



# ACCESSORY DWELLING UNITS (ADUS)

# BACKGROUND: WHAT IS AN ADU?

- An ADU is a self-contained housing unit with permanent provisions for living, sleeping, eating, cooking, and sanitation.
- Can be internal, attached, or detached.



# BACKGROUND: WHAT IS A JADU?

- Similar to an ADU, except:
  - Less than 500 sqft
  - Can share bathroom with the main dwelling
- Must be within space of a single-family home

# BACKGROUND: STATE & LOCAL ADU LAWS

- Default: State Law
- Local ADU ordinance permitted, but:
  - Pre-October 2019 ordinances are void
  - Local rules are limited
  - Certain ADUs are exempt from local rules
- Overseen by State HCD



- Approval within 60 days
- No public hearing
- Ministerial review by staff
- Objective criteria only

**BACKGROUND:  
STREAMLINED  
APPROVAL**



# BACKGROUND: REDUCED FEES

- No impact fees for ADUs under 750 sqft
- Reduced impact fees for larger ADUs
- Limited utility connection fees



# BACKGROUND: OTHER INCENTIVES

- No owner-occupancy for ADUs permitted by 2025
- Owner occupancy does apply for JADUs
- Single-family HOAs must allow ADUs
- Five-year amnesty program for unpermitted units
- No correction of legal nonconformities



