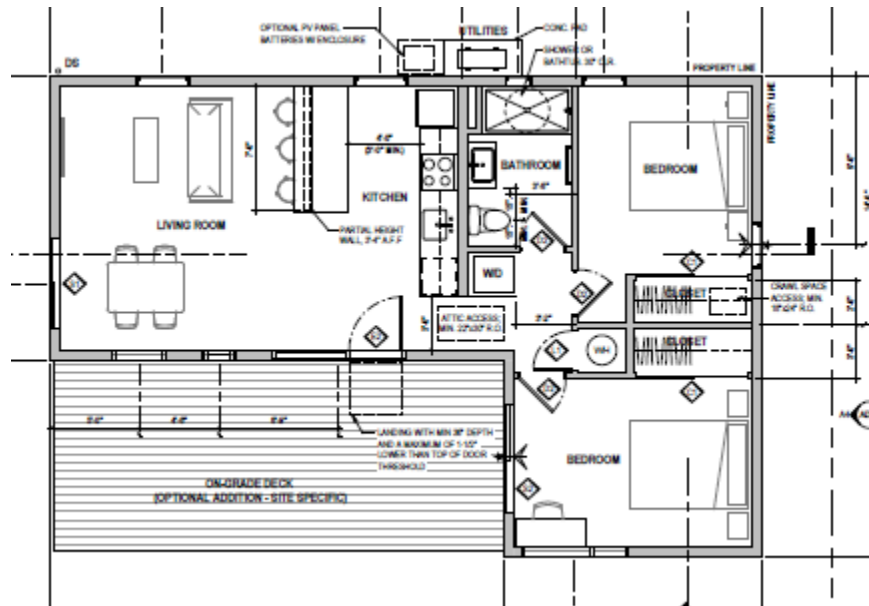


Figure 4: 2-bedroom ADU Floor Plan (HEART GLADUR Plans Sheet AD11)

The full sets of plans can be downloaded and viewed on the [HEART ADU Center webpage](#).

Property owners have the option to choose from any of the four (4) designs by simply inputting some basic, personal information and downloading the plans, which include roof plans, floor plans, building elevations, sections, lighting/electrical, mechanical/plumbing, doors and window schedule, and various structural details and choices of exterior finishes. By offering four (4) different floor plans, the GLADUR plans provide choices and diversity to accommodate a variety of household sizes and types. The two (2) smaller designs are compact and can fit on a variety of residential lot shapes and sizes within Foster City. In addition, all designs are consistent with the State of California's building codes and meet or exceed Title 24 energy code requirements. HEART intends to provide additional design options in the future based on demand and funding opportunities.

Each design also includes multiple architectural styles (post-war, craftsman, and modern) and aesthetic variations to fit the homeowner's ADU style preferences. This customization also allows the new ADU to better fit the existing aesthetic of the primary structure and neighborhood. The designs provide an assortment of green feature options that allow the homeowner to customize their ADU to reach a variety of levels of sustainability and cost-effectiveness.



Figure 5: Renderings for ADUs (HEART ADU Center – Main Page)

All listed five (5) jurisdictions that have adopted the program have pre-reviewed the designs and provided a list of additional site-specific information required for building permit submittal. These requirements, which can be found on the GLADUR pre-review webpage, assist in streamlining the ADU building permit approval process for property owners. At a minimum, and because city requirements differ by jurisdiction, all five (5) jurisdictions require property owners to prepare a site plan to ensure that the project is in an eligible zoning area, meets applicable city zoning codes and that the site is suitable for the GLADUR ADU design.

If Foster City partners with HEART, HEART will add Foster City to the list of pre-review cities and post Foster City's building permit submittal requirements on the GLADUR pre-review webpage. The GLADUR ADU designs are provided at no cost to the City, and HEART prioritizes partnering with jurisdictions in San Mateo County.

PROGRAM OVERVIEW

To develop Foster City's Program requirements, Staff met with the Building Division, Public Works and Engineering Division, Police Department, and San Mateo Consolidated Fire at the City's IDEC meetings on February 28, 2024, and May 8, 2024. During these meetings, city staff jointly reviewed the GLADUR ADU designs and worked on checklist requirements for the Program. A list of Foster City's proposed requirements is included in Attachment 2 to this staff report.

Staff also contacted the City of Redwood City staff to understand any issues with the implementation of pre-reviewed GLADUR designs.

The objective is to eliminate the time spent reviewing the submittal of these ADU plans, which is typical during the plan check process, and help streamline the process for property owners who would want to use GLADUR designs.

The process for a property owner/applicant who chooses to use the pre-reviewed GLADUR designs would consist of:

1. The first step in building an ADU is for homeowners to gather pertinent information, including property zoning, lot size, lot coverage, and/or parking, to ascertain what is allowed to be built.
2. It is essential for homeowners to get an estimate of all the costs. Homeowners can use San Mateo County's Second Unit Resources Center, which has a free [ADU Calculator](#).
3. Applicant/property owner selects the GLADUR schematic design that fits their needs.
4. Applicant/property owner works with professionals/vendors to prepare and incorporate the project and site-specific information into the construction documents as required for submittal to the Building Division.
5. Applicant/property owner submits complete building permit package, inclusive of all requested materials found in Attachment 2.
6. City reviews permit submittal, denies or approves within 30 days.
7. City issues approved building permit for construction of ADU.
8. City conducts inspections until all the work authorized by the permit and all the required inspections have been completed.
9. In accordance with Government Code section 65852.27, the City shall post preapproved accessory dwelling unit plans and the contact information of the applicant on the City's website.

