

ORDINANCE NO. 2300

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON
AMENDING CHAPTER 18.106 OF THE PLEASANTON MUNICIPAL CODE TO
COMPLY WITH STATE LEGISLATION FOR ACCESSORY DWELLING UNITS AND
JUNIOR ACCESSORY DWELLING UNITS**

WHEREAS, state law authorizes cities to act by ordinance to provide for the creation and regulation of accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs"); and

WHEREAS, in recent years, the California legislature has approved, and the Governor has signed into law, numerous bills that, among other things, amend various sections of the Government Code to impose new limits on local authority to regulate ADUs and JADUs; and

WHEREAS, on March 2, 2021, the City Council adopted Ordinance 2213 to comply with state legislation pertaining to ADUs and JADUs; and

WHEREAS, on May 7, 2024, the City Council adopted Ordinance 2277 to implement additional state law requirements for ADUs; and

WHEREAS, effective January 1, 2025 Senate Bill 1211 amended Sections 66314 and 66323 of the Government Code, and Assembly Bill 2533 amended Section 66332 changing the requirements for local governments related to accessory dwelling units and junior accessory dwelling units; and

WHEREAS, the proposed amendments to the Pleasanton Municipal Code implement the requirements of state law and add local policies that are within the scope of the state law; and

WHEREAS, the Planning Commission reviewed the amendments to the Pleasanton Municipal Code at its August 27, 2025 meeting and recommended approval of the amendments by the City Council.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES
HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. The City Council finds that the proposed code amendments are statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines 15282(h) in that CEQA does not apply to the adoption of a local ordinance implementing the provisions of State ADU law which is set forth in Government Code Section 66310 et. seq. The amendments are further statutorily exempt pursuant to CEQA Guidelines 15268 in that they are a "ministerial project", involving little or no personal judgment. Additionally, the amendments are exempt pursuant to CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the amendments may have a significant effect on the environment.

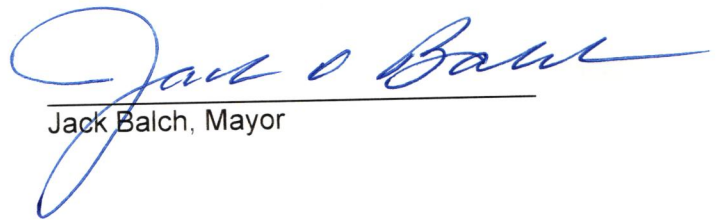
SECTION 2. Amendments to Chapter 18.106 of the Pleasanton Municipal Code to comply with state legislation for accessory dwelling units, as shown in Exhibit A to this ordinance.

SECTION 3. A summary of this ordinance shall be published once within fifteen (15) days after its adoption in "The Valley Times," a newspaper of general circulation published in the City of Pleasanton, and the complete ordinance shall be posted for fifteen (15) days in the City Clerk's office within fifteen (15) days after its adoption.

SECTION 4. This ordinance shall be effective thirty (30) days after its passage and adoption.

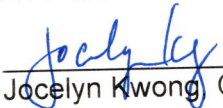
The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on October 7, 2025, and adopted on October 21, 2025 by the following vote:

Ayes:	Councilmembers Eicher, Gaidos, Nibert, Testa, Mayor Balch
Noes:	None
Absent:	None
Abstain:	None



Jack Balch, Mayor

ATTEST:



Jocelyn Kwong, City Clerk

APPROVED AS TO FORM:



Daniel G. Sodergren, City Attorney

EXHIBIT A

TITLE 18 ZONING

CHAPTER 18.08

DEFINITIONS

[REMOVED section § 18.08.106. Accessory dwelling units.]

CHAPTER 18.106

ACCESSORY AND JUNIOR ACCESSORY DWELLING UNITS

Note: Prior ordinance history: Ord. 1812 § 1, 2000.

§ 18.106.010. Purpose.

Accessory and junior accessory dwelling units are a valuable form of housing in the city. These units meet the city's general plan housing policies related to: attaining a variety of housing types; providing housing stock to lower income households; including lower income housing units within market rate housing projects; providing alternative, nontraditional means suited to the community to fill lower and moderate income housing needs; meeting the city's share of regional housing needs; providing a means to assist homeowners in financing the acquisition of a home; and providing security to homeowners living alone.

The further purpose of this chapter is to comply with the requirements of State law. To do so, this chapter identifies those zoning districts where an accessory dwelling unit or junior accessory dwelling unit meeting enumerated standards to ensure neighborhood compatibility is a permitted use in that district.

(Ord. 1885 § 2, 2003; Ord. 2080 § 2, 2013; Ord. 2161 § 1, 2017; Ord. 2213 § 2, 2021)

§ 18.106.020. Definitions.

