
17.07.020 Footnotes.

X. ACCESSORY DWELLING UNIT AND JUNIOR ACCESSORY DWELLING UNIT STANDARDS.

1. Accessory dwelling units (ADUs) or junior accessory dwelling unit (JADUs) shall be permitted with a certificate of zoning compliance, on any lot zoned to allow for a single-family or multi-family residential uses, including mixed-use zones, subject to the requirements of this subsection.
2. ADUs or JADUs shall not be sold separately from the primary structure on the lot nor shall any subdivision of the land separating the ADU and the primary structure be permitted by the City, except for a separate sale or conveyance as authorized under Government Code Section 65852.26. No separate sale of a JADU from the primary structure, nor subdivision of the land separating a JADU and the primary structure be permitted by the city.
3. The application for an ADU or JADU shall be considered ministerially without discretionary review or a hearing within sixty days after receiving the application if there is an existing single family or multi-family dwelling on the lot, unless the applicant requests a delay. If the application for the ADU or JADU is proposed in conjunction with an application for a new single-family dwelling or multi-family dwelling, the application will be processed ministerially after the application for such dwelling unit(s) has been acted on.
4. General Design Requirements. The following standards shall apply:
 - a. The ADU or JADU shall also comply with any objective standards in the City's adopted design guidelines for residential development.
 - b. The maximum square footage limit for either an attached or detached ADU shall be:
 - i. Eight hundred fifty square feet for an ADU with one bedroom or less.
 - ii. One thousand square feet for an ADU with two bedrooms or more.
 - iii. For an attached ADU over eight hundred square feet constructed on a lot with an existing primary dwelling unit, the total floor area of the attached accessory dwelling unit shall not exceed fifty percent of the floor area of that existing dwelling.
 - c. For ADUs larger than eight hundred square feet, the ADU together with the primary residence shall not cover more than fifty percent of the lot area. No lot coverage requirement shall be applied to an ADU of eight hundred square feet or less.
 - d. No passageway shall be required in conjunction with the construction of an ADU.
 - e. Fire sprinklers are only required in ADUs where they would also be required under this code for the primary dwelling. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in any existing dwelling.
 - f. The following height limits shall apply:
 - i. A height of sixteen feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit.
 - ii. A height of eighteen feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multi-family dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, subject to an additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

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- iii. A height of eighteen feet for a detached accessory dwelling unit on a lot with an existing or proposed multi-family, multistory dwelling.
 - iv. A height of twenty-five feet or the height limitation specified in Chapter 17.10 that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling.
 - g. Any standard that does not allow for the construction of at least one ADU of at least eight hundred square feet that meets four-foot side and rear setback requirements and applicable height limits shall not be imposed, including any minimum or maximum size for an ADU, any setback requirement (including front yard setback), size based on percentage of the proposed or existing primary dwelling unit, or limits on lot coverage, floor area ratio, open space, lot size, or landscaping. Only the minimum deviation needed to construct an eight hundred square foot ADU shall be considered.
 - h. Notwithstanding anything in this code to the contrary, any procedural requirement such as zoning clearance or separate zoning review that does not allow for the construction of at least one ADU of at least eight hundred square feet shall not be imposed.
5. Streamlining Provisions and Exemptions. Except as provided for in this Section 17.07.020.X(5), no more than one ADU and one JADU shall be permitted per single-family, multi-family or mixed use lot in compliance with all other requirements in this section. Notwithstanding the foregoing limitation or anything in this code to the contrary, the zoning administrator and building official shall cause certificates of zoning compliance and building permits to be ministerially approved for the following projects:
- a. For any lot with a proposed or existing single-family dwelling, one attached ADU and one JADU shall be permitted when all of the following apply:
 - i. The ADU or JADU is within the existing or proposed single-family dwelling or accessory structure. The limits of the "existing structure" may include an expansion of not more than one hundred fifty square feet to accommodate ingress and egress.
 - ii. The ADU or JADU has exterior access that is separate from the exterior entrance for the proposed or existing single-family dwelling.
 - iii. The side and rear setbacks are sufficient for fire and safety.
 - iv. The JADU, if applied for, meets all the requirements for JADUs outlined in this section.
 - b. For a lot with a proposed or existing single family dwelling, one detached ADU shall be permitted when all of the following apply:
 - i. Four-foot side and rear yard setbacks are maintained.
 - ii. The total height complies with the requirements of this section.
 - iii. The detached ADU may be combined with the JADU, described in Section 17.07.020.X(5)(a), provided all requirements for JADUs outlined in this section are met.
 - c. For a lot with an existing or proposed multi-family dwelling, not more than two detached ADUs shall be permitted when all of the following apply:
 - i. Four-foot side and rear yard setbacks are maintained.
 - ii. The total height limit does not exceed eighteen feet.
 - d. Conversion of portions of existing multi-family dwelling structures which are not currently used as livable space (e.g. storage rooms, boiler rooms, attics) shall be permitted to ADUs provided