ADUs and Zoning Districts

It shall be noted that ADUs/JADUs are allowed in zoning districts where residential uses are permitted (with or without a planned development combining district), including R-1 Single-Family Residence District, R-2 Two-Family Residence District, R-T Townhouse Residence District, R-3 Medium Density Multiple-Family Residence District, R-4 High Density Multiple-Family Residence District, and C-M Commercial Mix District. In addition, ADUs are also allowed in the P-F Public Facilities District. Upon approval from the City Council, these pre-reviewed plans can be used in all these zoning districts unless otherwise directed.

Annual Progress Report (APR)

California Government Code 65400 requires each jurisdiction to prepare an annual report on the status of the General Plan progress and provide information regarding the implementation of the General Plan for their city or county, including the Housing Element. The APR includes information for decision-makers to assess how the General Plan was implemented during the 12-month reporting period. Local jurisdictions must demonstrate compliance with state law by ensuring that the programs included in the Housing Element are implemented in a timely manner.

On [May 16, 2024](#), staff provided a report to the Planning Commission on Housing Element programs for implementation for the year 2024. The program H-D-4-c Preapproved ADU Designs and Expedited Review, is included in the Housing Element with a timeframe of implementation by December 2024.

ENVIRONMENTAL ASSESSMENT

The City of Foster City, as the Lead Agency, certified the EIR (SCH Number 2022010509) for the City of Foster City Housing Element and Safety Element Updates on May 22, 2023, pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The Program is included in the Housing Element with a timeframe of implementation by December 2024 and was contemplated in the certified EIR, therefore no further environmental review is necessary.

STAFF RECOMMENDATION

Preapproved ADU Designs and Expedited Review is included in the City's adopted and certified Housing Element. In addition, AB 1332 required local jurisdictions to develop a program for the preapproval of ADU plans by January 1, 2025. GLADUR designs are provided at no cost to the City and offer four (4) different unit sizes, providing choices and diversity to accommodate a variety of household sizes and types.

For these reasons, staff recommends that the Planning Commission recommends that the City Council approve the HEART GLADUR pre-reviewed designs for ADUs for the implementation of the Program.

NEXT STEPS

Planning staff will present HEART's GLADUR pre-reviewed designs for detached ADUs to the City Council tentatively on July 1, 2024. If the Council approves the Program, City staff will prepare conforming edits to the City's ADU Ordinance (Chapter 17.78 of the Foster City Municipal Code) to specify that Preapproved ADU designs will receive expedited review for the Planning Commission's future consideration.

INDIVIDUALS, ORGANIZATIONS AND DOCUMENTS CONSULTED

Foster City General Plan

Foster City Municipal Code

Foster City 2023-2031 Housing Element

[HEART-GLADUR-Handbook_Final-03.31.21-Version.pdf \(heartofsmc.org\)](https://heartofsmc.org/HEART-GLADUR-Handbook_Final-03.31.21-Version.pdf)

City of Redwood City

ATTACHMENTS

Attachment 1 – Resolution

Attachment 2 – City Department Checklist Requirements (Draft)

RESOLUTION NO. P -

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOSTER CITY RECOMMENDING THAT THE CITY COUNCIL ADOPT THE GREEN AND LIVABLE ACCESSIBLE DWELLING UNIT RESOURCE (GLADUR) PRE-REVIEWED DESIGNS FOR DETACHED ACCESSORY DWELLING UNITS (ADUs) PREPARED BY THE HOUSING ENDOWMENT AND REGIONAL TRUST OF SAN MATEO COUNTY (HEART) FOR THE IMPLEMENTATION OF HOUSING ELEMENT PROGRAM H-D-4-c, "PREAPPROVED ADU/JADU DESIGNS AND EXPEDITED REVIEW"; AND FIND THE PROGRAM WITHIN THE SCOPE OF THE ENVIRONMENTAL IMPACT REPORT (SCH NUMBER 2022010509) PREPARED FOR THE FOSTER CITY HOUSING AND SAFETY ELEMENTS UPDATE

FOSTER CITY PLANNING COMMISSION

WHEREAS, Housing Element 2023-31 includes ten programs under H-D-4 to encourage and promote ADUs/Junior ADUs, including promotion and public information, financial incentives, preapproved designs, amnesty, objective design standards, monitoring; and

WHEREAS, the Housing Element 2023-31 Program H-D-4-c "Preapproved ADU/JADU Designs and Expedited Review," requires the city to adopt preapproved ADU/JADU designs/plans to streamline the review process, facilitate reduced applicant cost, and expedite review for ADUs/JADUs by no later than December 2024; and

