

# Accessory Dwelling Units

## “Building Small... Living Large”

CALBO Annual Business Meeting  
March 27, 2018

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# Accessory Dwelling Units

## CALBO ABM Workshop

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- I. Brad Wungluck, CBO, CASp  
Chief Building Official, City of Manteca & CALBO Board of Directors
- II. Greg Nickless and Stoyan Bumbalov  
California Department of Housing and Community Development
- III. Jane Riley, AICP  
Comprehensive Planning Manager, County of Sonoma
- IV. Ara Sargsyan, PE, CBO  
Development Services Case Management, Chief, City of Los Angeles

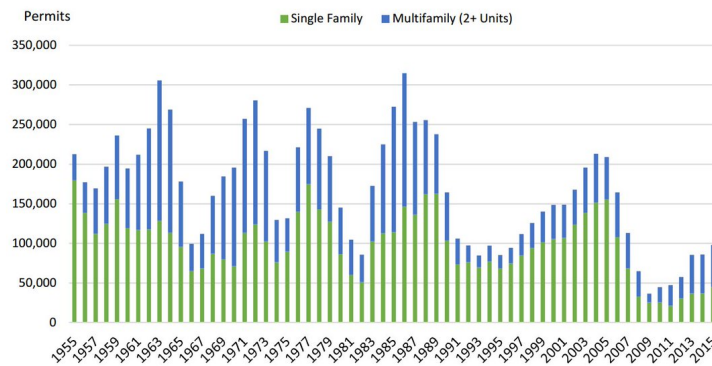
# Accessory Dwelling Units CALBO ABM Workshop

## Why are Accessory Dwelling Units Relevant?

- Housing production continues to lag dramatically beyond the needs of our California residents.
- The state estimates that in order to meet our needs, 1.8 million new dwelling units will need to be built prior to 2025.
- Current estimates show that we will only construct 640,000; a staggering difference of over a million units.

# Accessory Dwelling Units CALBO ABM Workshop

Figure 1.2  
Annual Production of Housing Units 1955-2015



# Accessory Dwelling Units CALBO ABM Workshop

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## Why are Accessory Dwelling Units Relevant?

- By 2025 California is expected to have a housing gap of 3.5 million homes.
- Because housing is so expensive and so much is spent on housing, often that people cannot afford, the housing shortage costs the State of California more than \$140 Billion dollars per year in lost economic output

\$53 billion - Consumption spending lost because of CA housing costs

\$85 billion – Economic activity related to construction lost because of housing

\$5 billion – State spending on services related to homelessness

*(McKinsey Institute, "A toolkit to close California's Housing Gap")*

<https://www.mckinsey.com/global-themes/urbanization/closing-californias-housing-gap>

# Accessory Dwelling Units CALBO ABM Workshop

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## Why are Accessory Dwelling Units Relevant?

- How will we meet the need? How do we close the gap?
- One solution that has come to the forefront over the past eighteen months is the use of Accessory Dwelling Units and Junior Accessory Dwelling Units.

# Accessory Dwelling Units (ADU) Burlingame CALBO Annual Meeting March 27, 2018



California Department of Housing and  
Community Development

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HRP Program – DPY 2014

## Accessory Dwelling Units (ADU) Recent Legislation “Nuts and Bolts”

### Outline

- Summary of recent changes and pending legislation (SB 229 and AB 494)
- HCD technical assistance
- Questions and answers



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# Summary of Recent and Pending Changes to ADU Laws



HRP Program – DPY 2014



## Authorizing Legislation

- Senate Bill 229 (Wieckowski)
- Assembly Bill 494 (Bloom)
- Assembly Bill 2406 (Thurmond) - JADU



## Summary of Changes

### Parking



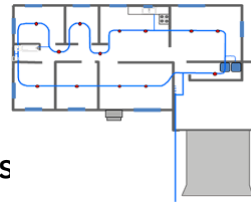
- Requirements reduced to one space per ADU
- Off-street parking is allowed to be tandem or in setback areas
- Replacement parking for primary structure
- Requirements removed in specified circumstances (e.g., public transit, car share, etc.)

