



Ordinance Amendment Accessory Dwelling Units

City Council

April 7, 2020



ADU Legislation Background

1982 ● Cities may permit through CUP

1986 -2003 ● Maximum size and ministerial approval

2016 ● Governor signs legislation which make significant changes

October 2019 ● Present revisions



New Legislation

October 2019

- AB 68 & AB 881 – Expanded criteria for allowing ADUs / JADUs, and limited the fees and regulations that cities may impose
- SB 13 - Limited code enforcement upon ADUs
- AB 587 – Clarified separate sales provisions
- AB 670 – Removed HOA / CC&R controls

Effective Date: January 1, 2020





ADUs and JADUs

Accessory Dwelling Unit (ADU) also known as:

- Granny flats
- In-law suites
- Casitas

Junior Accessory Dwelling Units (JADU)

- Within proposed or existing residence

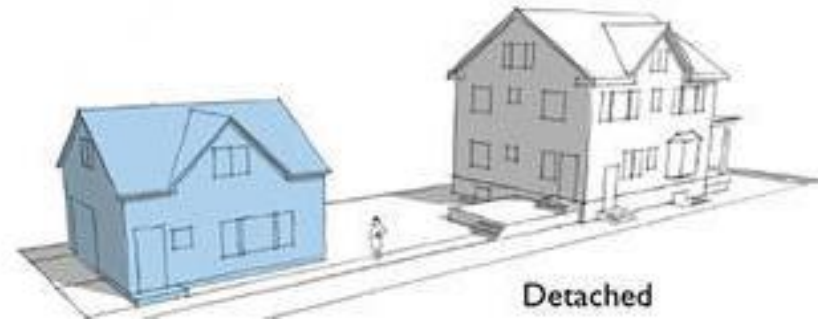
What is an ADU?



