### ADUs in Single Family Dwellings (SFD)

<table>
<thead>
<tr>
<th>Converted ADU</th>
<th>Attached ADU</th>
<th>Detached ADU</th>
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<tbody>
<tr>
<td>1 ADU</td>
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### Hybrid Planning Code Section 65822.3(e) (through H)

#### Existing buildings
- If it is less legal dwelling units are on the lot = 1 ADU is allowed.
- If 5 or more legal dwelling units are on the lot = unlimited ADUs allowed.

This may be combined with a LOCAL Detached ADU.

There is no limit on the number of ADUs allowed for projects undergoing Mandatory (per Chapter 4D of the Building Code or Vacation Rentals (B9-B9.3)) upgrades.

New construction:
- Where the zoning district allows the construction of 4 or less legal dwelling units on a lot = 1 ADU allowed.
- If 4 or less legal dwelling units on a lot = unlimited ADUs allowed.

This may be combined with a LOCAL Detached ADU.

### Conversion to an Existing Dwelling

- ADU can take space away from existing units except that an ADU cannot expand into habitable space on the ground or basement floors provided that it does not exceed 20% of the gross square footage of such space. Zoning restrictions on the primary dwelling unit may be applicable for the ADU and reference the requirements listed in Government Sections 65822.2 and 65822.20, which includes primary dwelling unit or ADUs added to existing buildings, waivers are available up to 1,000 square feet.

### Size is Based on Available Space or Buildable Area

<table>
<thead>
<tr>
<th>Size category:</th>
<th>Maximum size allowed:</th>
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<tbody>
<tr>
<td>1 ADU</td>
<td>800 sf</td>
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<tr>
<td>1 ADU</td>
<td>850 sf</td>
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### Access

- Independent entrance required.

### Kitchen

- Full kitchen required.
- Efficiency kitchen which must have a cooking facility with appliance, a food preparation counter and storage cabinets of reasonable size in relation to the ADU.

### Descriptions

- Based on historic status.
- Subject to preservation for all exterior work.
- Subject to preservation for all exterior work.

### Dual restrictions

- The owner of the property must record a deed restriction that includes but not limited to restricting the sale of the ADU from the primary dwelling and prohibits Short Term Rentals.

### Noticing

- Property owner must complete CB ADU/Senior Form.
- Notice of Addition of ADU to the building.

### Process

- 45-day review timeframe from date of complete application.
- Not subject to review under the California Environmental Quality Act (CEQA).
- Not subject to review under the California Environmental Quality Act (CEQA).

### Impact Fees

- NO ADU, or ADUs smaller than 750 sf on or on lots with 3 existing units or fewer = no impact fees.
- NO ADU, or ADUs smaller than 750 sf on or on lots with more than 3 existing units or more than 3 existing units = impact fees are imposed proportionally in relation to the Gross Floor Area of the primary dwelling unit.
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<thead>
<tr>
<th>Number of ADUs permitted</th>
<th>Converted ADU</th>
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### ADUs in Multi Family Dwellings (MFD)

**Converted ADU**
- Size is based on available space or usable area.
- **Studios and 1 bedroom ADUs**: allowed up to 800 sf.
- **2 bedroom ADUs**: allowed up to 1,000 sf.

**Attached ADU**
- **Studios and 1 bedroom ADUs**: allowed up to 800 sf.
- **2 bedroom ADUs**: allowed up to 1,000 sf.

**Detached ADU**
- **Studios and 1 bedroom ADUs**: allowed up to 800 sf.
- **2 bedroom ADUs**: allowed up to 1,000 sf.

**Maximum Height**
- **Existing buildings**: A detached ADU cannot exceed the height of the structure and is located 4 feet from side and rear lot lines.
- **New construction**: ADUs must be constructed to the same dimensions as the structure being replaced.

**Height for detached ADUs**
- Detached ADUs that are located outside the buildable area shall be measured from the existing grade at any given point to the highest point of a finished roof in the case of a flat roof or to the average height of a pitched roof or similarly sculptured roof form.
- **Maximum height for detached ADUs located outside the buildable area**: 16 ft.