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## Summary of Changes

- Sliding scale fees (ADU size, plumbing fixture count and GC Section 66000)
- Fire sprinkler requirements
- No total prohibition of ADUs
- Special Districts and water corporations are included in updated statute



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## Summary of Changes

### ADU's within Existing Structures

- Allowed within SF use zones, with an existing single-family residence
- No zoning and development standards, including parking
- No Fire sprinklers and connection or capacity fees
- Applicable standards:
  - Contained within an existing residence or accessory structure
  - Meets building codes
  - Has independent exterior access from the existing residence
  - Has side and rear setbacks that are sufficient for fire safety

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## Summary of Changes

### Impact on Existing Accessory Dwelling Unit Ordinances

- Any existing ADU ordinance that does not meet the requirements of the current state statute is null and void as of January 1, 2018.
- Local governments must approve accessory dwelling units based on "state standards" until the jurisdiction adopts a compliant ADU ordinance

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## Summary of Changes

### Required State Standards (Examples)

- The unit is not intended for sale separate for the primary residence and may be rented
- The lot is zoned for single-family or multifamily use and contains an existing or proposed single-family dwelling
- The ADU is either attached to an existing dwelling or located within the living area of the existing dwelling or detached from the primary unit and on the same lot
- The total area of floorspace of the unit does not exceed 50% of the existing or proposed dwelling living area, or 1,200 square feet
- The total area of floor space for a new detached accessory dwelling unit does not exceed 1,200 square feet

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## Summary of Changes

### Junior Accessory Dwelling Units (JADU)

- Contained completely within existing residence space
- limited to one per residential lot zoned for single-family residences
- Owner occupies primary or accessory residence
- Recorded deed restriction
- Efficiency kitchen required and shared sanitation allowed
- No Parking and no fees
- Requires JADU ordinance
- Fire requirements

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## Current Legislation

- Senate Bill 229 (Wieckowski)
- Assembly Bill 494 (Bloom)

## HCD Technical Assistance





## HCD Technical Assistance

- Questions and Answers
- Informal ordinance review
- Technical assistance booklet
- Model Ordinances
- Ordinance clearinghouse (updated as ordinances are received by HCD)
- Website: sample counter brochures, best practices, etc



## HCD ADU/JADU Contacts

### HCD / HPD Representatives

Paul McDougall  
(916) 263-7420  
[paul.mcdougall@hcd.ca.gov](mailto:paul.mcdougall@hcd.ca.gov)

Greg Nickless  
(916) 274-6244  
[greg.nickless@hcd.ca.gov](mailto:greg.nickless@hcd.ca.gov)



For Additional Information  
and ADU/JADU Updates:

California Department of Housing and Community  
Development  
Housing Policy Development Division

Website:

<http://www.hcd.ca.gov/housing-policy-development/accessorydwellingunits.html>

# Questions and Answers



# ACCESSORY AND JR. UNITS

March 27, 2018



## ACCESSORY AND JUNIOR UNITS

- **Introduction**
- **Accessory Units (Second Units)**
- **Junior Units**



## BACKGROUND

- **Housing Element**
- **County housing situation**
- **Statewide severe housing crisis**
- **State legislation**
  - **Accessory Units (SB 1069 and AB 2299)**
  - **\*NEW\* Junior Units (AB 2406)**



## ACCESSORY UNITS

SB 1069  
AB 2299

- **Formerly “second” or “granny” units**
- **≤1000 SF (640 if 1.5 – 1.99 ac)**
- **Utility connection limitations**
- **Building permit-only approval, with planning clearance**
- **No discretion**
- **No appeals**
- **Setbacks less**



## ACCESSORY UNITS – WILL IT HELP?

- 14,674 eligible lots, excluding coastal zone
- OF THESE:**
- 2,198 lots are 1.50 to 1.99 acres (640 SF max size)



## ISSUES IDENTIFIED

- Fire sprinklers vs. fire code
- Manufactured housing as ADUs?
  - “Tiny homes,” Park Models
- Existing non-residential structures & setbacks
- Vacation Rentals (prohibited)
- Maximum size WILL be built
- Legislation is confusing to staff AND applicants



# PROPOSED CHANGES



- Size increase from 1,000 SF to 1,200 SF
- Minimum lot size 5,000 SF with sewer
- With septic and private well:
  - Minimum lot size 2.0 acres, maximum unit 1,200 SF
- With septic and public or community water:
  - W/minimum lot size 1.0 acre, max unit 640 SF & 1 bdrm