- A. "Accessory dwelling unit" shall mean an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the one-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:
 1. An efficiency unit.
 2. A manufactured home, as defined in Section 18007 of the Health and Safety Code.
- B. "Junior accessory dwelling unit" shall mean a unit that is no more than 500 square feet in size and contained entirely within a one-family residence. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.
- C. "One-family development" shall mean a property, site or parcel that contains one dwelling unit (other than an accessory dwelling unit), where the primary dwelling unit is detached and/or separated from any adjacent dwelling unit other than an accessory dwelling unit. A property, site or parcel containing multiple detached single-family dwellings on the same lot shall also be considered a one-family development.

D. "Multifamily development" shall mean building(s) or structure(s) to house more than one household within separate dwelling units, including units having attached or shared walls.

E. "Statewide exemption accessory dwelling unit," shall mean a unit that complies with Government Code Section 66323 and meets one of the following:

1. For Single-Family Residential:

- a. One accessory dwelling unit that is within the proposed space of a new, one-family development. The unit shall include an exterior entrance independent of the primary dwelling, and may be located within a garage or carport attached to the primary dwelling.
- b. A conversion of space within an existing one-family development to an accessory dwelling unit. The unit shall include an exterior entrance independent of the primary dwelling, and may be located within a garage or carport attached to the primary dwelling.
- c. Conversion of an existing accessory structure to an accessory dwelling unit, with up to 150 square feet of additional floor area, if necessary to accommodate ingress and egress.
- d. One detached, new construction accessory dwelling unit, which has a floor area of not more than 800 square feet, a maximum height of 16, 18, or 20 feet depending on conditions specified in Government Code Section 66321(b)(4), and four-foot side and rear yard setbacks.
- e. One junior accessory dwelling unit

2. For Multifamily Residential. Multiple state-exempt accessory dwelling units are permitted on lots containing a proposed or existing multifamily dwelling structure or structures, as follows:

- a. All proposed multifamily structures are permitted up to two (2) detached accessory dwelling units not exceeding a maximum height of 16, 18, or 20 feet depending on conditions specified in Government Code Section 66321(b)(4), and four-foot side and rear yard setbacks.
- b. Lots with an existing multifamily dwelling are permitted to have up to eight detached accessory dwelling units, or as many detached accessory dwelling units as there are primary dwelling units on the lot, whichever is less.

Lots containing an existing multifamily dwelling structure or structures are permitted multiple accessory dwelling units located completely within existing areas not used as livable space within the multifamily dwelling structure(s) (including any attached garages or carports), not to exceed twenty-five (25%) of the total number of existing multifamily dwelling units on the lot, or at least one (1) unit, whichever is greater. A fraction of 0.5 or more is rounded up and a fraction that is less than 0.5 is disregarded. In development projects that have both one-family and multi-family housing types, 25 percent shall apply only to the multi-family development units, and any one-family development units that are within a multi-family development but are on their own parcel are subject to regulations applicable to accessory dwelling units for one-family developments.

F. "Non-exempt accessory dwelling unit" shall mean an accessory dwelling unit that does not meet the definition of a statewide exemption accessory dwelling unit.

§ 18.106.030. Use requirements and review process.

- A. Accessory dwelling units and junior accessory dwelling units are permitted uses in the R-1 one family residential district, RM multi-family residential district, planned unit developments zoned for residential uses, MU mixed use districts, C-C central commercial district, and A agricultural district, if the primary unit is a proposed or existing one-family dwelling unit or proposed or existing multi-family development and the accessory dwelling unit meets all of the standards set forth in Section 18.106.060 of this chapter and the applicable site standards in Section 18.106.040 of this chapter for attached accessory dwelling units, Section 18.106.045 of this chapter for detached accessory dwelling units, Section 18.106.050 of this chapter for accessory dwelling unit(s) resulting from conversion of existing space in multi-family development, or Section 18.106.070 of this chapter for junior accessory dwelling units.
- B. For purposes of this section:
 - 1. A development project that has both one-family and multi-family units on the same lot shall be defined as a multi-family development.
 - 2. In a development project that has both one-family and multi-family housing types, regulations applicable to one-family developments shall apply to the one-family housing types and regulations applicable to multi-family development shall apply to multi-family housing types, irrespective of whether those one-family or multi-family units are each located on their own lot or a common parcel.
 - 3. The rental period for statewide exemption accessory dwelling units and non-exempt accessory dwelling units shall be at least 30 days.
- C. The maximum number of accessory dwelling units and junior accessory dwelling units allowed on a parcel shall be as follows:
 - 1. For one-family developments, the following are permitted:
 - a. One converted/interior accessory dwelling unit;
 - b. One detached, new construction accessory dwelling unit that does not exceed 800 square feet; and
 - c. One junior accessory dwelling unit.
 - 2. For multi-family developments the following are permitted:
 - a. Conversion
 - i. Non-habitable portions of the existing main structure, as defined by Gov. Code, § 66313(e), are permitted to be converted to an accessory dwelling unit. A minimum of one such accessory dwelling unit is permitted. The maximum number of such accessory dwelling units shall not exceed 25 percent of the existing multi-family dwelling units located within each multi-family structure. If the multi-family unit is eligible for an accessory dwelling unit, the accessory dwelling unit resulting from the conversion of space may be located in either the multi-family unit or in the one-family unit.