Internal



Attached

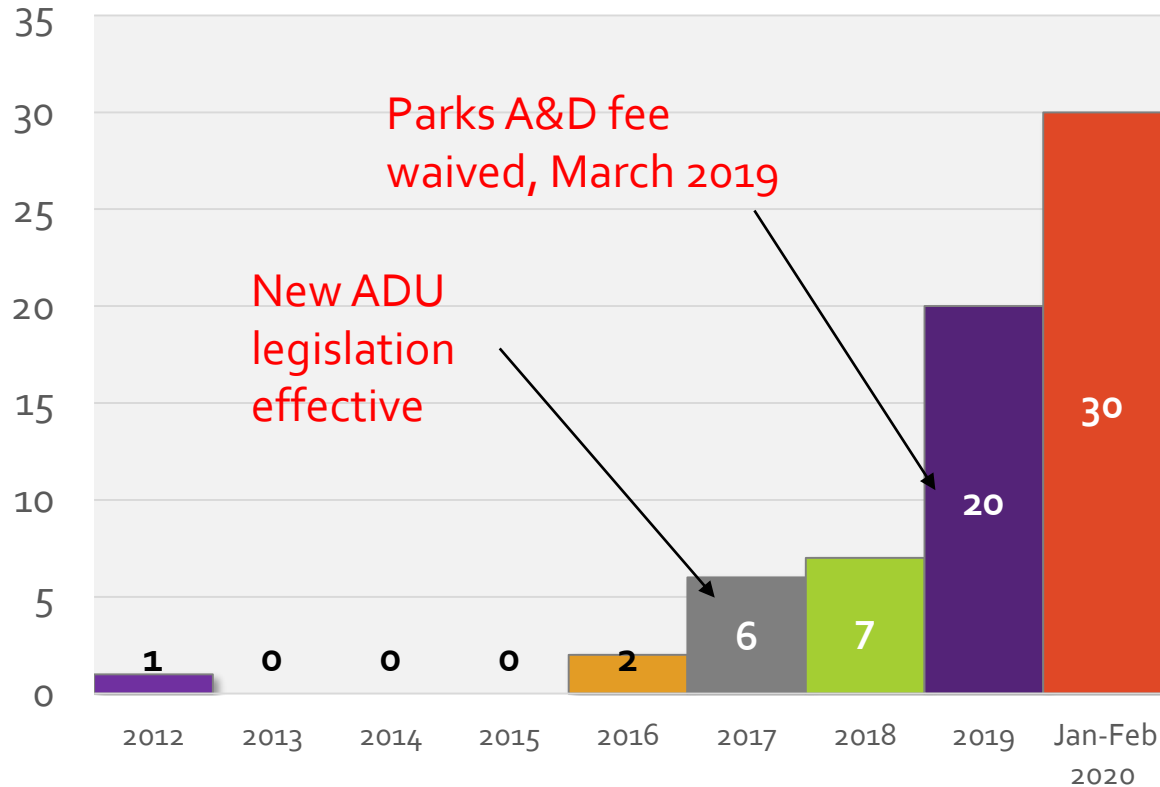


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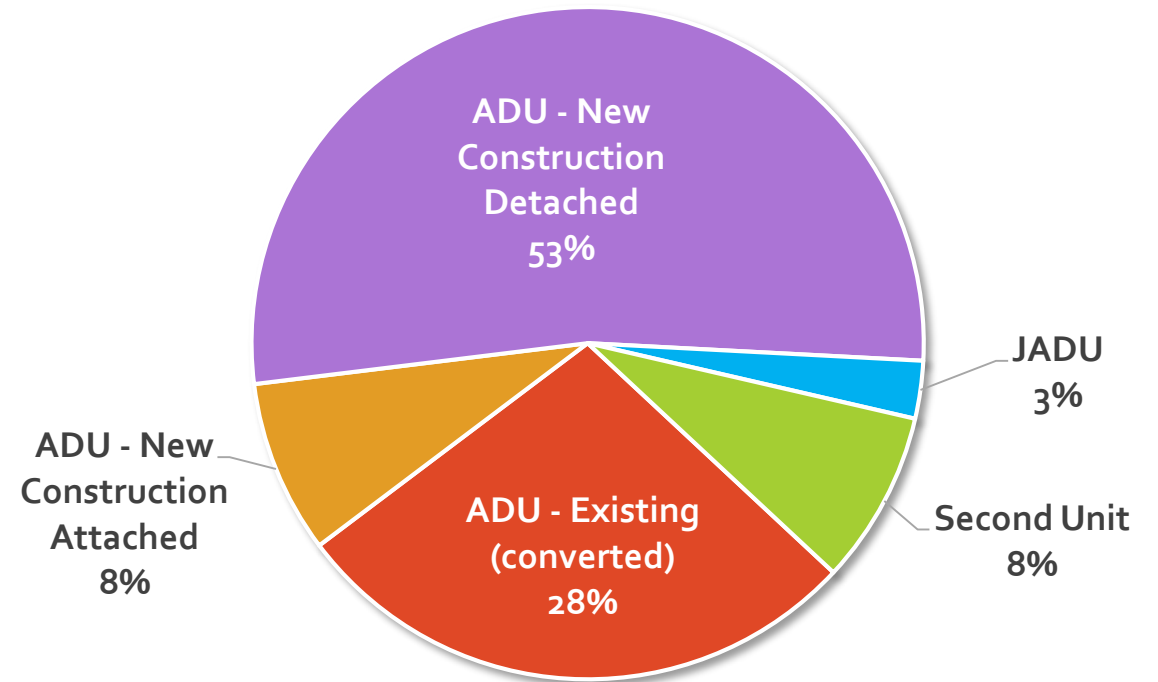


ADU Activity 2012-Present

Accessory Dwelling Units [2012-2020]



ADUs by Type [2012-2019]



Source: 2012 – 2019 permit finals; 2020 – under construction & in plan check



ADU / JADU Standards

Amended standards for:

- Conversion of existing square footage (including detached structures)
- New construction of attached ADU
- New construction of detached ADU
- Parking Exemptions
- ADUs in multi-family developments
- ADUs in Office-Professional zone
- Junior Accessory Dwelling Units



Other State Provisions

- Fire Sprinklers – Only required when required for primary dwelling
- Impact Fees – Waived
- Owner Occupancy – Only required for JADU (either unit)
- Short-Term Rentals – Prohibited for ADUs / JADUs
- Subdivision – Prohibited for ADUs / JADUs unless developed by qualified nonprofit corporation and sold for low-income housing





Recommended Action

- Introduce Ordinance approving amendments to the Fullerton Municipal Code Title 15 pertaining to Accessory Dwelling Units to conform to state regulations
- Find the ordinance amendment is statutorily exempt under section 15282(h) of state CEQA Guidelines



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