WHEREAS, Assembly Bill (AB) 1332, approved in October of 2023, requires local agencies by January 1, 2025, to develop a program for the preapproval of ADU plans, whereby the local agency accepts ADU plan submissions for preapproval and approves or denies the preapproval applications; and

WHEREAS, the Green and Livable Accessible Dwelling Unit Resource (GLADUR) pre-reviewed designs for detached accessory dwelling units (ADUs) prepared by the Housing Endowment and Regional Trust of San Mateo County (HEART) can be used for the implementation of the Housing Element program H-D-4-c, "Preapproved ADU/JADU Designs and Expedited Review," ("Program"); and

WHEREAS, HEART's accessory dwelling unit GLADUR designs offer four (4) energy-efficient, all-electric detached ADU schematic designs that can be downloaded by the public at no cost; and

WHEREAS, the City can use the GLADUR pre-reviewed designs for detached ADUs to implement the Program; and

WHEREAS, on May 15, 2024, a Notice of Public Hearing was duly posted for consideration and approval of the pre-reviewed designs for detached HEART ADU plans for the Program at the Planning Commission meeting on June 6, 2024.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based on the facts and analysis in the Staff Report, written and oral testimony, and exhibits

presented finds that the project is consistent with the Foster City 2023-2031 Housing Element and Safety Element Environmental Impact Report, adopted on May 22, 2023, State Clearinghouse Number 2022010509.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council adopt GLADUR pre-reviewed designs for detached ADUs administered by HEART for the implementation of the Program.

PASSED AND ADOPTED as a Resolution by the Planning Commission of the City of Foster City at a Regular Meeting thereof held on June 6, 2024, by the following vote:

AYES, COMMISSIONERS:

NOES, COMMISSIONERS:

ABSTAIN, COMMISSIONERS:

ABSENT, COMMISSIONERS:

, CHAIR

ATTEST:

SOFIA MANGALAM, SECRETARY

CITY DEPARTMENT CHECKLIST REQUIREMENTS

Fire Department – Michele Orque, Fire Inspector (650) 522-7948

1. Provide and add Link - <https://www.osfm.fire.ca.gov/media/q1xg3mud/ib-accessory-dwelling-units-final.pdf>

Public Works Department – Laura Galli, Public Works Engineering Manager (650) 286-3280 & Ryan Marquez, Senior Civil Engineer (650) 286-3588

1. Site plan showing property lines and all existing easements with proposed utility layout including materials and appurtenances for water, sewer, gas, and electricity.
 - If new connections or upsizes to City mains are being proposed or required, please show existing and proposed connections and locations, sizes, and pipe type of City mains. Please use City Standard Details on plans and callout appropriate details on site plan. Please note an Engineering Encroachment Permit will be required for all work in City Right of Way.
2. Submit a Waste Management Plan. For more information, please visit FC webpage <https://www.fostercity.org/publicworks/page/construction-and-demolition>
3. Please include the SMC Stormwater Construction BMP page with the plan set: <https://www.flowstobay.org/wp-content/uploads/2020/04/Countywide-Program-BMP-Plan-Sheet-June-2014-Update.pdf>
4. If ADU is part of a Multi Family development, EMID Water Neutrality Ordinance must be satisfied. <https://www.fostercity.org/commdev/page/water-neutrality-guidebook#:~:text=On%20May%201%2C%202023%20the,affect%20the%20City's%20water%20supply>
 - A water demand and offset report shall be provided by a qualified water engineering consultant, or equivalent. The report shall include, at a minimum, calculation of historic use, new proposed use and water demand (indoor and outdoor), and water saving factors.
 - To obtain the historic use data for the site. Please email utility@fostercity.org requesting the historic data. The letter should specify all properties/water meters in which data is needed for.

Community Development Department: Building Inspection Division – Amanda Zulaica, Building Division (650) 286-3233

1. Site plan showing property lines and all existing easements with existing and proposed utility layout for water, sewer/drain, gas, and electricity.
 - a. Include site setbacks for all existing structures, proposed location of the ADU, and proposed location of any exterior equipment.
 - b. Identify if separate utility metering devices will be installed and locations if applicable.
 - c. Identify drain cleanout locations, existing and new.
 - d. Verify size of existing water meter and if connected to a shared water service with other buildings or structures.
2. Provide PGE approval letter that new ADU load can be supplied by existing service or provide details for installing a new service approved by PGE.
3. Provide foundation plan with design per geo tech soils report. See Foster City Design Criteria. https://www.fostercity.org/sites/default/files/fileattachments/community_development/page/25701/design_criteria_4.pdf
4. Complete [2022 CalGreen Checklist](#)

Community Development Department: Planning/Code Enforcement Division – Helen Gannon, Senior Planner (650) 286-3245

1. Setbacks consistent with Foster City Code Chapter 17.78 (Accessory Dwelling Units).
2. Mechanical and PV Equipment shall comply with Foster City Code Chapter 17.54.080.B. An Architectural Review Permit will be required if the equipment is located closer than five feet to the side property line.

Police Department – Vuong Phan, Corporal (650) 286-3300

1. The Police Department is requesting contact information from the property owner's address on the ADU if possible, lighting and accessibility in the need of an emergency from Police or Fire.

DRAFT