

Date of Hearing: June 29, 2022

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT
Cecilia Aguiar-Curry, Chair
SB 897 (Wieckowski) – As Amended June 20, 2022

SENATE VOTE: 24-9

SUBJECT: Accessory dwelling units: junior accessory dwelling units.

SUMMARY: Makes numerous changes to the laws governing accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs). Specifically, **this bill:**

- 1) Specifies that certain standards that may be imposed on ADUs must be objective.
- 2) Modifies the ability of local agencies to apply building code requirements to ADUs by stating that the construction of an ADU shall not constitute a Group R occupancy change under the local building code, as specified.
- 3) Specifies that the construction of an ADU shall not trigger a requirement for fire sprinklers to be installed on the parcel's proposed or existing primary residence.
- 4) Requires a local agencies agency to approve or deny, rather than to merely act, on an ADU or JADU permit application within 60 days of receipt of a completed application, whether or not the local agency has adopted an ordinance regulating the creation of ADUs.
- 5) Requires local ordinances regulating ADUs to require that a demolition permit for a detached garage that is proposed to be replaced with an ADU be reviewed with the application for the ADU and issued at the same time.
- 6) Prohibits a local ordinance regulating ADUs from requiring an applicant for an ADU permit to provide written notice or post a placard for the demolition of a detached garage that is to be replaced with an ADU, unless the property is located within an architecturally and historically significant historic district.
- 7) Recasts an existing prohibition on imposing owner occupancy requirements on ADUs prior to January 1, 2025 and prohibitions on the imposition of owner-occupant requirements for any ADUs permitted between January 1, 2020 and January 1, 2025 as specified.
- 8) Prohibits local agencies from enforcing a zoning clearance or separate zoning review for attached or detached dwellings that does not permit the construction of at least an 800 square foot ADU that complies with the height requirements proposed in the bill, includes four-foot side and rear yard setbacks, and is in compliance with all other local development standards.
- 9) Prohibits local agencies from imposing parking standards on an ADU when the permit application for the ADU is submitted with a permit application to create a new single-family dwelling on the same lot.
- 10) Requires local agencies that receive a permit application for ADUs concurrent with an application to create new multifamily dwelling units to reduce the number of required

parking spaces for the multifamily dwelling by two parking spaces for each proposed detached ADU on the same lot.

- 11) Prohibits local agencies from denying an application for a permit to create an ADU or JADU due to the correction of nonconforming zoning conditions, or unpermitted structures that are not affected by the construction of the ADU or the JADU.
- 12) Increases the 16-foot height standard local agencies may impose on an ADU on parcels with proposed or existing single family dwellings or multifamily dwellings as follows:
 - a) Requires local agencies to allow detached ADUs as tall as 25 feet if the ADU is located within one-half mile walking distance of a major transit stop or high quality transit corridor, as defined.
 - b) Requires local agencies to allow an ADU that is attached to a primary residence to be 25 feet tall, or as tall as the local zoning ordinance that applies to the primary residence allows, whichever is lower.
- 13) Prohibits local agencies from requiring any modification to an existing multifamily dwelling that exceeds 25 feet in height or has a rear or side setback of less than four feet as a condition of approving up to two ADUs on that parcel.
- 14) Prohibits local agencies from rejecting an application to construct up to two ADUs on a parcel with an existing multifamily dwelling on the basis that the existing multifamily dwelling exceeds 25 feet in height or has a rear or side setback of less than four feet.
- 15) Defines “objective standards” as standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.
- 16) Expands an existing requirement to delay enforcement of building code standards against ADUs to include the primary residence on a parcel that includes an ADU.
- 17) Modifies the standards that local agencies may impose on a JADU that must be approved ministerially, specifically:
 - a) Modifies a requirement that a JADU may only be constructed within the walls of an existing single family residence and allows JADUs to also be constructed:
 - i) Attached to a detached ADU.
 - ii) Within a garage that is attached to the primary residence.
 - b) Requires a JADU that is attached to an ADU to include a separate entrance from the main entrance of the ADU.
 - c) Requires a JADU that does not include a separate bathroom to include a separate entrance from the main entrance to the structure and an interior entry to the main living area.