# FACTORY BUILT ADUs



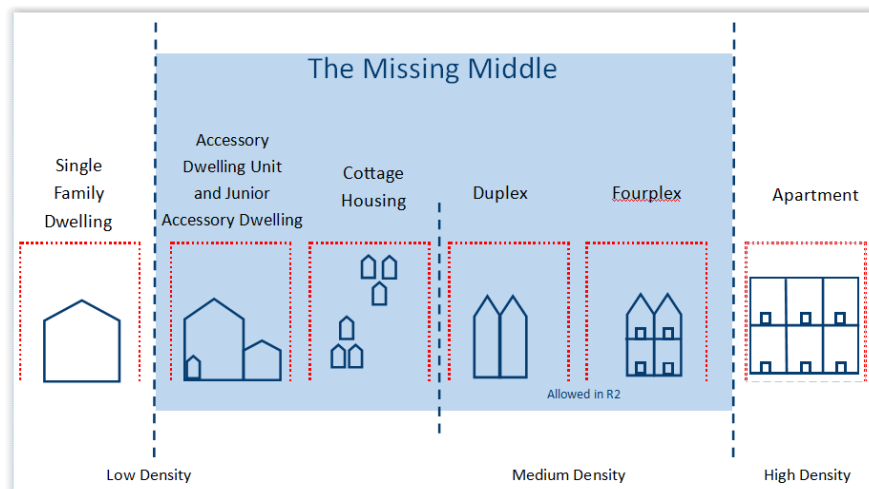
997 square foot, 3 bedroom ADU & 1190 square foot, 4 bedroom ADU, hybridCore Homes

# JUNIOR UNITS

## Adopted Ordinance

- **Everywhere with legal SFD**
- **One bedroom conversion, 500 sf max**
- **Maintain interior door to house**
- **Efficiency kitchen – 6' max, no gas**
- **Private or shared bathroom**
- **Exterior entrance**
- **NO transient occupancy**
- **Owner lives in JADU or main house**

# ADUs, JADUs & Missing Middle







## ADOPTED ORDINANCE

Accessory Unit	Junior Unit
1,000 SF	500 SF
Kitchen	Efficiency kitchen
Bathroom required	Private or shared bathroom
No interior access (if attached)	Interior access required
1 uncovered parking space	No parking space
Owner occupancy not required	Owner occupancy required
Ministerial zoning and building permits	Building permit w/ planning clearance
Deed restriction	Deed restriction
No transient occupancy (e.g., vacation rentals)	No transient occupancy (e.g., vacation rentals)

Help  
Suggested Sites ▾ Intranet Sonoma - Internet TimeSaver Web Slice Gallery Welcome to IE7 TimeSaver (Imported) Sonoma Web Planning Project Case Ma... Accela Automation® - Se...

fornia Home Employees

Official recovery information for Sonoma County fires: [SonomaCountyRecovers.org](http://SonomaCountyRecovers.org) »


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**Your Government** We Work for You

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**Accessory Units**

- Accessory Dwelling Units
- Junior Accessory Units
- Background
- Ordinance
- Frequently Asked Questions
- Contact Us



**Accessory Dwelling Units**

Accessory Dwelling Units (ADUs) are backyard cottages of between 250 and 1,000 square feet.

**Accessory Dwelling Units vs. Junior Accessory Dwelling Units**  
Find out which situation applies to your property.  
[Compare »](#)

**Contact Information**

**Planning Division**  
Permit & Resource Management Department  
County of Sonoma  
Email: [Planner@sonoma-county.org](mailto:Planner@sonoma-county.org)

**Contact Us by Phone**  
Phone: (707) 565-1900  
CA Relay Service: 711

**Address**  
2550 Ventura Avenue  
Santa Rosa, CA 95403

**State ADU Law**

California Department of Housing and Community Development's web site describing state laws and regulations about Accessory Dwelling Units.  
[View State Web Site »](#)

## PROMOTION & OUTREACH

Webpages highlighting ADUs/JADUs:

<http://sonomacounty.ca.gov/PRMD/Regulations/Accessory-Units-and-Junior-Units/>

Mentioned on Rebuild site as part of design phase:

<http://sonomacounty.ca.gov/Rebuild/Permits/Design/> -- Consider design changes such as [adding an accessory dwelling unit](#) or a junior unit

Reduced fees to incentive construction of new ADUs in the burn areas:

<http://sonomacounty.ca.gov/PRMD/Regulations/Urgency-Ordinance/>

UPCOMING: Partner with MTC on adapting San Mateo's ADU calculator for Sonoma County: <http://secondunitcentersmc.org/calculator/>. This will help estimate costs, returns, and benefits associated with building an ADU.