**Recess and side setbacks**
- ADUs with a recess of more than 4 feet from side and rear lot lines shall not be eligible for any height exemptions listed in Table 2.

**Expansions**
- **New constructions**: ADUs may be expanded to the maximum size of a single- or multi-family dwelling that is within one-half of one mile of the existing ADU.
- **Existing buildings**: ADUs with 3 or more bedrooms may extend 25% limitation if (a) the resulting space would not be usable or would be impractical to use for other reasonable uses included but not limited to storage of equipment or parking or (b) the existing building would require major repairs.

**Access**
- **Independent entrance required.**

**Kitchens**
- Full kitchen required.

**Preservation**
- Based on historic status.
- Category 2 Property: Subject to preservation for all or part of ADUs.
- Category 3 Property: Subject to preservation for ADUs located within the same building or for ADUs located in a multi-family building.

**Deed restrictions**
- The owner of the property must complete the DBI ADU Screeing Form.
- Property owner must complete DBI ADU Screening Form. Taking space away from existing units. Yes. ADU can take space away from existing dwelling. No.

### Taking space away from existing units
- Yes. ADU can take space away from existing dwelling.
- No. Cannot take space away from dwelling units.

**Qualifications**
- The lot on which the ADU is proposed does NOT contain another ADU or JADU.

**Commercial occupancy**
- No.

**Local Planning Code requirements**
- Sometimes. ADU shall not be permitted in any building in a Neighborhood Commercial District or in the Ortega Community Business or Ortega Special District if it would eliminate the existing history prior to a zoning district.
- ADUs may be constructed to the same dimensions as the structure being replaced.
- The owner of the property must complete the DBI ADU Screeing Form.

**Government Code Section 65852.2(e)**
- ADU cannot be constructed on lots that have owner move-in evictions in the last five (5) years, or other non-null evictions in the last ten (10) years prior to the date of application. In case of temporary tenant evictions for capital improvements, there is no prohibition as long as a declaration from the property owner was submitted notifying the tenant of their rights to return to the property within thirty days of vacating.

**Government Code Section 65852.2(a) through (d)**
- ADUs & JADUs = no impact fees or fewer = no impact fees.

**Government Code Section 414A.6(e)**
- ADU cannot take space away from existing units except that an ADU may expand into habitable space on the ground or basement floors provided that it does not exceed 50% of the gross square footage of such space. Zoning Administrator may waive this 50% limitation if the resulting space would not be usable or would be impractical to use for other reasonable uses included but not limited to storage of equipment or parking or for ADUs requiring major repairs.

**Government Code Section 207(c)(4)**
- ADUs cannot include a vertical addition.

**Minimum size**
- Based on zoning district.
- ADU must meet Planning Code requirements in addition to State law.
- Yes. ADU must meet Planning Code requirements in addition to State law.

**Maximum size**
- Based on historic status.
- Category 2 Property: Subject to preservation for all or part of ADUs.
- Category 3 Property: Subject to preservation for ADUs located within the same building or for ADUs located in a multi-family building.

**Maximum height**
- Based on zoning district.
- ADU cannot exceed height of a pitched roof or similarly sculptured roof form.
- ADUs located outside the buildable area shall be measured from the existing grade at any given point to the highest point of a finished roof in the case of a flat roof or to the average height of a pitched roof or similarly sculptured roof form.

**Height for detached ADUs**
- ADUs with a recess of more than 4 feet from side and rear lot lines shall not be eligible for any height exemptions listed in Table 2.

**Discretionary**
- No discretionary review opportunity for portions of the ADU within proposed expansion.

**Review**
- The Review of the ADU Garage Conversion Guidelines to help with your design.

**Permits**
- ADUs cannot be constructed on lots that have owner move-in evictions in the last five (5) years, or other non-null evictions in the last ten (10) years prior to the date of application. In case of temporary tenant evictions for capital improvements, there is no prohibition as long as a declaration from the property owner was submitted notifying the tenant of their rights to return to the property within thirty days of vacating.

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