



ACCESSORY DWELLING UNITS & JUNIOR ACCESSORY DWELLING UNITS

(Remain in effect until January 1, 2025, and as of that date is repealed)

On January 1, 2020, new State laws went into effect that makes it easier to build Accessory Dwelling Units – aka. granny flats – in California. Provided below is a summary of State regulations (Government Codes [65852.2](#) and [65852.22](#)). Refer to the [Accessory Dwelling Unit Handbook](#) issued by the California Department of Housing and Community Development for more information.

General Standards	<ul style="list-style-type: none"> ▪ ADUs and JADUs allowed to any lot with legally permitted single-family or multi-family residential dwelling. ▪ ADUs up to 800 square feet in size do not count towards allowable density, floor area ratio, lot coverage, and open space of the lot. <u>ADUs over 800 square feet in size shall be subject to the lot coverage, floor area ratio, and open space requirements as specified in the underlying zone.</u> ▪ No minimum lot size requirement. 						
Permit Process	<p>ADUs up to 800 square feet and JADUs:</p> <ul style="list-style-type: none"> ▪ Ministerial approval via Zoning Plan Check and Building Permits. <p>ADUs greater than 800 square feet and up to 850/1,000 square feet:</p> <ul style="list-style-type: none"> ▪ Ministerial approval via Zoning Plan Check and Building Permits, provided compliance with applicable development standards of underlying zone. <p>ADUs that deviate from the applicable development standards or exceed 850/1,000 square feet in size:</p> <ul style="list-style-type: none"> ▪ Discretionary review via Zoning Plan Check and Building Permits (may also include Design Review and/or Variance) <p>Coastal Development Permits continue to apply except that no public hearing is required.</p>						
Number of Units	<p>(Lots with Existing Single-Family Dwelling) 1 ADU and 1 JADU (Lots with Existing Multi-Family Dwelling)</p> <ul style="list-style-type: none"> ▪ Conversions of non-living to living space: 1 min. up to 25% of the total existing units max. ▪ Detached: 2 units max. 						
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Size	<table border="0" style="width: 100%;"> <tr> <td style="width: 15%; vertical-align: top;">ADU Detached</td> <td> <ul style="list-style-type: none"> ▪ (1-bedroom) 850 square feet max. ▪ (2+ bedroom) 1,000 square feet max. ▪ Additional 150 square feet for ingress/egress purposes only </td> </tr> <tr> <td style="vertical-align: top;">ADU Attached</td> <td> <p>Whichever is less of the following:</p> <ul style="list-style-type: none"> ▪ 50% of floor area of existing primary dwelling <u>OR</u> ▪ 850 square feet max. or 1,000 square feet max. for more than one-bedroom </td> </tr> <tr> <td style="vertical-align: top;">ADU Conversions</td> <td>No size limit</td> </tr> </table>	ADU Detached	<ul style="list-style-type: none"> ▪ (1-bedroom) 850 square feet max. ▪ (2+ bedroom) 1,000 square feet max. ▪ Additional 150 square feet for ingress/egress purposes only 	ADU Attached	<p>Whichever is less of the following:</p> <ul style="list-style-type: none"> ▪ 50% of floor area of existing primary dwelling <u>OR</u> ▪ 850 square feet max. or 1,000 square feet max. for more than one-bedroom 	ADU Conversions	No size limit
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Height	<ul style="list-style-type: none"> ▪ ADUs up to 800 square feet: up to 16' max. for ministerial review. ▪ ADUs larger than 800 square feet: up to 12' max. and any height in excess requires a Variance but exempt from Design Review. 						
Setback	<p>Front Setback: Comply with applicable zoning standards</p> <p>Sides and Rear:</p> <ul style="list-style-type: none"> ▪ ADUs up to 800 square feet: 4' side and rear setbacks, including properties that do not have rear yards (e.g. through lots) ▪ ADUs larger than 800 square feet: comply with development standards of the underlying zone. <p>Separation between structures: 10' minimum required between an ADU and any other building. This building separation may be reduced to 3', provided that the structure is designed to the satisfaction of the Building Official (e.g. fire-protected openings, sprinklers, etc.).</p>						

Nonconforming Buildings	Nonconforming buildings that are converted or demolished to construct an ADU in its place may maintain its existing setbacks and height. Portions of the ADU that expand beyond the nonconforming building shall conform with the height and setback standards above.
Parking Required	<ul style="list-style-type: none"> ▪ 1 space per ADU or bedroom, whichever is less. ▪ Can be tandem on driveway or within setback area unless findings are made that it is not feasible based on specific site or regional topographical or fire and life safety conditions.
Parking Exempt	<ul style="list-style-type: none"> ▪ Conversions of existing space ▪ Located within ½ mile walking distance of public transit. “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public. Laguna Beach transit is considered public transit. ▪ Located within architecturally/historically significant historic district ▪ When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit ▪ Located within one block of a car share vehicle
Passageway	Passageway, or a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADUs is not required.
Sprinklers	Required only if sprinklers exist or is proposed for the primary dwelling.
Fire Department Review Required	<ul style="list-style-type: none"> ▪ Detached ADU ▪ Conversions of detached structures to an ADU
Utility Connections	<p>(Conversions) No new or separate utility connection directly between the ADU and the utility or impose a related connection fee or capacity charge unless the accessory dwelling unit is constructed with a new single-family home.</p> <p>(Non-Conversions) May require new or separate utility connection directly between the accessory dwelling unit and the utility and may be subject to a connection fee or capacity charge (i.e. sewer connection) that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code upon the water or sewer system.</p>
Cert of Occupancy	A certificate of occupancy for an ADU shall not be issued prior to the new single-family dwelling unit.
Private Sewage Disposal System	Local health officer approval required
JUNIOR ACCESSORY DWELLING UNITS (JADU)	
JADU	<ul style="list-style-type: none"> ▪ JADUs means a converted unit that is no more than 500 square feet in size and contained entirely within a single-family dwelling. ▪ May include separate sanitation facilities or share with the existing structure. ▪ Require a separate entrance from the primary dwelling. Passageway, or a pathway that is unobstructed clear to the sky and extends from a street to the entrance is not required. ▪ Require an efficiency kitchen, which includes a cooking facility with appliances; and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU. ▪ Require the recordation of a deed restriction, which shall run with the land, that includes the following: 1) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers. 2) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section. ▪ Property owner shall permanently reside, as evidenced by documentation satisfactory to the city, in the primary residential unit. or the JADU. ▪ No parking required.