ADU/JADU public outreach campaign: billboards, radio, social media ads, YouTube videos

# QUESTIONS?



## Accessory Dwelling Units... “Building Small, Living Large” ...in Los Angeles

**CALBO Workshop**  
March 27, 2018  
Ara Sargsyan, PE, CBO  
City of Los Angeles



[ADU in Los Angeles](#) Photo courtesy of LADCP



Los Angeles Department of Building & Safety

# Accessory Dwelling Units in LA

1949...2003- City of Los Angeles Zoning Code:

- 12.08.A.4- Two-family dwellings on lots having a side lot line adjoining a lot in a commercial or industrial zone
- 12.22.C.19- Through Lot – May Be Two Building Site

Conditional Use Permits for Second Dwelling Unit (SDU)

- 12.24W43- SDU in A, RA, RE, RS, R1, RMP or RW1 Zones
- 12.24W44- SDU on Large Lots in the RA, RS or R1 Zones

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## 2002- AB 1886 amending Government Code Section 65852.2

- 2003 Inter-Departmental Correspondence (eff. 7/1/2003)

DATE: 06/23/2003  
TO: Department of City Planning Staff  
Structural Plan Check Engineers and  
Building Inspectors  
FROM: Robert Janovici, Chief Zoning Administrator,  
Department Of City Planning  
Peter Kim, Zoning Engineer, Department Of  
Building And Safety  
SUBJECT: SECOND DWELLING IN SINGLE FAMILY  
ZONE PURSUANT TO AB1866

State Assembly Bill 1866, Chapter 1062, amending Government Code Sections 65583.1, 65852.2, and 65915 becomes effective on July 1, 2003. The changes in the State code mandates that the creation of second units on parcels zoned for a primary single family be considered ministerially without discretionary review or hearing.

Currently, 12.24W43 of the Zoning Code addresses permitting a second dwelling in a single family zone. Pursuant to the State law, most of the conditions contained therein will now be used to determine if a second dwelling can be permitted in a single family zone.

Effectively, July 1, 2003, a proposed second dwelling will be permitted in the A, RA, RE, RS, R1, RU, RZ, RMP or RW1 Zones if it meets ALL of the following standards.

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## 2002- AB 1886 amending Government Code Section 65852.2

- ZA Memorandum 120 (eff. 5/6/2010)



OFFICE OF ZONING ADMINISTRATION  
City Hall • 200 N. Spring Street, Room 763 • Los Angeles, CA 90012



OFFICE OF ZONING ADMINISTRATION

### MEMORANDUM

ZA MEMORANDUM NO. 120

May 6, 2010

TO: Office of Zoning Administration  
Public Counters  
Interested Parties  
Department of Building and Safety

FROM: Michael LoGrande *ML*  
Chief Zoning Administrator

SUBJECT: SECOND DWELLING UNITS PURSUANT TO AB 1866

State Assembly Bill 1866 became effective on July 1, 2003 amending Government Code Sections 65833.1, 65852.2 and 65915 that allows the creation of second dwelling units on residentially zoned lots, be considered ministerially without discretionary review or hearing. The intention of this memorandum is to assist with implementing AB 1866. It supersedes a previous memorandum issued by Robert Janovici, former Chief Zoning Administrator, and Peter Kim, former Zoning Engineer, dated June 23, 2003.

A second dwelling unit is permitted by right on a lot if it meets ALL of the following AB 1866 standards:

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## 2016 - AB 2299 and SB 1069 requiring cities to have an ADU ordinance that :

- Provides a by-right “ministerial” process
- Complies with State standards


### As a result:

- All local ADU laws became “null and void”
- State’s ADU standards effective until a new ADU ordinance
- New City ordinance must include most State standards

Los Angeles Department of Building & Safety

## 2016 - Inter-Departmental Correspondence (eff. 1/1/2017)

**CITY OF LOS ANGELES**  
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: December 30, 2016  
 TO: Department of City Planning Staff  
 Structural Plan Check Engineers and Building Inspectors  
 FROM:  Kevin J. Keller, AICP, Deputy Director, Department of City Planning; and  
 Ara Sargsyan, Assistant Deputy Superintendent of Building, Department of Building and Safety  
 SUBJECT: ACCESSORY DWELLING UNITS – AB 2299 AND SB 1069

Attachment: Accessory Dwelling Unit Checklist (As of January 1, 2017)

YES/NO	STATE STANDARD*	GOVERNMENT CODE SECTION
	Unit is not intended for sale separate from the primary residence and may be rented.	65852.2(a)(1)(D)(i)
	Lot is zoned for single-family or multifamily use and contains an existing, single-family dwelling.	65852.2(a)(1)(D)(ii)

