

Exhibit "A"

Comparison of the 2017 ADU Ordinance, State Law Regulations, and Proposed ADU and JADU Ordinance

		2017 ADU Ordinance	State Law Requirements	Proposed ADU and JADU Ordinance
1	Permitted Zone	ADU only permitted in the R-1 zone developed with an existing single-family residence.	ADUs and JADUs permitted in single-family, multiple-family, and mixed-use zones where residential uses are allowed.	Complies with State law. ADUs and JADUs permitted on any lot that is zoned to allow single-family or multiple-family residential uses and that includes a proposed or existing legally developed single-family or multiple-family dwelling.
2	Minimum Lot Size	7,200 S.F.	Prohibits minimum lot size for ADUs and JADUs	Complies with State law. No minimum lot size requirement for ADUs and JADUs.
3	Number of Permitted ADUs	One (1) ADU permitted on a lot through new construction or conversion.	One (1) ADU, new construction or conversion, on a lot developed or proposed to be developed with a single-family residence. Up to two (2) detached ADUs permitted on lots developed or proposed to be developed with a multiple-family development. Multiple ADUs can be constructed within portion of existing multiple-family structures not used for livable space, such as storage rooms, boiler rooms, passageways, attics, basements, garages, etc., up to 25% of the existing multiple-family units. HCD clarified that jurisdictions do not have to allow both ADUs and ADUs conversion concurrently on lots developed with multiple-family residences.	Complies with State law. One (1) ADU, new construction or conversion, on a lot developed or proposed to be developed with a single-family residence. Up to two (2) detached ADUs permitted on lots developed or proposed to be developed with a multi-family development <u>OR</u> one or more converted ADUs within portions of existing multiple-family structures not used for livable space, such as storage rooms, boiler rooms, passageways, attics, basements, garages, etc., up to 25% of the existing multiple-family units on the lot.

		2017 ADU Ordinance	State Law Requirements	Proposed ADU and JADU Ordinance
4	Number of Permitted JADUs	JADUs not permitted.	One (1) JADU within a proposed or existing single-family residence.	Complies with State law. One (1) JADU within a proposed or existing single-family residence.
5	Maximum Unit Size	Detached or Attached ADU: 800 S.F. ADU Conversion: Not subject to maximum unit size per State law.	Detached ADU: 1,200 S.F., but jurisdictions cannot impose a maximum unit size of less than 850 S.F. for a studio/ 1-bedroom unit or 1,000 S.F. for more than one bedroom unit. ADU and JADU on the same lot: ADU may not exceed 800 S.F. in size when ADU and JADU developed or proposed on a site. Attached ADU: 50% of primary residence. ADU Conversion: Not subject to maximum unit size per State law. JADU: 500 S.F.	Complies with State law. Detached ADU: Studio or One bedroom: 850 S.F., and two or more bedrooms: 1,000 S.F. Attached ADU: 50% of primary residence or 850 S.F. for studio. One bedroom unit or 1,000 S.F. for two or more bedrooms, whichever is less. Primary residence less than 1,600 S.F. allowed an 800 S.F. ADU. ADU and JADU on the same lot: ADU may not exceed 800 S.F. in size when ADU and JADU developed or proposed on a site. ADU Conversion: Not subject to maximum unit size per State law. JADU: 500 S.F.
6	ADU and JADU Minimum Unit Sizes	ADU: Efficiency Unit: 220 S.F. Studio: 500 S.F. 1-Bedroom: 600 S.F. 2-Bedrooms: 700 S.F.	Jurisdictions must allow at least a 220 S.F. efficiency unit for ADUs and JADUs.	ADU: Studio or Efficiency Unit: 220 S.F. 1-Bedroom: 500 S.F. 2 or more Bedrooms: 700 S.F. JADU: 220 S.F.
7	Maximum Total Number of Bedrooms	Up to 2 bedrooms.	No bedroom limit established by State law; however, HCD clarified that jurisdictions cannot restrict the number of bedrooms allowed in an ADU.	No bedroom restriction imposed on ADUs to comply with HCD's interpretation.

