

---

## **SUMMARY OF 2019 ADU BILLS (as of 9/26/19)**

**AB 670 (Friedman):** Signed by Governor. Homeowners associations must allow ADUs and JADUs as of 1/1/20.

**AB 671 (Friedman):** Passed both houses. Housing Elements would need to incentivize and promote the creation of ADUs at all income levels. Would also require HCD to develop, and post, a list of existing state grants and financial incentives for ADUs.

**AB 587 (Friedman):** Passed both houses. Would allow a non-profit to separately convey title to ADUs.

**AB 69 (Ting):** Stalled this year. Would have required HCD to create a small building code.

**AB 68 (Ting) / AB 881 (Bloom) / SB 13 (Wieckowski):** Passed both houses. These three bills have been amended by the authors for consistency, however, the signing order will affect which provisions are enacted. If all three are signed the following would be enacted:

- One ADU and one JADU by right on a single family lot.
- One JADU by right with a full kitchen.
- ADUs allowed in multi-family and mixed-use zones. Up to 2 detached ADUs, plus conversion of uninhabited spaces for multiple ADUs (up to 25% of units in multifamily buildings).
- No minimum lot size for ADUs.
- Zero setback if conversion of an existing structure at property line.
- Maximum 4' side and rear setbacks for newly constructed ADUs.
- Must allow a minimum of an 800 sf efficiency or 1 bedroom ADU, or a minimum of 1,000 sf for 2+ bedrooms (no lot coverage, floor ratios or open space requirements can reduce this minimum)<sup>1</sup>
- Minimum 16 ft. height allowed.
- 60-day permit processing, or deemed approved.
- No replacement parking for garage conversions.
- Proximity to transit must be walkable to qualify for parking waiver.
- HCD & Attorney General can enforce compliance if new local ordinance is out of compliance, but 30-day right to cure or state findings to support ordinance.
- 5-year moratorium on local owner-occupancy restrictions until 1/1/25.
- No impact fees on ADUs less than 750 sf, if larger, impact fees to be proportional to main house
- ADUs count for RHNA
- Mandatory 5-year stay of enforcement on unpermitted ADUs if they meet health and safety standards.

---

<sup>1</sup> Note: There is some internal inconsistency in the bills with 800 sf and 850 sf being mentioned in different places.