

New State Law	Description of Edit	Affected Code Reference(s)
<b>Attached Garage Conversion to JADU</b>		
New law has clarified that <b>enclosed areas</b> within an existing dwelling can be converted to JADU, including attached garages.	Clarify that enclosed areas within a residence including attached garages may be converted to JADU to demonstrate compliance with state law. We have already been allowing this under the current text, but this edit makes the standard clear to applicants.	18.23.210(C)(1)(a)
<b>ADUs in Multifamily</b>		
Must allow ADUs in both existing <i>and proposed multifamily structures</i>	The current ordinance only allows an ADU in an existing multifamily structure, so a proposed multifamily building could not dedicate space to an ADU.	18.23.210 (C)(2)(a), 18.23.210(C)(2)(b)
<b>Fire Sprinklers</b>		
Previously, <b>fire sprinklers</b> could not be required for the ADU/JADU if not required for the main unit. New state law adds on that fire sprinklers shall not be required for the main unit due to the ADU/JADU.	Option 1 - Add this requirement to comply with state law. Option 2 - Defer building requirements to the building code. Further recommendations in "Clarity Edits" Table	18.23.210(E)(2)
<b>Objective Design Standards</b>		
Objective Standards are required when reviewing ADUs and JADUs	Defer to the objective design requirements in the underlying zoning district to establish details such as entry requirements and architectural standards. Strike discretionary review by Director.	18.23.210(E)(3)(d)
Objective Standards are required when reviewing ADUs and JADUs	Architectural design requirements removed because they are not objective, and referring to objective design guidelines in underlying zoning.	18.23.210(E)(3)(f)
Objective Standards are required when reviewing ADUs and JADUs	Strike discretionary review by Building Official	18.23.210(E)(3)(g)
Objective Standards are required when reviewing ADUs and JADUs	Clarify development standards must be objective	18.23.210(E)(4)(b)
Objective Standards are required when reviewing ADUs and JADUs	Architectural design requirements removed because they are not objective, and referring to objective design guidelines in underlying zoning.	18.23.210(E)(4)(f)
Objective Standards are required when reviewing ADUs and JADUs	Strike discretionary review by Building Official	18.23.210(E)(4)(g)
Objective Standards are required when reviewing ADUs and JADUs	Strike discretionary review by the Director	18.23.210(E)(4)(g)
Objective Standards are required when reviewing ADUs and JADUs	Strike discretionary review by Community Development Director	18.23.210(F)(2)
<b>Front Setbacks</b>		
<b>Front setbacks</b> are now included in the development requirements that must be waived for statewide ADUs - cannot establish limits on lot coverage, floor area, open space, minimum lot size, and <i>front setbacks</i> that do not permit construction of at least an 800 square foot ADU.	Currently front setbacks are called out in the ordinance as a standard that could be waived only if it unduly constrains creation of an ADU. Applicants would be required to prove infeasibility of the location of the ADU elsewhere on the lot.	18.23.210(E)(4)(a)
<b>Front setbacks</b> are now included in the development requirements that must be waived for statewide ADUs - cannot establish limits on lot coverage, floor area, open space, minimum lot size, and <i>front setbacks</i> that do not permit construction of at least an 800 square foot ADU.	Currently front setbacks are called out in the ordinance as a standard that could be waived only if it unduly constrains creation of an ADU. Applicants would be required to prove infeasibility of the location of the ADU elsewhere on the lot.	18.23.210(E)(4)(d)
<b>Height</b>		
Detached ADU height maximum increased to 18' for properties within one-half (1/2) mile of public transit. Must allow an additional 2' in height to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit. Detached ADU height maximum increased to 18' for lots with an existing multifamily, multistory building. Attached ADU height maximum increased to 25'.	Currently the ordinance limits all ADU heights to 16' or 20' for detached garage + ADU configuration. Amendment would bring height maximums into compliance with state law.	18.23.210(E)(4)(a)
Detached ADU height maximum increased to 18' for properties within one-half (1/2) mile of public transit. Must allow an additional 2' in height to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit. Detached ADU height maximum increased to 18' for lots with an existing multifamily, multistory building. Attached ADU height maximum increased to 25'.	Currently the ordinance limits all ADU heights to 16' or 20' for detached garage + ADU configuration. Amendment would bring height maximums into compliance with state law.	18.23.210(E)(4)(b)