- b. Detached
 - i. All proposed multifamily structures are permitted up to two (2) detached accessory dwelling units not exceeding a maximum height of 16, 18, or 20 feet depending on conditions specified in Government Code Section 66321(b)(4), and four-foot side and rear yard setbacks.
 - ii. Lots with an existing multifamily dwelling are permitted to have up to eight detached accessory dwelling units, or as many detached accessory dwelling units as there are primary dwelling units on the lot, whichever is less.
 - iii. The accessory dwelling units may be attached to one another but must be detached from all existing structures.
- D. The city will either approve or deny an application to create an accessory dwelling unit or junior accessory dwelling unit within 60 days from receiving a complete application if there is an existing one-family or multi-family dwelling on the lot. If the permit application to create an accessory dwelling unit or junior accessory dwelling unit is submitted with a permit application to create a new one-family dwelling, the city may delay approving or denying the permit application for the accessory dwelling unit or junior accessory dwelling unit until the city approves or denies the permit application to create the new one-family dwelling. If the city denies an application for an accessory dwelling unit or junior accessory dwelling unit, the city shall return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant within 60 days. In any case, and notwithstanding the requirements of this title, the application to create the new accessory dwelling units or junior accessory dwelling unit shall be considered without discretionary review or hearing. An application for an accessory dwelling or junior accessory dwelling unit shall include:
 - 1. Plot plan (drawn to scale) showing the dimensions of the lot on which the accessory dwelling or junior accessory dwelling unit will be located; the location and dimensioned setbacks of all existing and proposed structures on the proposed site; any existing trees proposed to be removed; all easements; building envelopes; and parking for the project site.
 - 2. Floor plans of the entire structure with each room dimensioned and the resulting floor area calculated. The use of each room shall be identified.
 - 3. Elevation drawings of existing and proposed elevations, showing all relevant details of the proposed construction, including, but not limited to: dimensions; materials and colors with notation demonstrating that the proposed accessory dwelling unit matches the design of the existing structure; and any other special characteristics of the project.
 - 4. A table detailing the lot size, existing home square footage (with and without the garage), square footage of the proposed accessory dwelling unit, and the floor area ratio. If the accessory dwelling unit is for a multi-family development, the table shall include the square footages of all multi-family units within the subject multi-family structure.
- E. Development standards set forth in a planned unit development or specific plan shall apply to any Nonexempt Accessory Dwelling Unit, except that any such planned unit development or specific plan standard cannot be applied if it would

either: (1) result in a conflict with standards set forth by the state for accessory dwelling units; or (2) preclude an accessory dwelling unit that meets the applicable requirements of state law or this chapter.

(Ord. 1885 § 2, 2003; Ord. 2000 § 1, 2009; Ord. 2080 § 2, 2013; Ord. 2161 § 1, 2017; Ord. 2213 § 2, 2021; Ord. 2244 § 2, 2023)

§ 18.106.040. Density and growth management program.

- A. An accessory dwelling or junior accessory dwelling unit shall not be considered in applying the growth management program in Chapter 17.36 of this code.
- B. An accessory dwelling or junior accessory dwelling unit is not considered to increase the density of the lot upon which it is located and is a residential use that is consistent with the existing general plan and zoning designation for the lot.

(Ord. 1885 § 2, 2003; Ord. 2080 § 2, 2013; Ord. 2161 § 1, 2017; Ord. 2213 § 2, 2021)

§ 18.106.045. Standards for attached accessory dwelling units — Height limitations, setbacks, open space, and other regulations.