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8	ADU Parking	ADU: 1 space per unit unless property is located one-half mile from a bus stop. ADU Conversion: No parking required.	No change to State law. ADU: 1 space per unit unless property is located one-half mile from a bus stop. ADU Conversion and JADU: No parking required.	Complies with State law. ADU: 1 space per unit unless property is located one-half mile from a bus stop. ADU Conversion and JADU: No parking required.
9	Replacement Parking ADU	Required replacement parking for a garage conversion or if a garage/carport was demolished to accommodate an ADU. Also, nonconforming parking for primary residence had to comply with code.	No replacement parking required when a garage, carport or covered parking structure is demolished for an ADU or if a garage is converted into an ADU. Jurisdictions can no longer require nonconforming issues affecting the property, including parking, to comply with current code.	Complies with State law. No replacement parking required. Nonconforming issues affecting the primary residence will no longer be considered with construction of an ADU.
10	Replacement Parking for JADU	JADU not allowed.	HCD clarified that attached garages are considered to be within the walls of a single-family residence, and JADU can be allowed as garage conversion. Jurisdictions can impose replacement parking for JADU garage conversions.	JADU allowed within attached garage, and required garage parking must be replaced onsite as covered, uncovered, or tandem spaces.
11	Minimum Building Setbacks	Attached ADU: 5 feet from side and 10 feet from rear property line. Detached ADU: 5 feet from side and rear property line. No setbacks required for ADU conversion per State law.	Minimum building setback for ADUs is 4 feet from any side and rear property line. No setbacks required for ADU conversions or JADUs, but limited to Building Code requirements.	Complies with State law. Minimum building setback for ADU is 4 feet from any side and rear property line. No setbacks required for JADUs or for ADU conversions, provided the side and rear yard setbacks of the existing converted structure are sufficient for fire and safety.
12	ADU Building Height	17 feet (one-story).	16 feet. ADU conversion only required to comply with Building Code requirements.	Complies with State law. 16 feet (one-story). ADU conversion only required to comply with Building Code requirements.

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13	Lot Coverage and Open Space	ADU required to comply with 50% lot coverage and 1,000 square feet of open space in the rear yard setback area.	Lot coverage and open space requirements cannot be applied if does not permit at least 800 S.F. ADU. ADU conversion and JADU exempted.	Complies with State law. ADUs must comply with lot coverage and open space requirements applicable to lot on which it is located (unless exempted by State law); however, these requirements waived to extent necessary to allow ADU up to 800 S.F. ADU conversions and JADUs exempted from lot coverage and open space requirements.
14	Building Separation	Six (6) feet between detached ADU and primary residence.	No requirement in State law.	Six (6) feet between detached ADU and primary residence and/or detached structure(s).
15	Architecture Compatibility	ADU required to be architecturally compatible with existing single-family residence.	No requirement in State law; however HCD requires all language to be objective.	ADU required to match the architecture style of the primary unit.
16	Attached Porch and Garage Permitted for ADU	80 S.F. maximum porch 250 S.F. maximum garage.	No requirement in State law.	80 S.F. maximum porch. 250 S.F. maximum garage.
17	Overall Size of ADU with Porch and Garage	1,100 S.F.	No requirement in State law.	1,330 S.F.
18	Approval Process	Ministerially within 120 days of complete ADU application.	Ministerially within 60 days of complete ADU application.	Complies with State law. Ministerially within time required by State law (i.e., 60 days of complete ADU application).
19	Short-Term Rental	Tenant occupancies of less than 30-days prohibited.	Jurisdiction can prohibit short term rental of ADUs and JADUs.	Complies with State law. Tenant occupancies of 30-days or less prohibited for ADUs and JADUs.
20	Owner Occupancy	Required owner-occupancy of one of the units.	Owner-occupancy requirement for an ADU no longer allowed. Owner-occupancy restriction only applicable to JADUs.	Complies with State law. Owner-occupancy restriction for an ADU no longer required. Owner-occupancy restriction apply to JADUs.

		2017 ADU Ordinance	State Law Requirements	Proposed ADU and JADU Ordinance
21	Ownership	ADU cannot be sold separately from the primary residence.	ADU cannot be sold separately from the primary residence; however, new law changes allow ADUs to be sold separately if developed by a qualified nonprofit corporation and the unit is restricted as affordable. JADU cannot be sold separately.	Complies with State law. ADU cannot be sold separately from the primary residence; however, ADUs can be sold separately if developed by a qualified nonprofit corporation and the unit is restricted as affordable. JADU cannot be sold separately.
22	Fire Sprinklers	Not required for ADU if not required for primary residence.	Not required for an ADU or JADU if not required for the primary residence.	Complies with State law. Not required for ADU or JADU if not required for the primary residence.
23	Impact Fees	Subject to permit fees and impact fees. Impact fees collected for parkway tree, park facility fee (In Lieu Park), drainage, and traffic mitigation.	ADUs less than 750 S.F. exempt from impact fees. ADUs greater than 750 S.F., the impact fees must be charged proportionately to the square footage of the primary residence.	Complies with State law. ADUs less than 750 S.F. exempt from impact fees. ADUs greater than 750 S.F., the impact fees must be charged proportionately in relation to the square footage of the primary residence.
24	Utility Connection	Separate utilities not allowed for ADU, exempt for a water meter if require sprinklers required for ADU under the same water bill as the primacy residence.	No requirement in State law.	ADUs will be allowed to have separate utilities. JADUs not allowed to have separate utilities and must share utilities with the primary residence.