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## 2017- AB 494 and SB 229 (eff. 1/1/2018) revising & clarifying AB 2299 and SB 1069

### Summary of Changes and Revisions

**AB 2299 / SB 1069**  
Effective: January 1, 2017

**AB 494 / SB 229**  
Effective: January 1, 2018

<p><b>Section 65852.2.(a)(1)(D)</b></p> <p>(i) The unit is not intended for sale separate from the primary residence and may be rented.</p>	<p><b>Section 65852.2.(a)(1)(D)</b></p> <p>(i) The unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.</p>
<p><b>Section 65852.2.(a)(1)(D)</b></p> <p>(ii) The lot is zoned for single-family or multifamily use and contains an existing, single-family dwelling.</p>	<p><b>Section 65852.2.(a)(1)(D)</b></p> <p>(ii) The lot is zoned to allow single-family or multifamily use and includes a proposed or existing single-family dwelling.</p>
<p><b>Section 65852.2.(a)(1)(D)</b></p> <p>(iii) The accessory dwelling unit is either attached to the existing dwelling or located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.</p>	<p><b>Section 65852.2.(a)(1)(D)</b></p> <p>(iii) The accessory dwelling unit is either attached or located within the living area of the proposed or existing primary dwelling or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.</p>
<p><b>Section 65852.2.(a)(1)(D)</b></p> <p>(iv) The increased floor area of an attached accessory</p>	<p><b>Section 65852.2.(a)(1)(D)</b></p> <p>(iv) The total area of floorspace of an attached</p>

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From July 1, 2003 to December 31, 2016

- 915 SDU Building Permit Applications submitted
- 832 Building Permits issued (41 expired/revoked)
- 538 Certificates of Occupancy issued

From January 1, 2017 to December 31, 2017

- 4,301 ADU Building Permit Applications submitted
- 2,234 Building Permits issued (as of 2/1/2018)
- 392 Certificates of Occupancy issued (as of 2/1/2018)

Los Angeles Department of Building & Safety



10/31/2017- Mayor's Office + UCLA Citylab Publication

## ADU Guidebook

**CAN I ADD A UNIT TO MY HOME?**

CHECK ALL THAT APPLY

1. I OWN A SINGLE FAMILY HOME

2. MY HOME HAS...  
EXTRA SPACE IN MY BACKYARD OR A GARAGE OR IN MY BACKYARD OR ROOM THAT CAN BE CONVERTED INTO A UNIT WITH ITS OWN ENTRANCE

3. MY HOME...  
IS LOCATED WITHIN 1/2 MILE FROM PUBLIC TRANSIT? OR HAS ROOM AND ACCESS FOR AN ADDITIONAL PARKING SPACE

IF YOU CHECKED ALL THE BOXES YOU MAY BE ABLE TO BUILD AN ADU

**TYPES OF ADUS**

I WANT TO... IT MAY LOOK LIKE...

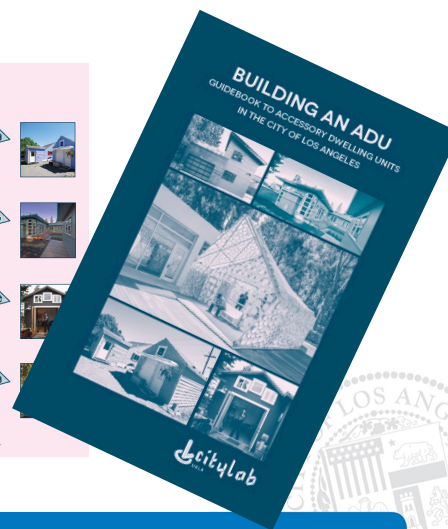
ADD A DETACHED UNIT ON MY LOT (SEE PAGE 6)

ADD AN ATTACHED UNIT TO MY HOME (SEE PAGE 7)

CONVERT MY GARAGE INTO A BACKYARD GARAGE (SEE PAGE 8)

ADD AN ATTACHED UNIT TO MY BACKYARD GARAGE (SEE PAGE 9)

10/17. Building information only. Please see pg. 17 for more information.