Attached accessory dwelling units shall meet the requirements in Section 18.106.070 of this chapter and the following requirements:

- A. Attached accessory dwelling units shall not exceed 25 feet in height except when the accessory dwelling unit is the result of the conversion of existing space or accessory dwelling units are proposed as part of a new planned unit development. Except for an attached Statewide Exemption Accessory Dwelling Unit Standards as defined in Section 18.106.020(E)(1), attached accessory dwelling units shall be subject to the minimum front, rear, and side yard requirements of the main structure as identified in Chapter 18.84, including requirements prescribed in Section 18.84.100. No setbacks are required for a legally existing living area that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit.

Height of the attached accessory dwelling unit is measured vertically from the average elevation of the natural grade or finished grade, whichever is lower, of the ground covered by the accessory dwelling unit to the highest point of the structure including parapet or to the coping of a flat roof, to the deck line of a mansard roof, or to the mean height between eaves and ridges for a hip, gable, or gambrel roof. Accessory dwelling units are limited to two stories. An accessory dwelling unit proposed on the second story shall not exceed 25 feet in height and shall meet the objective standards for second-story accessory dwelling units identified in Section 18.106.060(C)(2).

The gross floor area of an attached accessory dwelling unit shall not exceed 50% of the gross floor area of the existing main dwelling unit or 800 square feet, whichever is greater, with a maximum increase in floor area of 850 square feet if the accessory dwelling unit is a studio or one-bedroom unit or 1,000 square feet if the accessory dwelling unit is two or more bedrooms. Accessory dwelling units that result from conversion of existing space may exceed these size limits. The gross floor area of the existing main dwelling unit is to be calculated based on the size of the unit prior to

the accessory dwelling unit/conversion. In no case shall this requirement necessitate an accessory dwelling unit to be less than: (1) a 150-square-foot efficiency unit; (2) 850 square feet if the accessory dwelling unit is a studio or one-bedroom unit; or (3) 1,000 square feet if the accessory dwelling unit is two or more bedrooms.

- B. Except for a Statewide Exemption Accessory Dwelling Unit, as defined in Section 18.106.020(E), an accessory dwelling shall comply with applicable floor area ratio maximums, minimum open space requirements, and any other applicable development regulations established by this section and the zoning district or planned unit development in which the property is located.
- C. Except for a Statewide Exemption Accessory Dwelling Unit, as defined in Section 18.106.020(E), an accessory dwelling unit shall comply with applicable floor area ratio maximums, minimum open space requirements, and any other applicable development regulations established by this section and the zoning district or planned unit development in which the property is located.
- D. Except for a Statewide Exemption Accessory Dwelling Unit, as defined in Section 18.106.020(E), and as modified by this chapter, all other regulations embodied in the zoning of the property for main dwellings shall apply to the development of attached accessory dwelling units.
(Ord. 1885 § 2, 2003; Ord. 2080 § 2, 2013; Ord. 2161 § 1, 2017; Ord. 2213 § 2, 2021; Ord. 2277, 5/7/2024)

§ 18.106.050. Standards for detached accessory dwelling units—Height limitations, setbacks, open space, and other regulations.

Detached accessory dwelling units shall meet the requirements in Section 18.106.070 of this chapter and the following requirements:

- A. Detached accessory dwelling units shall not exceed 16 feet in height, except that: (1) an accessory dwelling unit that is the result of the conversion of an existing accessory structure may retain the height of the accessory structure even if the structure is greater than 16 feet; and (2) detached accessory structures greater than 16 feet in height may be proposed as part of a new planned unit development. Height for all detached accessory dwelling units is measured from the lowest grade adjacent to the structure to the highest ridge or top of the structure; (3) a detached accessory dwelling unit on an existing or proposed single-family or multi-family dwelling unit that is within one-half mile walking distance of a major transit stop or high quality transit corridor, as defined in Section 21155 of the Public Resources Code shall not exceed 18 feet in height plus an additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit; and (4) a detached accessory dwelling unit on a lot with an existing or proposed multi-family multi-story dwelling shall not exceed 18 feet in height.
- B. All detached accessory dwelling units shall be located a minimum of four feet from side and rear property lines. Where a detached accessory dwelling unit, or a portion thereof, would be constructed in exactly the same location and to exactly the same dimensions as a legal accessory structure, or is the result of the conversion of an

existing accessory structure, the accessory dwelling unit may maintain the same setbacks as the existing structure, with no minimum setback required.