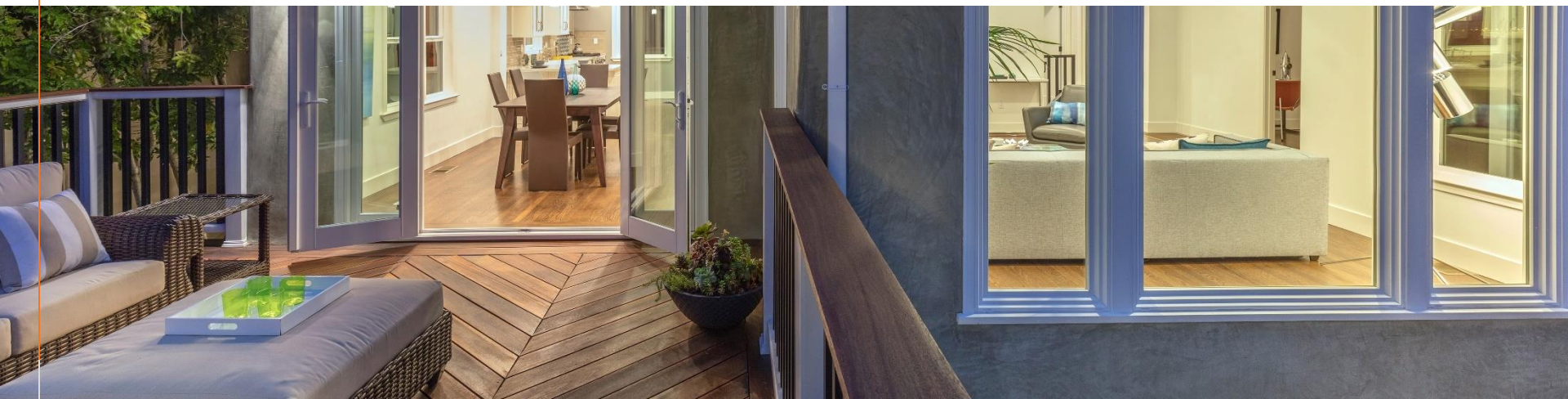
# AUTOMATIC APPROVAL: INTRO

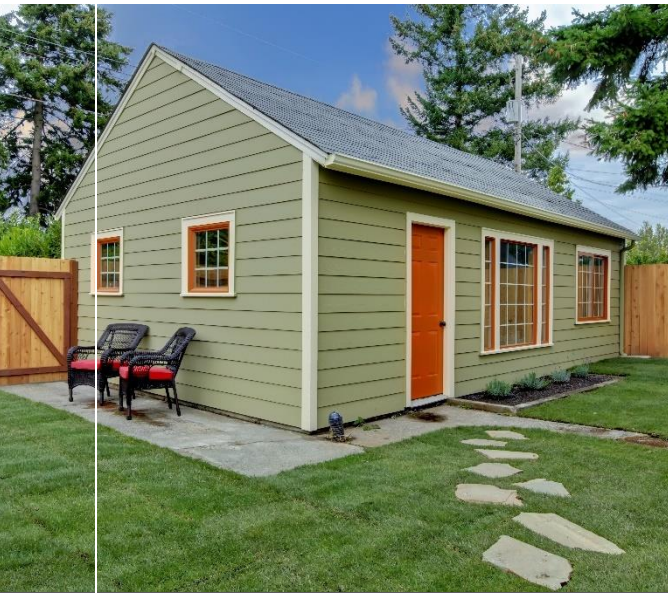
- Must be approved without applying local standards
- Standards for all automatic approval ADUs:
  - Zoning: Residential or Mixed-Use
  - Building code compliance (except sprinklers)
  - Short-term rentals are prohibited



# AUTOMATIC APPROVAL: SFR INTERNAL

- One ADU or JADU within existing space
  - Can be in home or accessory structure
  - Can include expansion up to 150 sq ft for ingress/egress
  - Setbacks sufficient for fire and safety
- Lot must have existing/proposed single-family home





# AUTOMATIC APPROVAL: SFR DETACHED

- One detached ADU
  - Maximum size: 800 square feet
  - Maximum height: 16 feet
  - Side/rear setbacks: 4 feet
- Lot must have existing/proposed single-family home

# AUTOMATIC APPROVAL: SFR COMBINATION

- Combination of:
  - One JADU and;
  - One automatic approval detached ADU
- Lot must have existing/proposed single-family home
- Remember: JADUs require owner-occupancy



# AUTOMATIC APPROVAL: MULTIFAMILY ADUS

- Conversion of non-livable spaces
  - Storage rooms, basements, garages, etc.
  - 1 new unit for every 4 existing units
- Detached ADUs
  - Up to 2 units
  - 16-foot height limit
  - 4-foot side and rear setbacks

# STANDARD ADUS: THE BASICS



- Lot must be zoned for “residential use”
- Lot has a “primary dwelling”
  - Single-family or multifamily
  - Existing or proposed



# STANDARD ADUs: STATE LAW

- If there is no local ordinance, state rules apply
- State law allows most ADUs within these limits:
  - Attached: 50% of primary dwelling square footage
  - Detached: 1,200 sqft



# STANDARD ADUS: LOCAL REGULATIONS

- Cities and counties can adopt local ADU ordinances
- They typically regulate:
  - Design
  - Size
  - Height
  - Setbacks
  - Procedures
- Geographic limits?

# STANDARD ADUS: LOCAL REGULATION LIMITS

- Cities and counties cannot impose:
  - Minimum lot size
  - Maximum unit size less than 1,000 sqft for a 2-bedroom ADU
  - Replacement parking for a garage conversion/demolition
  - Height limit under 16 feet
  - Side/rear setbacks over 4 feet
  - Discretionary review
- FAR and similar rules must allow at least 800 sq ft





# STANDARD ADUs: PARKING

- Generally: one space per ADU
- Can be uncovered, tandem, etc.
- No parking if:
  - Within ½ mile of bus or other transit
  - Within a designated historic area
  - Within an existing structure
  - In parking permit areas
  - Within a block of a car-share location

# PRACTICAL TIPS: LIMITS OF THE ADU LAWS

- Inadequate Infrastructure
- Building Code Requirements
- Permitting Procedures
- Permitting & Construction Costs
- Rent Control



# PRACTICAL TIPS: UNPERMITTED UNITS



- Five-year amnesty period
- Notice required
- Health and safety issues override amnesty

# PRACTICAL TIPS: LOCAL OBSTACLES

- How to deal with unlawful city/county behavior?
  - Get an explanation in writing
  - Ask for citations to the law
  - Identify the specific provisions in state law
- Seek help from programs like Californians for Homeownership, [www.caforhomes.org](http://www.caforhomes.org)

**CALIFORNIANS FOR  
HOMEOWNERSHIP**

# ADDITIONAL RESOURCES

- Quick Guide – [California ADU Laws](#)
- Californians for Homeownership, [www.caforhomes.org](http://www.caforhomes.org)