

CHAPTER 30: ZONING

§ 30-8 ACCESSORY DWELLING UNITS

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§ 30-8.1 PURPOSE AND APPLICABILITY

- a. **Purpose.** The purpose of this Chapter is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code Sections 66310 - 66342.
- b. **Applicability.** The provisions of this Chapter apply to all residentially zoned properties within the City that allow for single-unit or multi-unit residential use and where a primary dwelling exists or is proposed. This Chapter governs the development, review, and approval of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs), consistent with State law.

§ 30-8.2 DEFINITIONS

- a. **Accessory Dwelling Unit (ADU).** A secondary housing unit as defined in Government Code § 66311, as amended.
- b. **Attached ADU.** An ADU physically connected to the primary dwelling, sharing at least one common wall.
- c. **Detached ADU.** An ADU located in a separate, stand-alone structure from the primary dwelling.
- d. **Existing Structure.** A legally established single-unit home building or accessory building that may be converted into habitable space in compliance with the California Building Standards Code.
- e. **Junior Accessory Dwelling Unit (JADU).** A smaller secondary housing unit as defined in Government Code § 66312, as amended.
- f. **Multifamily Dwelling.** For the purposes of State ADU Law, a structure with two or more attached dwellings on a single lot is considered a multifamily dwelling. Multiple detached single-family dwellings on the same lot are not considered multifamily dwellings for the purposes of State ADU Law.
- g. **Primary Dwelling.** The main single-unit home on a lot where an ADU or JADU is proposed or located.
- h. **Public Transit.** Has the meaning provided in Government Code § 66310(j) and § 66313(m), as amended.

§ 30-8.3 MINISTERIAL REVIEW

- a. **Ministerial Approval Action Required.** The construction of an Accessory Dwelling Unit (ADU) or Junior Accessory Dwelling Unit (JADU) shall be subject only to ministerial review and approval issuance of a Building Permit. No discretionary review, public hearing, or other approval process action shall be required.
- b. **Review Timeline.** The City shall act on approve or deny a complete Building Permit application for an ADU or JADU within sixty (60) days of submittal. If the City fails to act within this timeframe, the A complete application shall be deemed approved unless:
 1. The applicant requests a delay; or
 2. The application is submitted concurrently with a discretionary application for a new primary dwelling, in which case the ADU or JADU shall be processed ministerially and separately after an approval action on the primary dwelling.
- c. **Denial Process.**
 1. If the City denies an application to create an ADU or JADU, the City shall provide the applicant with a written explanation within the 60-day review period, identifying all deficiencies and describing how the application may be corrected to comply with applicable requirements.
 2. An ADU or JADU application shall not be denied based on the presence of nonconforming zoning conditions, existing building code violations, or unpermitted structures, unless such conditions pose an imminent threat to public health or safety.
- d. **Concurrent Demolition Review.** An application to demolish an existing detached accessory structure garage for the purpose of replacing it with an ADU shall be processed concurrently with the ADU application and shall be approved no later than the issuance of the Building Permit for the ADU.

§ 30-8.4 UTILITIES

- a. **Utilities.** All ADUs shall be served by adequate water and sewer service. For newly constructed ADUs, separate utility connections may be required, and connection fees shall be proportionate to the burden of the ADU.
- b. **Applicability.** ADUs with a floor area of 750 square feet or greater may be subject to impact fees, provided such fees are proportionate to the square footage of the ADU.
- c. **Exemption.** No impact fees shall be imposed on ADUs with a floor area of less than 750 square feet, consistent with Government Code § 66314.

§ 30-8.5 DEVELOPMENT STANDARDS FOR ACCESSORY DWELLING UNITS (ADUS).

- a. **Single Unit Dwelling Accessory Dwelling Unit.** ADUs may only be constructed on a site with a proposed or existing single-family dwelling in a zone that allows single-family residences, under the following conditions.
 1. **Number of ADUs Allowed.**
 - (a) On a lot developed with a single-unit dwelling (or proposed for one), the following are permitted:
 - (i) One (1) detached ADU may be located on the same lot as the primary dwelling; and
 - (ii) One (1) Junior ADU (JADU) may also be located within the existing or proposed single-unit dwelling.