- 18) Removes a provision stating that JADU law shall not be construed to prohibit local agencies from adopting an ordinance or regulation related to parking that applies to a single-family residence that contains a junior accessory dwelling unit, so long as that ordinance or regulation applies uniformly to all single-family residences regardless of whether the single-family residence includes a junior accessory dwelling unit..
- 19) Provides that unless a local agency makes a finding that correcting a specified violation is necessary to protect the health and safety of the public or occupants of the structure, or the ADU is deemed substandard pursuant to existing law, a local agency cannot deny a permit for a constructed, unpermitted ADU built before January 1, 2018, for any of the following reasons:
 - a) The ADU is in violation of building standards.
 - b) The ADU does not comply with state or local ADU law.
- 20) Allows the owner of an ADU to request a five-year delay in enforcement of building standard violations on their primary residence, provided that correcting the violation is not necessary to protect healthy and safety, and the ADU was either:
 - a) Built before January 1, 2020.
 - b) Built on or after January 1, 2020, in a local jurisdiction that, at the time the ADU was built, had a noncompliant ADU ordinance, but the ordinance is compliant at the time the request is made.
- 21) States that it is the intent of the Legislature to ensure that grant programs that fund the construction and maintenance of ADUs undertake both of the following:
 - a) Provide funding for predevelopment costs, such as development of plans and permitting of ADUs.
 - b) Facilitate accountability and oversight, including annual reporting on outcomes to the Legislature.
- 22) Provides that no reimbursement is required by this bill, pursuant to Section 6 of Article XIII B of the California Constitution, because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this bill.

EXISTING LAW:

- 1) Establishes ADU and JADU law, which requires local agencies to ministerially approve an application for a building permit within a residential or mixed-use zone to create one or more ADUs or JADUs, as specified, including that:
 - a) Local agencies may impose standards on ADUs, except as specified.
 - b) Local agencies may apply local building code requirements that apply to detached dwellings to ADUs.

- c) Local agencies must ministerially approve, within 60 days, in an area zoned for residential or mixed-use, an application for a building permit to create an ADU and a JADU as follows.
 - i) Local agencies may not require a height limit for ADUs that is less than 16 feet.
 - ii) Local agencies not require parking in the following instances:
 - (1) The ADU is located within one-half mile walking distance of public transit.
 - (2) The ADU is located within an architecturally and historically significant historic district.
 - (3) The ADU 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 ADU.
 - (5) When there is a car share vehicle located within one block of the ADU.
 - d) The installation of fire sprinklers shall not be required in an ADU if sprinklers are not required for the primary residence.
 - e) A permitted JADU must be constructed within the walls of the proposed or existing primary residence.
- 2) Establishes a five-year amnesty period during which the owner of an ADU that violates any building standard, may correct the violation if the correction is not immediately necessary to protect public health and safety, as specified.

FISCAL EFFECT: This bill is keyed fiscal and contains a state-mandated local program.

COMMENTS:

- 1) **Bill Summary.** This bill would make multiple changes to ADU and JADU law related to the local agency approval process, the total allowable height, the application of local building codes, and parking requirements that apply to these structures. Additionally this bill creates a process allowing for the permitting of previously unpermitted ADUs. Specifically:
- a) **Local Agency Approval Process.** This bill requires local agencies to approve or deny an ADU or JADU permit application within 60 days. Currently law only requires local agencies to “act” on a permit application within 60 days.
 - b) **Height Requirements.** This bill increases the allowable height limit for ADUs in certain locations. Specifically, the bill allows ADUs as tall as 25 feet when the ADU is attached to an existing home, or when the ADU is within ½ mile of major transit or high-quality transit corridors.
 - c) **Building Code.** This bill makes several changes to the form and manner in which building codes are applied to ADUs. Specifically, this bill:

- i) Prohibits local agencies from reclassifying a structure within Group R of the state building code when an ADU is built on the parcel.
 - ii) Prohibits local agencies from requiring the installation of fire sprinklers on a proposed or existing primary residence when an ADU is built on the parcel.
 - iii) Requires local agencies to delay enforcement of building standards against the primary residence on a parcel where the owner built an ADU, provided that correcting the violation at the primary residence is not necessary to protect public health and safety and the ADU was built in a specified time period.
 - iv) Prohibits local agencies from denying an application to create an ADU due to the correction of nonconforming zoning conditions or unpermitted structures that are not affected by the construction of the ADU.
- d) ***Parking Requirements.*** Expands restrictions on the ability of local agencies to impose parking requirements on parcels with ADUs as follows:
- i) Prohibits local agencies from imposing any parking standards when a developer submits concurrent permit applications to create an ADU and a new single-family dwelling on the same lot.
 - ii) Requires local agencies to reduce the number of parking spaces required for new multifamily dwellings by two parking spaces for each ADU that is proposed on the same lot when the applications are submitted concurrently.
- e) ***Grandfathering Unpermitted ADUs.*** Provides that, unless a local agency makes a finding that correcting a specified violation is necessary to protect the health and safety of the public or occupants of the structure, or the ADU is deemed substandard pursuant to existing law, a local agency cannot deny a permit for a constructed, unpermitted ADU built before January 1, 2018 for specified reasons.