Detached ADU height maximum increased to 18' for properties within one-half (1/2) mile of public transit. Must allow an additional 2' in height to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit. Detached ADU height maximum increased to 18' for lots with an existing multifamily, multistory building. Attached ADU height maximum increased to 25'.	Currently the ordinance limits all ADU heights to 16' or 20' for detached garage + ADU configuration. Amendment would bring height maximums into compliance with state law.	18.23.210(E)(4)(h)

Existing State Law	Affected Code Reference(s)
<b>Allowable ADU and JADU locations</b>	
Must allow ADUs in residential zoning as well as structures.	18.23.210(B)
Must allow ADUs in residential zoning as well as structures.	18.23.210(C)(2)(c)
Must allow ADUs in residential zoning as well as structures.	18.23.210(C)(3)(d)
Include Ownership in Rental Standards subsection title since the subsection deals with both rental and ownership requirements.	18.23.210(D)
<b>Second story setbacks</b>	
ADU second floor setbacks – if interpreted correctly, the references to second floor setbacks should clarify that statewide exemption ADUs may use 4’ side and rear setbacks at any height	18.23.210(E)(4)(d)
<b>Percentage of main dwelling</b>	
Maximum size of attached ADU (new or converted) cannot exceed 50% of the existing primary unit	18.23.210(E)(4)(e)

Amendment	Description of Edit/Rationale	Affected Code Reference(s)
<b>Numbers and Location</b>		
Clean up and improve the Numbers and Location sections for JADUs and ADUs - this section establishes where and how many ADUs/JADUs can be constructed	Suggesting that we remove non-relevant requirements as much as possible from 18.23.210-C(1),(2),(3) where Number and Location are regulated. Dimensional standards are handled elsewhere in the section.	Remove height and setbacks from 18.23.210(C)(2)(b)
Suggesting that we combine 18.23.210-C(2) and (3) so allowable Number and Location all under one subsection. Clarify/correct that 2 units are allowed with multifamily dwellings in certain circumstances. An implications is made by C(3) that only 1 ADU structure is allowed in each of the below locations, including C(3)(d) which addresses multifamily.	Internal consistency	
Clarify an ADU can be added onto an existing accessory structure. For example, an existing shed could have an ADU attached to it.	Internal consistency ADUs can be added onto existing accessory structures	18.23.210(C)(3)(c)
<b>JADU Development Requirements</b>		
Add titles to each subsection to mirror the ADU Development Requirements subsection	Ease of ordinance navigation	
Regardless of whether JADU new addition/conversion of unenclosed space is deemed permissible as a policy change, suggest striking JADU location requirements from JADU Interior Requirements because it is dealt with in Number and Location subsection.	Internal consistency	18.23.210(E)(3)(a)
Strike duplicate JADU parking requirements from development standards	Internal consistency	
Suggest adding a table of requirements to make reference easier and more accessible for applicants. Listing the requirements in a table format also makes it simpler to translate all regulations into a digestible format tailored to the type of ADU project someone is pursuing. Will also draft a JADU table.	Ease of ordinance navigation	
<b>ADU Development Requirements</b>		
Add Interior Requirements at the top of this section to mirror JADU section above, and to provide interior requirements in the section instead of having to find it in Use Classifications. Applicants cannot quickly/easily locate the interior requirements because they're unintuitively located in a separate section.	Ease of ordinance navigation	18.23.210(E)(4)(a-h)
Renumber below subsections.	Internal consistency	18.23.210(E)(4)(a-h)
Separate ADU setback section into categories of ADUs for clarity.	Ease of ordinance navigation	18.23.210(E)(4)(d)
Suggest adding a table of requirements to make reference easier and more accessible for applicants. Listing the requirements in a table format also makes it simpler to translate all regulations into a digestible format tailored to the type of ADU project someone is pursuing. Will also draft a JADU table.	Ease of ordinance navigation	
Suggest Explicitly defining the statewide exemption ADU	Internal consistency Add a reference to the ADU + Detached Garages section to the requirements for locating detached garages in the front half of a lot, because front setbacks are potentially waived for the ADU, but applicants may not realize they cannot locate the detached garage in the front half of the lot by right	18.23.210(E)(4)(b) 18.23.210(E)(5)(a)
<b>ADU Detached Garages - allowable locations</b>		