that each ADU complies with state building standards for dwellings. At least one new ADU created from such conversions shall be permitted per existing multi-family structure, up to a maximum of a twenty-five percent increase in the total number of units in the structure.

6. Additional Requirements for Junior Accessory Dwelling Units.
 - a. The maximum square footage of a JADU shall be no more than five hundred square feet, and a JADU shall be contained entirely within an existing or proposed dwelling unit except that an expansion to accommodate an entrance may be permitted under Section 17.07.020.X(5)(a). For purposes of this paragraph, enclosed uses within the residence, such as attached garages, are considered a part of the proposed or existing single-family residence.
 - b. Utilities may be shared with the primary dwelling unit.
 - c. A JADU may include interior entry to the main living area. A second interior door may be included for sound attenuation. A separate entrance from the main entrance to the proposed or existing single-family residence is required.
 - d. A JADU shall include an efficiency kitchen, with the following minimal requirements:
 - i. A sink with a maximum waste line diameter of one and one-half inches;
 - ii. A cooking facility with appliances that do not require electrical service greater than one hundred twenty volts, natural gas, or propane gas; and
 - iii. A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the dwelling unit.
 - e. Owner occupancy shall be required for each JADU. The owner shall reside either in the primary dwelling unit or the newly created JADU. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.
 - f. Each JADU shall be subject to a deed restriction, in a form approved by the city and recorded prior to issuance of certificate of occupancy, with provisions specifying that:
 - i. Owner occupancy of either primary dwelling or JADU shall be required.
 - ii. The JADU is restricted to the size and attributes approved by the city.
 - iii. A prohibition on sale of the JADU separate from the primary dwelling, and notice to future purchasers regarding the enforcement of this restriction.
 - iv. No JADU shall be rented for a period of fewer than thirty consecutive days.
 - v. Restrictions requiring that on purchase, any subsequent owner either remove the JADU (including obtaining all required permits) or demonstrate compliance with owner-occupancy requirements specified in this section, except such requirements shall not apply to an owner who is a governmental agency, land trust, or housing organization.
7. Parking Requirements.
 - a. No parking shall be required for a new ADU or JADU.
 - b. Notwithstanding other provisions of this code, when a garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an ADU or JADU, there shall be no requirement imposed to replace the off-street parking spaces.
8. Capacity, Connection and Impact Fees.
 - a. Except for the case where an ADU or JADU is constructed within an existing single family dwelling unit in accordance with [Section] 17.07.20.X(5)(a), a new, separate or upgraded utility connection

may be required between the primary residence/ADU and the public water or sewer utility if site specific conditions necessitate a new connection in order to provide minimum levels of utility service. Connection fee or capacity charges may be calculated proportionate to the burden of the proposed ADU based upon either its square feet, the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, or any other method that reasonably estimates the proportional impact of the ADU.

- b. Before obtaining a certificate of occupancy for an ADU or JADU, the applicant shall demonstrate adequate water and sewer service available to serve the ADU or JADU, as determined by the city engineer.
 - c. For the purposes of providing services for water, sewer, or power, including a connection fee, a JADU shall not be considered a separate or new dwelling unit. An ADU shall not be considered a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the ADU is constructed with a new single-family dwelling.
 - d. No impact fee shall be assessed upon the development of an ADU less than seven hundred fifty square feet or any JADU, and impact fees charged for an accessory dwelling unit of seven hundred fifty square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.
9. No certificate of occupancy for an ADU or JADU shall be issued before a certificate of occupancy has been issued for the primary dwelling.
10. No ADU or JADU shall be rented for a period of fewer than thirty consecutive days.
11. Enforcement. In addition to other requirements of this code, notices issued to correct a violation of a building standard pertaining to an ADU or JADU shall comply with Section 17980.12 of the Health and Safety Code.