This bill is sponsored by the Bay Area Council.

- 2) **Author's Statement.** According to the author, "California was and continues to be in an ongoing housing crisis since I introduced my first ADU bill in 2016. While California has seen a significant increase in the amount of ADU building permit applications and ADU construction since that time, the lack of housing, and in particular affordable housing, is one of the most significant drivers of institutional and generational poverty cycles and will not be resolved until more housing can be developed. With localities across the state facing large regional housing needs allocations ADUs and JADUs represent a key instrument in our state's housing production.

"Further eliminating some of the unnecessary barriers to ADU production is a cost-effective approach that will allow homeowners to make better use of their property. ADU's can provide additional rental availability in their communities and allow homeowners to create more financial stability for themselves. Additionally, ADU's provide housing options for those homeowners who want to age in place as well as providing flexible living space for their family, friends, or caregivers."

- 3) **2016 ADU Laws.** SB 1069 (Wieckowski), Chapter 720, Statutes of 2016, and AB 2299 (Bloom), Chapter 735 Statutes of 2016 revised ADU Law to address some of the barriers to ADU creation that had been adopted by local governments. These changes to ADU law prohibited local ordinances that entirely ban ADUs and required local agencies to, among other provisions:
- a) Designate areas within the jurisdiction where ADUs may be permitted.
 - b) Impose standards on ADUs, including minimum lot sizes and requiring ADUs to be set back from the property line (“setbacks”).
 - c) Consider permit applications within 120 days.
 - d) Approve or disapprove an application for an ADU ministerially without discretionary review if the local government does not have an ADU ordinance when it receives a permit application.
 - e) Approve building permits to create an ADU ministerially if the ADU is within an existing residence, has independent exterior access, and meets certain fire safety requirements.

These bills also limited the cases when local agencies could require new utility connections for water and sewer, and limited the fees to be proportionate to the burden created by the ADU. AB 2406 (Thurmond), Chapter 755, Statutes of 2016 also allowed local agencies to adopt an ordinance regulating JADUs, which are smaller ADUs that are under 500 square feet, are contained entirely within an existing single-family residence, and may or may not have separate sanitation facilities.

- 4) **2019 Changes to ADU Law.** The Legislature expanded on many aspects of ADU law through a set of three bills: SB 13 (Wieckowski), Chapter 653, Statutes of 2019; AB 68 (Ting), Chapter 655, Statutes of 2019; and AB 881 (Bloom), Chapter 659, Statutes of 2019. The most significant provisions of these bills:
- a) Require local governments to allow at least an 800 square foot ADU of up to 16 feet on the lot, regardless of local zoning standards.
 - b) Require local governments to allow one ADU and one JADU on a single-family parcel (even if the jurisdiction has not adopted an ordinance allowing JADUs).
 - c) Allow up to two detached ADUs on the same site as an existing multifamily dwelling and the ministerial creation of multiple ADUs within the portions of existing multifamily buildings that are not used as livable space, as long as each unit complies with state building standards for dwellings.
 - d) Deem approved an application for an ADU if a local government doesn’t act on it within 60 days.
 - e) Prohibit local governments from requiring owner occupancy, until January 1, 2025.
 - f) Exempt ADUs under 750 square feet from impact fees and require impact fees for larger ADUs to be proportional to the square footage of the primary unit.

- g) Allows, until January 1, 2030, ADU owners to request a delay of up to five years in any enforcement actions for violations of building standards if the enforcement agency determines that the standards are not necessary to protect public health and safety.
- h) Require the Department of Housing and Community Development (HCD) to notify local governments if they are in violation of ADU Law and allows HCD to refer alleged violations to the Attorney General.

5) **Policy Considerations.** The Committee may wish to consider the following:

- a) **Building Code Groups.** This bill states that the construction of an ADU shall not constitute a Group R occupancy change under the local building code. The California Building Code establishes occupancy groups that dictate the building standards to which various categories of structures are held. Within the California Building Code Group R covers a variety of residential structures, broadly, Group R-1 covers transient occupancy such as hotels and motels, Group R-2 covers multi-unit non-transient dwellings such as apartments, Group R-3 covers buildings that contain two units or less, such as duplexes and single family homes; and, Group R-4 covers residential structures that include some form of ambulatory or custodial care such as assisted living facilities. Naturally, the various groups are held to different building standards due to the intensity of their use.

