

ACCESSORY AND JUNIOR ACCESSORY DWELLING UNITS



CITY COUNCIL, ITEM NO. 7 – APRIL 13, 2021

NEW ADU/JADU REGULATIONS (2020)

- **On January 1, 2020, the State of California enacted new laws to encourage the development of ADU and JADUs**
- **These laws contain modified and new ADU and JADU standards which local municipalities must incorporate into their ADU and JADU ordinances**
- **Ordinances that do not comply with these new regulations became null and void as of January 1, 2020**

MUNICIPAL CODE AMENDMENTS

- **ADUs are permitted in zones where residential development is allowed including commercial-residential mixed-use zones;**
- **ADUs can be permitted within multifamily buildings that are not used as livable space including, but not limited to: storage rooms; boiler rooms; passageways; attics; basements; or garages;**
- **Multiple ADUs are allowed on lots developed with an existing multi-family unit;**
- **Attached ADUs shall not exceed 50% of the total floor area of the existing or proposed primary residence, 850 square feet, or 1,000 square feet for a unit that provides more than 1 bedroom;**

MUNICIPAL CODE AMENDMENTS

- **Detached ADUs shall not exceed 1,200 square feet;**
- **ADUs can be attached to or within a proposed or existing primary residence, attached garage or other accessory structures;**
- **ADUs may be detached from the proposed or existing primary residence;**
- **An additional 150 feet can be added for ingress and egress for an ADU within an existing accessory structure;**
- **ADUs shall observe a minimum 4-foot side and rear yard setback;**

MUNICIPAL CODE AMENDMENTS

- ADUs are not required to provide parking if they are within ½-mile of transit, within a historic district, part of a proposed or existing primary residence, in an areas where parking permits are required but not offered and if they are within one block of a car share area;
- If parking is required, parking shall not exceed 1 space per unit or bedroom, whichever is less;
- Replacement parking is not required for an ADU when a garage or carport is converted or demolished to construct an ADU;
- New ADUs and JADUs cannot be rented for less than 30 days;

MUNICIPAL CODE AMENDMENTS

- **Nonconforming conditions cannot prohibit ADU/JADU application approvals;**
- **A 60-day limit to process ADU and JADU building permits;**
- **ADUs can co-exist with JADUs on the same lot with a single-family dwelling;**
- **JADUs are allowed in proposed or existing single-family residences or existing accessory structures;**
- **JADUs require owner-occupancy.**

PLANNING COMMISSION RECOMMENDATION

On October 28, 2020, the City of Chula Vista Planning Commission recommended adoption of the ADU/JADU Ordinance amendments (6-0-1).

CONCLUSION

The amendments to the ADU and JADU ordinance and CVMC will bring the ordinance into compliance with state law and will better facilitate affordable housing development.

An aerial photograph of a city, likely in a semi-arid region, with a range of mountains in the background. The city is densely packed with buildings and roads. The image is overlaid with a semi-transparent dark grey banner at the top, which contains the text.

RECOMMENDATION

Council conduct the public hearing and place the ordinance on first reading.