

Accessory Dwelling Units (ADU) - SB 897 and AB 2221 Compliance:

The table below details the specific State updates to ADU laws and how the City of La Mesa would attain compliance.

State Regulation	City Compliance	Ordinance Amendments
Setbacks: Requires the City's front setback requirement to yield for certain ADUs.	Current ordinance requires compliance with other development standards of the underlying zoning district, including front setbacks.	Update ordinance to add "front setbacks" to existing list of development standards that cannot preclude development of an ADU of at least 800 square feet.
Height limits: Requires the City to allow certain ADUs to exceed 16 feet in height. Detached and attached ADUs may be developed up to 18 or 25 feet in height, depending on the location, ADU configuration, and design of the primary dwelling.	The current building height limit is 20 feet in most residential zones and 30 feet in RB and R3 zones. To simplify the development standards, the draft ordinance would remove all references to height limits for ADUs and only enforce the building height limits of the underlying zoning districts.	Remove existing regulations which limit any accessory dwelling unit that is created by new construction to a height of one story and sixteen feet.
Parking: Prohibits the requirement of parking for certain ADUs.	The City's current ordinance does not require parking for any ADU.	Amendments are not needed.
Fire Sprinklers: Prohibits construction and an ADU from triggering a requirement for fire sprinklers for the primary dwelling unit	The current ordinance does not address fire sprinkler requirements for the primary residence.	Update the current ordinance to prohibit requiring sprinklers for the primary residence in conjunction with construction of an ADU.
Objective standards: Clarifies that local agencies may only impose objective standards on ADUs and adds an express definition for "objective standards."	Current ordinance does not contain subjective standards. The draft ordinance adds the definition for "objective standards" as defined by the State.	Add definition of "objective standards" to the new definitions section under Section 24.05.020D8j.

State Regulation	City Compliance	Ordinance Amendments
<p>Application review: Requires cities to concurrently review and issue an ADU application and demolition permit for a detached garage that is to be replaced with an ADU.</p>	<p>Current ADU application review practices are fully compliant with this State regulation. The City will continue allowing for concurrent permit reviews and issuances.</p>	<p>Amendments are not needed.</p>
<p>Denial procedures: Requires cities to justify a denial with a full set of detailed comments describing the deficiencies in the application and explaining how to remedy them.</p>	<p>Current ADU application review practices are fully compliant with this State regulation. The City will continue providing detailed comments during plan check review.</p>	<p>Amendments are not needed as the current ordinance does not contain regulations that would conflict with State ADU laws.</p>
<p>Nonconforming conditions: Prohibits cities from denying an ADU application solely because corrections are needed to address nonconforming zoning conditions, building code violations, or unpermitted structures elsewhere on the lot that do not present a threat to public health and safety and are not affected by the construction of the ADU.</p>	<p>Current ADU ordinance only addresses correction of nonconforming zoning conditions.</p>	<p>Update the current ordinance to include prohibition of denial of an ADU application due to building code violations or unpermitted structures.</p>

Junior Accessory Dwelling Units (JADU) - SB 897 and AB 2221 Compliance:

The table below details the specific State updates to JADU laws and how the City of La Mesa would attain compliance.

State Regulation	City Compliance	Ordinance Amendments
<p>Attached enclosed uses: Expressly permits JADU in enclosed uses within the primary dwelling structure, such as attached garages.</p>	<p>Current JADU application review practices are consistent with this State regulation; JADUs have been permitted within enclosed uses attached to the primary dwelling.</p>	<p>Additional clarifying language is added to Section 24.05.020D9f(ii) to expressly permit JADUs within enclosed uses attached the primary dwelling, including garages.</p>
<p>JADU configurations: In instances where a JADU will share a bathroom with the primary dwelling, cities must require the JADU to have an interior entry to the primary dwelling’s “main living area,” independent of the exterior entrances of the JADU and primary dwelling.</p>	<p>Current JADU application review practices are consistent with this State regulation.</p>	<p>Additional clarifying language is added to Section 24.05.020D9f(vi) to expressly require an interior entry to the primary residence’s main living area when sharing a bathroom.</p>
<p>Nonconforming conditions: Prohibits cities from denying an ADU application solely because corrections are needed to address nonconforming zoning conditions, building code violations, or unpermitted structures elsewhere on the lot.</p>	<p>The current JADU ordinance does not include these specific provisions, but City practice has been consistent therewith.</p>	<p>Update the JADU ordinance to prohibit denial based on nonconforming zoning conditions, building code violations, or unpermitted structures.</p>