

California Accessory Dwelling Unit (ADU) Law as of January 1, 2020

Reduced Costs and Burdens for Developing ADUs

- **ADU applications must be approved within 60 days**, without a hearing or discretionary review
- For ADUs permitted by 2025, cities/counties **cannot require the owner to live at the property**
- **No impact fees are required for ADUs under 750 sqft**; proportional fees apply to larger ADUs
- **An ADU can be developed at the same time as a primary dwelling**, under most of the same rules
- A city/county must **delay code enforcement** on an unpermitted ADU to allow it to be legalized
- **Single-family HOAs must allow** development of ADUs, subject to reasonable standards
- Single-family homeowners can also develop **JADUs**—units under 500 sqft within a residence

ADUs Subject to Automatic Approval — No Local Limits

Cities/counties must permit certain categories of ADUs **without applying any local development standards**, if proposed on a single-family lot. ADUs eligible for this **automatic approval** include:

- An **ADU or JADU converted from existing space in the home or another structure (e.g., a garage)**, so long as the ADU has exterior access and setbacks sufficient for fire safety
- A **new detached ADU under 800 sq ft in size**, 16 feet in height, with 4-foot side/rear setbacks
- Both of the above options in combination, **creating one internal JADU and one detached ADU**

ADUs Subject to Ministerial Approval — Minimal Local Limits

Cities/counties **must generally approve an attached or detached ADU under 1,200 sq ft** unless it adopts local development standards. **Local standards have the following limitations:**

- No minimum lot size requirement
- No maximum unit size limit less than 1,000 sq ft for a two-bedroom ADU
- No required replacement parking when a parking garage is converted into an ADU
- No required parking for an ADU created through the conversion of existing space or located within a half-mile walking distance of a bus stop or other public transit
- No height limit under 16 feet or side/rear setbacks requirements over 4 feet
- No setbacks requirements for conversions/replacements of existing legal structures
- Design standards must be objective and are assessed by staff, not elected officials
- Floor area ration (FAR) and similar restrictions must be relaxed to allow development of an 800 sq ft ADU

Adding Units to Multi-family Properties

The following types of residential units can be added to **multi-family buildings**, with no local limits:

- **New units within the existing non-living space of a building** (storage rooms, basements, garages, etc.), with one new internal unit allowed for every four existing units
- **Two new detached homes**, with 4-foot side/rear setbacks, up to 16 feet in height