2. **Size.**

- (a) **Detached ADUs.** Not to exceed 800 square feet for a studio or up to one-bedroom; not to exceed 1,000 square feet for two or more bedrooms. Notwithstanding, these limits must not preclude construction of an ADU of at least 800 square feet complying with all other standards, per § 66321(b)(3).
- (b) **Attached ADUs.** The floor area of an attached Accessory Dwelling Unit shall not exceed 50 percent of the floor area of the existing or proposed primary dwelling, or 850 square feet for a studio or one-bedroom unit, or 1,000 square feet for a unit with two or more bedrooms, whichever is greater.
- (c) **RA Zone Exception.** In the RA Zone, an ADU may be up to 1,200 square feet
- (d) **Minimum Size.** ADUs shall comply with efficiency unit minimum dimensions as required by the (Health & Safety Code § 17958.1), as amended. but shall not be prohibited from being as small as 150 square feet per state law.

3. **Height.**

- (a) **Detached ADUs.** Not to exceed 20 feet in height, except as required under Government Code § 66321(b)(4). Under that provision:
 - (i) Up to 20 feet, plus an additional 2 feet for roof pitch aligned with the primary dwelling, when within ½ mile of a major transit stop or high-quality transit corridor.
 - (ii) Up to 20 feet on lots containing a multi-story, multi-unit dwelling."
- (b) **Attached ADUs.** Allowed up to 25 feet in height, or up to the height of the primary dwelling, whichever is lower, as required by § 66321(b)(4).
 - (i) Up to 25 feet, or the height of the primary dwelling (whichever is lower), for attached ADUs, not to exceed two stories.
- (c) **Above Existing Garages.** Up to 25 feet for ADUs constructed above a detached garage.

4. **Setbacks.**

(a) **Detached ADUs.**

- (i) Minimum side and rear yard setbacks shall be four (4) feet.
- (ii) No setback shall be required for the conversion of an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

- (b) **Attached ADUs.** Where an ADU is attached to an existing or proposed primary dwelling, the ADU shall conform to the setbacks applicable to the primary dwelling as established by the underlying zoning district.

5. **Lot Coverage and Floor Area Ratio.** Development standards, including lot coverage, floor area ratio, open space, minimum lot size, and front setbacks, shall not preclude the development of at least one ADU of up to 800 square feet, 16 feet in height, with four-foot side and rear yard setbacks, consistent with Government Code § 66321(b)(3).

6. **Design.** ADUs shall comply with all applicable objective design standards.
 7. **Access.** A separate exterior entrance shall be provided for each ADU.
 8. **Fire Sprinklers.** Fire sprinklers shall only be required in an ADU if they are required for the primary dwelling. The construction of an ADU shall not trigger a requirement for fire sprinklers in the primary dwelling (Government Code § 66314(d)(12))
- b. Multiple Unit Dwelling Accessory Dwelling Units.** ADUs are allowed on a property containing multiple-unit dwellings or mixed-use structures on a lot containing multiple-family dwelling units under the following conditions:
1. **Conversion ADUs (Within Existing Structures).**
 - (a) **Number of Units Allowed.** The number of ADUs created through the conversion of existing non-livable space shall not exceed 25 percent ($\frac{1}{4}$) of the number of existing multifamily dwelling units on the lot. At least one (1) conversion ADU shall be allowed, even if 25 percent would yield fewer than one unit.
 - (b) **Location.** Conversion ADUs shall be located within portions of existing multifamily structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or attached garages.
 2. **New Construction (Detached) ADUs**
 - (a) **Existing Multifamily Lots.** On a lot developed with existing multifamily dwelling units, a maximum of two (2) detached ADUs may be constructed, subject to the applicable height and setback standards for detached ADUs.
 - (b) **Proposed Multifamily Developments.** On a lot proposed for multifamily dwelling units, up to two (2) detached ADUs may be approved concurrently with the multifamily development.
 - (c) **Height.** Detached ADUs on a lot with an existing or proposed multistory multifamily dwelling may have a maximum height of 30 feet.
- c. Junior Dwelling Accessory Dwelling Units (JADUs).** Junior Accessory Dwelling Units (JADUs) are permitted on lots developed with or proposed for a single-family dwelling, subject to the following standards and requirements. JADUs are intended to provide smaller, independent living areas created entirely within an existing or proposed single-family dwelling, offering flexible housing options while maintaining the character of single-family neighborhoods.
1. **Number.** Only one (1) JADU is permitted per lot that is developed with or proposed for a single-family dwelling. A JADU shall not be permitted on a lot that contains multiple multifamily dwellings or more than one single-family dwelling.
 2. **Size.** A JADU shall have a minimum floor area of 150 square feet and shall not exceed 500 square feet.
 3. **Location.**
 - (a) A JADU shall be located entirely within an existing or proposed single-unit dwelling, including within attached garages. A JADU may only be constructed on a site with a proposed or existing single-family dwelling in a zone that allows single-family residences.
 - (b) Only one JADU may be created per lot zoned for single-family residences with an existing or proposed single-family dwelling.

