

The State of California recently adopted legislation (SB 13, AB 68 and AB 881) that defines the standards local jurisdictions can apply to Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU). This legislation is contained in California State Government Code Section 65852.2 and have been incorporated into the City's Municipal Code within §17.30.040.

General Questions

What is an Accessory Dwelling Unit?

Accessory Dwelling Unit (ADU) means an attached or a 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. It shall include permanent provisions for living, sleeping, eating, cooking and sanitation and shall be constructed on a lot containing an existing or proposed single family dwelling. ADU's are also in certain circumstances allowed in existing multifamily buildings.

Where are ADUs allowed?

ADU's can be constructed in the R-1A/B, R-2, R-3, CBD, C, MU-NC, MU-C, MU-NC, WF, RRA, RE, and A-1 zones when an existing or proposed single family home is provided and when the minimum development standards can be met.

Are ADUs permitted by right?

Yes, ADUs and JADUs are permitted by right meaning there is not a separate planning permit required first before submitting your building permit application.

What is the maximum size allowed for an ADU?

The allowable square footage is 850 square feet for a 1-bedroom ADU and 1,000 for an ADU over 1 bedroom. Lots larger than one acre can continue to have an ADU up to 1,200 square feet.

Can JADUs and ADU's be on Multi-Family Residentially Zoned Properties?

Multi-family buildings may add ADUs up to 25% of the existing unit space (example: 4- unit building would be allowed one ADU), or at least one (1) ADU. These ADUs must meet building code requirements and the existing space must not be currently used for living (storage units and garages would qualify).

- Spaces required as part of a condition of approval or zoning requirement (e.g. long-term bike storage room) cannot be converted.
- Up to two detached ADUs can be added on a lot that has an existing multifamily building.

How many ADUs are allowed?

No more than one accessory dwelling unit and one junior accessory unit shall be permitted on any one lot. If the lot has an existing multifamily unit building then multiple ADUs are allowed in portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages. Two detached ADUs can be added on a lot that has an existing multifamily dwelling.

What are the parking requirements for ADUs?

No parking for an ADU is required if:

- Within ½ mile walking distance of public transit.
- Located within an architecturally and historically significant historic district.
- The accessory dwelling unit is contained entirely within the permitted floor area of the existing primary residence or an existing accessory structure.
- When on-street parking permits are required but not offered to the ADU occupant.
- When there is a car share vehicle located within one block of the ADU.
- When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit.

If none of the conditions above can be met then the ADU shall meet the parking requirements found within Municipal Code §17.27

What are the utility requirements?

Accessory dwelling units do not require a separate meter or utility connection.

What is a Junior Accessory Dwelling Unit?

Junior Accessory Dwelling Unit (JADU) is a specific type of ADU that is built within an existing residence and has a small efficiency kitchen. The JADU shall include a separate entrance from the main entrance to the proposed or existing single-family residence.

Where are JADUs allowed?

JADUs are allowed in all zones allowing ADU's (identified earlier in this handout). There is a limit of one JADU per lot and they shall be constructed within walls of proposed or existing single-family residence.

What is the maximum size for a JADU?

Maximum size is 500 square feet, however, an additional 150 square foot expansion beyond the physical dimensions of existing structure is permitted strictly to accommodate ingress and egress to JADU.

What should the JADU efficiency kitchen include?

1. Cooking facility with appliances (240-volt service outlets permitted).
2. Food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU.

Do I need to build a sanitation facility within the JADU?

No, the JADU may share sanitation facilities (i.e. bathroom/shower) with primary residence.

Can use my ADU/JADU as short-term rental?

No, a JADU unit shall not be rented for a period of less than 30 consecutive calendar days.



Accessory Dwelling Unit (ADU) Development Regulations

Will there be an impact fee?

No impact fees can be charged for units less than 750 square feet. Impact fees for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit. Such units must have an independent exterior access from the existing residence and provide side and rear setbacks sufficient for fire safety

Minimum Unit Living Area:

Efficiency Unit: 220 square feet or if occupied by no more than two persons (HSC 17958.1) 150 square feet

Studio Unit: 350 square feet

1-Bedroom Unit: 400 square feet

2-Bedroom Unit: 600 square feet

What are the height limitations?

May not exceed maximum height of the zone.

What are the setback requirements?

ADU's shall be setback at least four feet from the side and rear property line except as provided below:

1. Garage Conversions. No setback shall be required for an existing, legally permitted garage that is converted to an accessory dwelling unit. However, no addition may be constructed to the converted garage that increases the encroachment into the setback.
2. Accessory Dwelling Unit Constructed Above a Garage. If an accessory dwelling unit is constructed above a garage, a setback of no more than four feet from the interior lot lines shall be required for the accessory dwelling unit.

What are the exterior design and material requirements?

The exterior design and materials of the accessory dwelling unit shall be visually compatible with the primary dwelling regarding the roof, building walls, doors, windows, horizontal/vertical expression, and architectural detail.

Other Requirements:

- Design review may be required if the ADU is proposed in an area with adopted design guidelines.
- The primary unit and accessory dwelling unit on a lot shall not be rented independently of each other when neither is occupied by the owner of the lot. Primary and accessory dwelling units may be rented under a single rental agreement if the owner is not occupying either unit. The terms of the single rental agreement shall not allow sub-lease of one unit.
- New construction shall comply with the California Building Code.