



California ADU vs City of San Diego ADU Comparison

(Accompanies "[City of San Diego Continues to Expand Zoning Flexibility for Granny Flats](#)," published October 29, 2020 by Procopio)

	State Regulation	City Regulation
Zone	Zoned to allow single-family or multifamily dwelling residential use	All zones allowing residential uses by-right as a limited use
Owner-occupied required	Local agency may require owner-occupancy, but shall not impose owner-occupancy requirement on ADU permitted between Jan. 1, 2020 to Jan. 1, 2025. Yes for JADU	No, for ADU Yes, for JADU
Density	ADUs do not exceed allowable density and are consistent with the existing general plan and zoning for the lot	Not subject to density limitations of the premises
Minimum lot size	Local agency may not impose standards on ADUs that include requirements on minimum lot sizes	Not required
Development regulations	Local ordinance may not provide limits on lot coverage, floor area ratio, open space, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.	Gross floor area of ADU and JADU shall be included in the FAR for the premises
Number Permitted with proposed or existing single-family dwelling/zone	One ADU and one JADU	One ADU and one JADU on a premises within a single dwelling unit
Number permitted with existing or proposed multi-family dwelling/zone	<ol style="list-style-type: none"> 1. At least 1 ADU and up to 25% of the existing multifamily units <i>within an existing multi-family dwelling</i>. 2. Multiple ADUs within the portions of existing multifamily dwelling structures <i>that are not used as</i> 	<ol style="list-style-type: none"> 1. At least 1 ADU and up to 25% of the existing multifamily units, <i>within the habitable area of an existing multi-family dwelling</i>.

	<p><i>livable space</i> (i.e. storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings)</p> <p>3. Two (2) detached ADUs, subject to a height limit of 16 feet and four-foot rear yard and side setbacks.</p>	<p>2. Unlimited ADUs within the portions of existing multifamily dwelling structures <i>that are not used as livable space</i> (i.e., storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings)</p> <p>3. Two (2) detached ADUs</p>
Bonus ADU	Not applicable.	<p>A density bonus of 1 ADU for every deed restricted affordable ADU provided</p> <ul style="list-style-type: none"> - 15-year term, guaranteed through a written agreement, and a deed of trust securing the agreement, entered into by the applicant and the San Diego Housing Commission - Made affordable to very low income, low income, or moderate-income households (30% of 50% AMI, 30% of 60 AMI and 30% of 100% AMI for rental units) - Units to be constructed onsite <p>No limit on bonus ADUs in Transit Priority Areas</p> <p>One (1) bonus ADU permitted outside of Transit Priority Areas</p>
Size of attached ADU	If includes an existing primary dwelling unit, the total floor area of attached accessory dwelling shall not exceed 50% of existing dwelling	The maximum gross floor area of an ADU shall not exceed 1,200 square feet. An ADU constructed within an existing dwelling unit or accessory structure may

		construct an additional 150 square feet for ingress and egress only.
Size of detached ADU	Shall not exceed 1,200 sf	The maximum gross floor area of an ADU shall not exceed 1,200 square feet. An ADU constructed within an existing dwelling unit or accessory structure may construct an additional 150 square feet for ingress and egress only.
Minimum Size of ADU	800 sf	800 sf
Size of JADU and requirements	<p>No more than 500 sf</p> <p>Deed restricted that prohibits sale of JADU separate from the primary residence and provides the restrictions to the size and attributes.</p> <p>Must be constructed within walls of proposed or existing family residence</p> <p>Separate entrance from existing residence and efficiency kitchen</p>	<p>Not less than 150, not more than 500sf</p> <p>Record owner shall enter into an agreement with the City in a form that is approved by the City Attorney. The agreement shall include the following provisions: the JADU may not be sold or conveyed separately from the primary dwelling unit; the agreement may be enforced against future purchasers; and the record owner shall reside on the premises. The City shall submit the agreement to the County Recorder for recordation. The agreement shall run with the land for the life of the JADU.</p> <p>Must be constructed within an existing or proposed single dwelling unit, an attached or detached garage, or an ADU. A JADU constructed within an existing structure may construct an additional 150 square feet for ingress and egress only</p> <p>Separate exterior entry from the primary dwelling unit and</p>

		shall provide a kitchen or an efficiency kitchen.
Rental	May be rented separate from primary residence but may not be sold or otherwise conveyed separate from the primary residence.	Yes, not used for a rental term of less than 31 consecutive days
Setback Required	<p><u>Existing Structures:</u> No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit</p> <p><u>New Structures:</u> 4' feet from the side and rear lot lines shall be required.</p>	<p><u>Existing structure:</u> No setback required for an existing dwelling unit or accessory structure converted to ADU or JADU, or to a portion of ADU or JADU. An ADU or JADU that is constructed in the same location and to the same dimensions as an existing structure may continue to observe the same setbacks as the structure it replaced.</p> <p><u>New Structures:</u> New ADU and JADU must comply with front and street yard setbacks of the zone. They may encroach into interior side yard and rear side yard setbacks up to the property line (0' setback) to accommodate the construction of the ADU or JADU</p>
Height	16'	Per zoning
Parking	Local jurisdiction may eliminate. Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.	No parking required for ADU/JADUs
Replace Parking	When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local	When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or JADU, or converted to an ADU or JADU, replacement of those off-

	agency shall not require that those off-street parking spaces be replaced	street parking spaces is not required
Fire Sprinklers	Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.	ADU and JADU shall not be required to provide fire sprinklers if they are not required for the primary dwelling unit. If primary is protected with an automatic fire sprinkler system in accordance with section R313 of the California Residential Code, ADU and JADU shall be protected with automatic fire sprinkler system
Ministerial Approval*	Permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits.	Approved in accordance with Process One