<b>18.03 Rules of Measurement</b>		
Explicitly state in the rules of measurement that up to 800 sq ft of ADUs are excluded from floor area calculations	Reduce confusion in application intake, review thresholds, allowable buildable area, etc.	18.03.080
Explicitly state in rules of measurement that statewide exemption ADUs are excluded from lot coverage calculations	Reduce confusion regarding allowable buildable area.	18.03.100
<b>18.12 Hillside Overlay District</b>		
Explicitly state that ADUs are exempt from the downhill building face height maximum of 20 feet	Prevent downhill building face rule from overriding State allowable attached ADU height	18.12.060
Natural state	Clarify statewide exemption ADUs are exempt from natural state requirements	18.12
<b>18.29 Design Review</b>		
Applicability – ADUs and JADUs alone cannot cause a project to go to hearing	Reduce confusion in application intake, review thresholds, etc.	18.29.020
Assignment threshold – add that ADUs JADUs are excluded	Reduce confusion in application intake, review thresholds, etc.	18.29.020
Assignment threshold – Add that an application for ADU or JADU may be delayed for applications that include a new single-family or multifamily dwelling unit.	Reduce confusion in application intake, review thresholds, etc.	18.29.030(A)(1), (A)(3)
<b>18.40 Use Classifications</b>		
Strike language regulating ADU location from use classification chapter	Internal consistency	18.40.020

Clarification	Description of Edit/Rationale	Affected Code Reference(s)
Strike requirement that new additions shall not contain JADUs. This creates an added burden on applicants because an addition meant to be a JADU has to seek double approvals, first to add on, then to convert. Effectively eliminates the ability to create JADUs outside of existing footprints unless demolishing and rebuilding. This also eliminates the ability to convert crawlspace or other technically existing spaces to JADU if the space is not enclosed.	Strike requirement that new additions shall not contain JADUs.	18.23.210(C)(1)(a)
Explicitly allow unenclosed crawlspaces to be converted to JADUs. New state law requires a minimum allowable height of 25' for attached ADUs. Recommending that the Ordinance allow the height to be determined by the base zoning district, and any applicable overlays, not to be less than 25'.	Explicitly allow unenclosed crawlspaces to be converted to JADUs.  Refer attached ADU height maximums to base zoning district, not to be less than 25'. Suggest striking requirements for ADU second story windows to "be obscured or have at least 5 foot sills depending on existing and proposed conditions" or provide policy direction on a replacement requirement that is objective.	18.23.210(C)(1)(a)  18.23.210(E)(4)(h)
Second story window requirements are currently established by discretion of the director		18.23.210(E)(4)(g)
<b>ADU + Detached Garage</b>	<b>Description of Edit/Rationale</b>	<b>Affected Code Reference(s)</b>
Allow ADUs to be located both above <i>and</i> below detached garages	Due to the existence of sloped lots, sometimes an ADU could be proposed below a garage. This configuration is not currently allowed because the ordinance limits the ADU location to "above."  In reality, the requirement to stack the ADU with the detached garage (typically 400 sq ft) may disallow an 800 sq ft ADU, and may prevent unique footprints that better maximize the space on the lot. Existing requirement might encourage massive garages, or excessive lot coverage for a fully detached ADU.	18.23.210(C)(3)(e), 18.23.210(E)(5)
Where an ADU is proposed with a detached garage, allow the ADU to be located outside of the garage footprint		18.23.210(E)(5)(b)
For an ADU + Detached Garage configuration, allow balconies and decks to face rear and property lines when needed to meet minimum requirements to allow minimum ingress and egress.	This requirement intends to create privacy, but like other types of ADUs, allowing decks and balconies to face whatever direction is needed for each individual lot in order to allow minimum safety requirements for ingress and egress will allow greater flexibility in constructing ADUs and JADUs on our very narrow lots. Because we already allow this for a regular detached ADU, even 2nd story, it is unclear why we do not allow it for this ADU configuration type and could cause confusion in review process.	18.23.210(E)(5)(c)
<b>Other</b>	<b>Description of Edit/Rationale</b>	<b>Affected Code Reference(s)</b>
ADU refrigerator width – suggest minimum 24 in	This requirement is not clarified anywhere and causes difficulty for some applicants who seek to minimize the refrigerator provided. No objective standard or definition exists for "standard refrigerator."	18.23.210(E)(4)(a)