- (c) If there are multiple detached single-family residential units on a single lot, only one JADU shall be permitted for the entire lot, regardless of the number of detached units.
- 4. **Entry.** A JADU shall have a separate exterior entrance that is independent from the entrance to the primary dwelling unit.
- 5. **Kitchen.** A JADU shall include an efficiency kitchen as defined in Government Code § 66333, containing a cooking facility with appliances and food preparation counter and storage cabinets, all meeting applicable building code requirements.
- 6. **Sanitation.** A JADU may include separate sanitation facilities or share sanitation facilities with the primary dwelling, provided interior access between the units is maintained.

§ 30-8.6 PARKING

- a. **ADUs.** One off-street parking space shall be required per ADU, except when exempt pursuant to Government Code § 66322(a). Exemptions include, but are not limited to, the following circumstances:
 - 1. The ADU is located within one-half mile walking distance of public transit.
 - 2. The ADU is located within an architecturally and historically significant historic district.
 - 3. The ADU is part of the existing or proposed primary dwelling or an existing accessory structure.
 - 4. On-street parking permits are required but not offered to the occupant of the ADU.
 - 5. The ADU is located within one block of a car share vehicle location.
 - 6. The ADU is submitted concurrently with a permit application to create a new single-unit dwelling or a new multi-unit dwelling on the same lot, provided that the ADU or lot satisfies all other applicable criteria in Government Code § 66322(a)(6).
- b. **Conversions.** No replacement parking shall be required when a garage, carport, or covered parking structure is demolished or converted in conjunction with the development of an ADU.
- c. **JADUs.** No additional parking shall be required for a JADU.

§ 30-8.7 NONCONFORMING STRUCTURES

- a. **Nonconforming Conditions Not Grounds for Denial.** Nonconforming zoning, building code violations, or unpermitted structures shall not be grounds for denial unless presenting a health/safety risk (§§ 66315, 66322(b), 66336).
- b. **Conversions.** An ADU or JADU may be created within an existing legally established nonconforming structure (e.g., setbacks, lot coverage, height, or parking), provided that:
 - 1. The ADU complies with current California Building Standards Code for health and safety.
 - 2. The ADU does not expand the degree of nonconformity, except as expressly allowed under State law.
 - 3. Any expansion or new construction beyond the existing building footprint shall comply with the applicable objective development standards (§30-14).

- c. **Attached ADUs.** Where an ADU is attached to an existing nonconforming primary dwelling, the ADU shall conform to the structural envelope of the primary dwelling, but no increase in nonconformity shall be permitted.
- d. **Detached ADUs.** New detached ADUs shall meet all applicable development standards in this Chapter, regardless of the status of the primary dwelling.

§ 30-8.8 GENERAL DESIGN STANDARDS FOR ACCESSORY DWELLING UNITS

- a. **Compatibility.** The design of an ADU shall be compatible with the primary dwelling in terms of roof form, exterior materials, and window proportions.
- b. **Entrances.** Exterior entrances for ADUs shall be clearly visible and independently accessible, but not located on the same façade as the primary dwelling's main entrance when facing a public street.
- c. **Materials.** Exterior finishes, colors, and roof materials shall be similar in appearance to those of the primary dwelling.
- d. **Privacy.** Where an ADU is located adjacent to a side or rear property line, windows facing neighboring properties shall be placed or screened to protect privacy.
- e. **Lighting.** Exterior lighting shall be shielded and directed downward to prevent glare onto adjacent properties.
- f. **Addressing.** ADUs shall have a separate address or unit designation as required by the Building and Safety Department and Fire Department.

§ 30-8.9 OTHER PROVISIONS

- a. **Prohibited Use of Recreational Vehicles.** Recreational vehicles and trailers may not be used as ADUs.
- b. **ADUs/JADUs as Accessory Uses.** All ADUs and JADUs are considered accessory uses and shall not be regarded as an increase or change in the density of a lot.
 - 1. **Rentals of ADUs and JADUs.** Rentals of ADUs and JADUs must be for terms longer than 30 days.
 - 2. **Non-Residential Zones.** If a lot with a residence has been rezoned to a use that does not allow for residential uses, that lot is no longer eligible for an ADU.