In addition to Group R categories, there are a range of other occupancy classifications such as Group A (assembly), Group B (business), Group E (educational facilities), Group H (high-hazard) and Group U (utility and miscellaneous). Group U covers structures that are accessory in nature such as carports, greenhouses, sheds, and private garages. Structures that are not coded as residential under one of the Group R categories are not held to residential building standards.

This bill would specify that construction of an ADU does not trigger a Group R occupancy change under the local building code. This would prohibit recoding within Group R if the number of units associated with a parcel increases as the result of building an ADU on the lot. This would also prohibit recoding a detached garage that is converted into an ADU as a residential Group R structure. The Committee may wish to consider if it is appropriate to prohibit local agencies from requiring these, or any, residential dwelling units to conform to residential code requirements.

- b) **Fire Sprinklers.** This bill prohibits local agencies from requiring the installation of fire sprinklers on a proposed or existing primary residence as a condition of approving an ADU. Existing law already prohibits local agencies from requiring a developer to install sprinklers on an ADU if the primary residence does not include sprinklers. Installing sprinklers on an existing structure can require expensive retrofitting. However, the challenge of retrofitting an existing structure is not an issue when the primary residence and ADU are constructed at the same time. The Committee may wish to consider if it is necessary or prudent to exempt proposed primary residences from residential fire protection requirements.
- c) **Parking.** This bill eliminates parking requirements for all ADUs that are built with new single-family developments and requires local agencies to reduce parking requirements for all new multifamily developments that include ADUs. Existing ADU law prohibits local agencies from establishing parking standards for ADUs in specified settings where

the demand for a vehicle is lower, such as when the ADU is located within a ½ mile of public transit. Existing parking provisions in ADU law apply whether the ADU is built on a lot with an existing primary residence or if the ADU is built in conjunction with a proposed primary residence. Existing law only confers the benefit of reduced parking requirements on ADUs that are linked to transit or other factors that reduce demand for parking.

This bill specifically eliminates parking requirements for any ADU that is built in conjunction with a newly proposed primary residence without regard to the ADUs proximity to transit or other factors that reduce the demand the ADU may create for parking. New construction is precisely where it is easiest to add new parking—when the developer is able to configure parking on an undeveloped lot without having to fit spaces around existing structures. Given that the current parking exemptions already apply to ADUs built with existing or proposed structures, the Committee may wish to consider whether it is appropriate to specifically exempt new ADUs from parking requirements when there is no link to decreased parking demand.

- d) **Height.** This bill proposes to increase from 16 feet to 25 feet the maximum height local agencies can impose on ADUs in specified areas. In January, this Committee approved AB 916 (Salas), which also adjusted the maximum height for ADUs. AB 916, as approved by this Committee, allowed a more modest height increase of two feet, and limited the increased height allowance to parcels that already contain a multistory-multifamily dwelling, ensuring that the taller ADUs were built adjacent to structures of a similar height. This bill will allow for ADUs that are 25 feet tall if the ADU is located on a parcel that is within ½ mile of a major transit stop, or if the ADU is attached to the existing primary residence.

SB 9 (Atkins), Chapter 162, Statutes of 2021, among other provisions requires local agencies to ministerially approve two residential units on an existing parcel zoned for single-family developments. SB 9 specifically prohibits local agencies from imposing objective standards that would have the effect of physically precluding the construction of up to two 800 square-foot units on the parcel. Height requirements are an objective zoning standard, and therefore subject to SB 9's override provision. A local government could impose objective height requirements on SB 9 units if the lot is large enough to accommodate two 800 square-foot units. However if a parcel is too small, or the developer uses SB 9s ministerial lot split provisions to create two smaller lots, the developer could exceed the height requirement if doing so is necessary to allow two 800 square foot units on each parcel.

ADUs, by definition, are “accessory” to the primary structure, much as a garage or shed is also accessory to the primary structure. SB 9 units are not accessory structures, and are not subject to the same constraints as ADUs. Under SB 9, an existing single unit structure could be converted into a duplex, an existing structure could be expanded to create a duplex, a new structure could be built adjacent to the existing structure, or two distinct structures could be built on the parcel. Under SB 9, an existing parcel can also be split and two units allowed on each parcel. Under SB 9, ADUs and JADUs are also allowed (however, SB 9 includes provisions that ultimately limit the number of units to four, whether the units are built under SB 9 authority or ADU/JADU Law authority).

