

Attachment B:

ADU Legislation Summary Table

Standard	2020 ADU Bills	Existing Pasadena Standard	Remain After January 1, 2025
Owner Occupancy Requirement	Local jurisdictions may no longer require owner occupancy for proposed ADUs However, owner occupancy is required for JADUs	Owner occupancy required for either the primary dwelling or ADU	NO YES [for JADUs]
Short-Term Rentals	Rentals less than 30 days not allowed in specified ADUs and in JADUs. City may elect to ban entirely in ADUs.	Any rental term of an ADU legally created after January 1, 2017 shall be longer than 30 days.	YES
Replacement Parking for Converted Garages	Local jurisdictions may no longer require replacement of parking lost due to conversion of existing garage, carport, or covered parking structure to an ADU	Applicants required to replace parking lost due to conversion of existing garage to an ADU Replacement parking can be uncovered, tandem parking on the driveway	YES
Parking for new ADU	One parking space per ADU or per bedroom, whichever is less (may be covered, uncovered, or tandem parking on an existing driveway) No parking required for ADUs in any of the following instances: (1) The accessory dwelling unit is located within one-half mile walking distance of public transit. (2) The accessory dwelling unit is located within an architecturally and historically significant historic district. (3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure. (4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit. (5) When there is a car share vehicle located within one block of the accessory dwelling unit.	One parking space for ADU (may be covered, uncovered, or tandem parking on an existing driveway) No parking required for ADUs in any of the following instances: (1) The accessory dwelling unit is located within one-half mile walking distance of public transit. (2) The accessory dwelling unit is located within an architecturally and historically significant historic district. (3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure. (4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit. (5) When there is a car share vehicle located within one block of the accessory dwelling unit.	YES
Where ADUs are Permitted	ADUs are allowed within a residential or mixed-use zone	Newly constructed ADUs are permitted on RS and RM zoning district that includes a proposed or existing single-family dwelling	YES
ADUs with Multifamily Dwellings	Local jurisdictions shall allow multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units. <i>(Generally interpreted to mean 25% of existing units in the building)</i>	ADUs not allowed on parcels with multifamily dwellings	YES

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	<p>A local agency shall allow not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear yard and side setbacks. (Essentially allows conversion of rear yard or parking area to two ADUs)</p>			
Minimum ADU Size	<p>Local jurisdictions cannot establish minimum size standards that prohibit an "efficiency unit" (Defined as a unit with a minimum floor area of 150 SF and which may also have partial kitchen or bathroom facilities)</p>		Newly constructed ADUs shall be no less than 150 SF in size	YES
Maximum ADU Size	<p>Attached ADU shall not exceed 50% of the primary dwelling living area OR 1,200 SF</p>	<p>Detached ADU shall not exceed 1,200 SF</p>	<p>Newly constructed ADUs: For parcels less than 10,000 square feet in size: 800 square feet or 50 percent of the proposed or existing primary dwelling living area, whichever is less</p> <p>For parcels equal to or greater than 10,000 square feet in size: 1,200 square feet or 50 percent of the proposed or existing primary dwelling living area, whichever is less</p>	YES
Other Restrictions on ADU Size	<p>Local jurisdiction cannot establish a maximum size standards that is less than 850 SF or 1,000 SF (for an ADU that provides more than one bedroom)</p>			YES
Minimum Lot Size	<p>Local jurisdictions shall not establish by ordinance any other minimum or maximum size for an accessory dwelling unit size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.</p>		<p>Newly constructed ADU: RS zone- 7,200 SF or more RM zone- One ADU on any legal parcel, regardless of lot size</p>	YES
Minimum Side and Rear Setbacks	<p>Four feet for newly constructed ADUs None for ADUs converted from existing structure or reconstructed in same location as existing structure</p>		<p>Newly constructed ADU: The minimum required setbacks shall comply with Section 17.22.040. Except that the minimum rear yard setback shall be no less than 10 feet. A minimum setback of five feet from the side and rear property lines shall be required for an attached accessory dwelling unit that is constructed above an attached garage.</p>	YES
Maximum Height	<p>Must allow 16 feet for all ADUs</p>		<p>A newly constructed detached accessory dwelling unit shall be limited to a height of one story not to exceed 12 feet to the top plate and 17 feet to the highest ridge line.</p> <p>Exception. A newly constructed attached accessory dwelling unit may extend to a height of two stories per the maximum allowed height in Section 17.22.040, if the existing primary residence is two stories in height.</p>	YES

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Junior ADUs	<p>City must allow Junior ADUs (JADUs).</p> <p><i>"Junior accessory dwelling unit" means a unit that is no more than 500 square feet in size and contained entirely within an existing single-family structure. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.</i></p> <p>One detached, new construction, accessory dwelling units that does not exceed four-foot side and rear yard setbacks may be combined with a junior ADU (One JADU in an existing structure and one 800 SF detached ADU)</p>	No provisions for Junior ADUs	YES
Converted ADUs	Converted ADUs may include an expansion of no more than 150 SF		YES
Fire Sprinklers	<p>The expansion of the existing accessory structure shall be limited to accommodating ingress and egress</p> <p>ADUs shall not be required to provide fire sprinklers if they are not required for the primary residence</p>	ADUs shall not be required to provide fire sprinklers if they are not required for the primary residence	YES
Processing Time	<p>Local jurisdiction has 60 days to act on application from the date the local agency receives a completed application</p> <p>If local agency has not acted within 60 days, then the application is deemed approved</p>	Existing law indicates that a local jurisdiction has 120 days to act on an application from date submitted	YES
Impact Fee	<p>Local jurisdictions cannot charge impact fee or park in-lieu fees on ADUs that are less than 750 SF</p> <p>Any impact fee charged on ADUs 750 SF or more shall be charged proportionately in relation to the square footage of the primary dwelling unit</p>	Residential Impact Fee assessed on all new ADUs	YES
Connection Charges and Capacity Fees	None for ADUs within existing structures. Otherwise must be based on fee/sf or on fixture units.	None for ADUs within existing structures. Otherwise must be based on fee/sf or on fixture units.	YES
Enforcement of Building Codes on Illegal ADUs	<p>In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2) below, a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code for a 5-year period if building and fire agree that compliance is not necessary to protect public health & safety:</p> <p>(1) The accessory dwelling unit was built before January 1, 2020.</p> <p>(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.</p>	Per Code Enforcement and Building Department	YES
Submittal to HCD of Revised Ordinance	A local agency shall submit a copy of the ordinance adopted to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with the section.	N/A	YES