Los Angeles Department of Building & Safety





# Proposed Ordinance

Proposed Accessory Dwelling Unit Ordinance  
 CPD-2019-04-045-CA  
 Page 1 – November 17, 2018

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Sections 12.03, 12.22, and 12.24 of Chapter 1 of the Los Angeles Municipal Code (LAMC) for the purpose of regulating Accessory Dwelling Units and complying with State law.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
 DO ORDAIN AS FOLLOWS:**

Sec. 1. Section 12.03 of the Los Angeles Municipal Code is amended by adding a definition for "Accessory Dwelling Unit" in proper alphabetical order to read:

**ACCESSORY DWELLING UNIT.** Attached residential dwelling unit or detached Accessory Building, not considered to exceed the allowable density of the parcel, which provides complete independent living facilities for one or more persons with complete provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as a single-family dwelling. Accessory Dwelling Units include efficiency units, as defined in Section 17908.1 of the Health and Safety Code, and manufactured homes, as defined in Section 18027 of the Health and Safety Code.

Sec. 2. Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended by adding a new Subsubsection 31 to read:

**31. Accessory Dwelling Units (ADU).**

(a) **Purpose.** The purpose of this Subdivision is to provide for the creation of Accessory Dwelling Units in a manner that is consistent with requirements set forth in California Government Code Sections 65852.2, as amended from time to time.

(b) **General Provisions.** Accessory Dwelling Units shall comply with the following provisions:

- (1) Accessory Dwelling Units must comply with all provisions of this section as well as the underlying zoning district, in instances where state is conflicted this section shall govern.
- (2) Accessory Dwelling Units are allowed in all zones wherein residential uses are permitted by right.
- (3) Only one Accessory Dwelling Unit is permitted per lot.
- (4) The parcel contains an existing single-family dwelling unit.
- (5) No Accessory Dwelling Unit is permitted on same parcels located in Hillside Areas as defined by the Hillside Area Map per LAMC 12.23.
- (6) Accessory Dwelling Units are not intended for sale separate from the existing dwelling unit and may be rented.

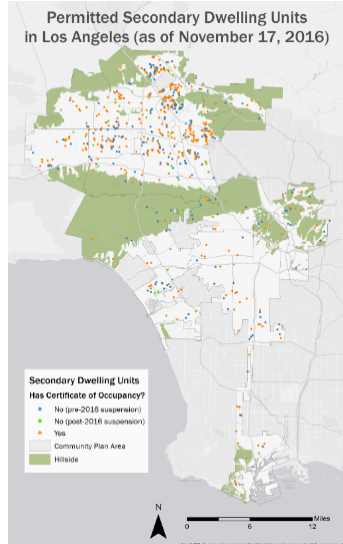
## Key Differences from State Law:

- Movable Tiny Homes
- Restricts ADUs in Hillside Districts and Equine (K) Districts
- Prevents ADUs in front of homes
- Prevents parking in front setback



## Hillside Area Restriction

Permitted Secondary Dwelling Units  
 in Los Angeles (as of November 17, 2016)



Hillside defined in LAMC 12.03

136,000 single-family lots (28%)

About 11% of these lots are:

- within 1/2 mile from transit, and standard streets





## Other (e) Neighborhood Protections

As an “Accessory Building” Per 12.21A.5

- 2 story height limit
- Must be located in rear (up to 55 ft)

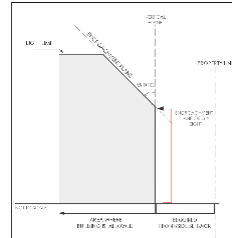


Figure 12.21A-1 Encroachment -line diagram. Different zones have different encroachment plane or plane heights.

Baseline Mansionization/Baseline Hillside

R1 Variation Zones

- Mass envelope
- Encroachment Planes
- Floor Area Limits
- Max Height
- Lot Coverage

R1V	R1F	R1R	R1H
Variable-Mass	Front-Mass	Rear-Mass	Hillside
Largest			
<ul style="list-style-type: none"> <li>• R1V1</li> <li>• R1V new</li> <li>• R1V2</li> <li>• R1V3</li> </ul>	<ul style="list-style-type: none"> <li>• R1F1</li> <li>• R1F new</li> <li>• R1F2</li> <li>• R1F3</li> </ul>	<ul style="list-style-type: none"> <li>• R1R1</li> <li>• R1R new</li> <li>• R1R2</li> <li>• R1R3</li> </ul>	<ul style="list-style-type: none"> <li>• R1H1</li> <li>• R1H new</li> <li>• R1H2</li> <li>• R1H3</li> </ul>
Smallest			

Los Angeles Department of Building & Safety

## Thank You!

[ara.sargsyan@lacity.org](mailto:ara.sargsyan@lacity.org)

(213) 482-6706



ADU in North Hollywood  
Photo courtesy of mkvp.com

Los Angeles Department of Building & Safety

# Questions?



# Thank you!