The Committee may wish to consider the following. After recent amendments to ADU law, ADU construction increased from 1 percent of the state's new housing development prior to 2017 to 10 percent (9,600 units) of completed units in 2022. Given the rapid increase in ADU construction, is there any evidence that the existing height requirements are preventing sustained growth in ADU construction? ADUs are accessory structures on the lots they are built; should 25 feet tall ADUs, which may be taller than the parcel's primary residence and the primary residences on adjacent parcels continue to be considered "accessory" units? SB 9 allows developers to exceed height standards if those standards would preclude the development of two 800 square foot units on a single parcel. If a parcel is too small to allow for a second unit under ADU law, is it necessary to amend height requirements in ADU law when a developer could use SB 9 authority to disregard the height requirements and build the second unit?

- e) **Building Code Enforcement.** This bill allows a property owner to delay code violation enforcement on their primary residence if they build an ADU, provided that the code violation does not present a threat to public health and safety. The Committee may wish to clarify, that while code violations on primary residences should be enforced, they should not delay the unrelated construction of an ADU.
 - f) **JADU Standards.** This bill allows JADUs to be attached to an ADU rather than the primary residence on the parcel. The Committee may wish to consider whether attaching a JADU to an ADU is essentially creating a separate duplex, which is already provided for under SB 9.
 - g) **Permit Timeline.** This bill proposes to clarify the existing 60 day permit timeline for ADUs and JADUs by specifying that local agencies must approve or deny a permit in 60 days. AB 2221 (Quirk-Silva) includes similar provisions that seek to clarify ADU Law. AB 2234 (R. Rivas) seeks to require local agencies to review nondiscretionary post-entitlement housing development permits for completeness within 15 days and approve or deny complete permits within 30 days or 60 days depending on the size of the development. The Committee and the author may wish to consider aligning the competing provisions in these bills should they continue to move forward.
- 6) **Committee Amendments.** To address the policy considerations noted above as well as several technical and clarifying issues, the Committee may wish to consider the following amendments:
- a) **Occupancy Code.** Amend Government Code (GC) 65852.2 (a)(1)D)(viii) to clarify that while construction of an ADU does not trigger a code change within the Group R occupancy code (e.g. R-3 to R-2), nothing in the law prevents a local building official from recoding a nonresidential structure such as a garage to Group R if it is converted to an ADU.
 - b) **Fire Sprinklers.** Amend GC 65852.2 (a)(1)D)(xii) and GC 65852.2 (e)(3) to only prohibit local agencies from requiring fire sprinklers for *existing* primary residences.
 - c) **Parking.** Amend GC 65852.2(d)(1)(F) and GC 65852.2 (d)(2) to only prohibit local agencies from imposing parking requirements on ADUs that are constructed with a new primary residence if the ADU or parcel otherwise meets the existing locational

requirements that apply in ADU law. Specifically, delete GC 65852.2 (d)(2) and amend (d)(1)(F) to read:

65852.2(f)(2) “*When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot provided that the accessory dwelling unit or the parcel satisfies any of the applicable criteria above. [GC 65852.2(d)(1)(A)-(E)]*”

d) **Height.** Amend GC 65852.2 (c)(1)(C), and GC 65852.2 (e)(1)(B)(ii) to Allow ADUs to be 18 feet tall if they are located on:

i) A parcel with an existing multi-story-multifamily building.

ii) A parcel within ½ mile of a major transit station, and allow these ADUs an additional 2 feet of height (total of 20 feet) to accommodate a roof pitch that aligns with the roof pitch of the primary residence.

Allow ADUs to be 25 feet tall or the height limitation in the local zoning ordinance that applies to the primary residence, whichever is lower, if the ADU is attached to a primary residence.

e) **Building Code Enforcement.** Amend GC 65852.2 (n) and Health and Safety Code Section 17980.12 to clarify that the provisions do not allow a property owner to request a delay on correcting a building code violation of the primary unit.

f) **Multifamily Dwelling Height Clarification.** Amend GC 65852.2 (e)(1)(D)(ii) & (iii) to remove the erroneous application of ADU height requirements to multifamily dwellings and merge the two clauses to eliminate redundant text.

g) **Nonconforming Zoning Conditions and Unpermitted Structures.** Amend GC 65852.2 (d)(3) and GC 65852.22 (d) to include building code violations on the primary residence that do not present a threat to public health and safety.

h) **JADU Standards.** Amend GC 65852.22 (a) (4) to delete provisions authorizing JADUs to be attached to ADUs in lieu of being constructed within the footprint of the primary residence.

i) **Owner Occupancy.** Amend GC 65852.2(a)(8) and GC65852.2 (e)(4) to clarify that local agencies may continue to require rental periods of at least 30 days.

7) **Related Legislation.** AB 916 (Salas) restricts public hearings for certain projects and increases the maximum allowable height of ADUs on specified parcels. AB 916 is pending in the Senate Governance and Finance Committee.

AB 2221 (Quirk-Silva) clarifies and expands requirements for approval of ADUs and JADUs. AB 2221 is pending in the Senate Governance and Finance Committee.

AB 2234 (Rivas) requires public agencies to post information related to post entitlement phase permits for housing development projects, process those permits in a specified time period depending on the size of the housing development, and establish a digital permitting

system if the local agency meets a specific population threshold. AB 2234 is pending in the Senate Appropriations Committee.

- 8) **Previous Legislation.** SB 9 (Atkins), Chapter 162, Statutes of 2021, required ministerial approval of a housing development of no more than two units in a single-family zone (duplex), the subdivision of a parcel zoned for residential use into two parcels (lot split), or both.

AB 68 (Ting), Chapter 655, Statutes of 2019, AB 881 (Bloom), Chapter 659, Statutes of 2019, and SB 13 (Wieckowski), Chapter 653, Statutes of 2019: Collectively, these bills made changes to ADU and JADU laws, including narrowing the criteria by which local jurisdictions can limit where ADUs are permitted, clarifying that ADUs must be ministerially approved if constructed in existing garages, eliminating for five years the potential for local agencies to place owner-occupancy requirements on the units, prohibiting an ordinance from imposing a minimum lot size for an ADU, and eliminating impact fees on ADUs that are 750 square feet or less and capping fees on ADUs that are 750 square feet or more to twenty-five percent.

AB 2299 (Bloom), Chapter 735, Statutes of 2016 and SB 1069 (Wieckowski), Chapter 720, Statutes of 2016: Collectively, these bills required a local government to ministerially approve ADUs if the unit complies with certain parking requirements, the maximum allowable size of an attached ADU, and setback requirements.

- 9) **Double-Referral.** This bill was double-referred to the Housing and Community Development Committee where it passed on a 7-0 vote on June 15, 2022.
- 10) **Arguments in Support.** The Bay Area Council writes in support, “SB 897 will make it easier for homeowners to add Accessory Dwelling Units (ADUs) to their properties by eliminating remaining barriers to ADU construction. Since our partnership with you in 2016 on the state’s first significant ADU reform (SB 1069, Wieckowski), ADUs have proven to be an innovative solution to providing housing that is affordable by design. ADUs now constitute 13 percent of all residential building permits statewide, an 841 percent increase from 2016.”
- 11) **Arguments in Opposition.** The California State Association of Counties writes in opposition, “Current law appropriately authorizes cities and counties to restrict ADU height to 16 feet, thus helping ensure that these accessory units blend into the existing neighborhood. Mandating that local jurisdictions allow essentially two-story ADUs is completely contrary to the stated belief that ADUs are a way to increase density in a modest fashion that is not disruptive to established communities. Shoehorning a 25-foot structure into a backyard of a single-story ranch style home, that is within one half mile of public transit, calls to question the idea that these are ‘accessory dwelling units.’”

REGISTERED SUPPORT / OPPOSITION:

Support

Bay Area Council [SPONSOR]
Abundant Housing LA
California Apartment Association

California Building Industry Association
California Community Builders
California YIMBY
Cal-RHA
Civicwell
Fieldstead & Company
Housing Action Coalition
Midpen Housing
San Francisco Bay Area Planning & Urban Research Association
Southern California Rental Housing Association
Sv@home Action Fund
The Two Hundred

Oppose Unless Amended

California Association of Realtors

Opposition

California Association of Code Enforcement Officers
California Building Officials
California Cities for Local Control
California State Association of Counties
City of Carlsbad
City of Corona
City of Cupertino
City of Los Altos
City of Paramount
City of Pleasanton
City of Rancho Palos Verdes
City of San Marcos
City of Santa Clarita
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League of California Cities
Marin County Council of Mayors and Council Members
New Livable California Db a Livable California
South Bay Cities Council of Governments
Rural County Representatives of California
Town of Danville
Urban Counties of California

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