- C. Except for a Statewide Exemption Accessory Dwelling Unit, as defined in Section 18.106.020(E)(2)(b), the gross floor area of a detached accessory dwelling unit shall not exceed 850 square feet if the accessory dwelling unit is a studio or one-bedroom unit or 1,000 square feet if the accessory dwelling unit is two or more bedrooms, except where such unit results from conversion of an existing accessory building, in which case it may exceed these size limits.
- D. Except for a Statewide Exemption Accessory Dwelling Unit, as defined in Section 18.106.020(E)(1), an accessory dwelling unit shall comply with applicable floor area ratio maximums, minimum open space requirements, and any other applicable development regulations established by this section and the zoning district or planned unit development in which the property is located.
- E. Except for a Statewide Exemption Accessory Dwelling Unit, as defined in Section 18.106.020(E)(1), all other regulations embodied in the zoning of the property for class I accessory structures shall apply to the development of detached accessory dwelling units on one-family residential lots and multi-family residential lots.
(Ord. 1885 § 2, 2003; Ord. 2080 § 2, 2013; Ord. 2161 § 1, 2017; Ord. 2213 § 2, 2021; Ord. 2244 § 2, 2023; Ord. 2277, 5/7/2024)

§ 18.106.060. Standards for accessory dwelling units resulting from converting existing space in multi-family developments—Height limitations, setbacks, open space, and other regulations.

Accessory dwelling units resulting from the conversion of existing space in multi-family developments shall meet the requirements in Section 18.106.070 of this chapter and the following requirements:

- A. Except for a Statewide Exemption Accessory Dwelling Unit, as defined in Section 18.106.020(E), expansions of the subject building not directly a part of the accessory dwelling unit shall be subject to the maximum height, and the minimum front, rear, and side yard requirements of the for the main structure, as applicable for the zoning district.
- B. Except for a Statewide Exemption Accessory Dwelling Unit, as defined in Section 18.106.020(E), existing space in the multi-family development that is converted to an accessory dwelling unit shall be limited to space that is not habitable space. Space that may be converted includes, but is not limited to: storage rooms, boiler rooms, passageways, attics, basements, or garages. In no case shall the conversion of space to an accessory dwelling unit result in the elimination of access necessary to maintain safe ingress or egress per the Building and Fire Code.
- C. Except for a Statewide Exemption Accessory Dwelling Unit, as defined in Section 18.106.020(E), and as modified by this chapter, all other regulations embodied in the zoning of the property for multi-family dwellings shall apply to the development of accessory dwelling units resulting from the conversion of existing space.
(Ord. 2213 § 2, 2021)

§ 18.106.070. Required standards for all Non-Exempt Accessory Dwelling Units

All Non-Exempt accessory dwelling units shall meet the following standards:

- A. The accessory dwelling unit shall not be sold or held under a different legal ownership than the primary residence, except as provided by Government Code Section 66341.
- B. In addition to the other requirements of this chapter, the following objective standards shall apply to accessory dwelling units:
 1. Accessory dwelling units shall incorporate the following:
 - a. Use of the same wall material, or wall material that has the same exterior appearance as the existing primary residence, including color and texture (i.e. If the primary residence used wood shingles on its exterior, the accessory dwelling unit may use wood shingles or cement shingles that have the same exterior appearance as the wood shingles used on the primary residence);
 - b. Use of the same trim material and trim detail;
 - c. Use of the same roof form, roofing material, and roof slope;
 - d. Use of the same window size, proportion, operation, recess or reveal, divided light pattern, and spacing distance between placement of windows;
 - e. Use of the same railing design and material.
 - f. A solid fence at least six feet in height and vegetative screening/plantings of species with a mature height of at least 10 feet in height shall be located or constructed along interior side and rear property lines adjacent to the accessory dwelling unit if the accessory dwelling unit is located less than 10 feet from respective property lines. On a corner property, if the accessory dwelling unit is located less than 10 feet from respective property lines, a solid fence at least six feet in height or vegetative screening/plantings of a species with a mature height of at least 10 feet shall be located in the area between the accessory dwelling unit and the street side property line, and both a solid fence at least six feet in height and vegetative screening/planting of a species with a mature height of at least 10 feet shall be located in the area between the accessory dwelling unit and the rear property line. In no instance shall solid fencing be required in planned unit developments where open fencing is otherwise required. In no instance shall the provisions of this subsection conflict with the fence requirements identified in Chapter 18.84 of this title.
 - g. Exterior lighting shall be shielded, directed downward, and located only at exterior doors and if applicable, along the path of travel from the public right-of-way.
 - h. Mechanical equipment and plumbing, conduit, or cabling for utilities is not permitted on the exterior walls of the accessory dwelling unit. This requirement does not apply to meters, electrical panels, and solar installations.
 2. The following standards apply to accessory dwelling units proposed as a

second-story accessory dwelling unit that is consistent with this chapter:

- a. All new windows may be operable, but at least one of the following measures must be implemented for new second-story windows in an accessory dwelling unit that are 25 feet or less from a property line: (i) the proposed window of the accessory dwelling unit is positioned such that the window sill is at least five feet above finished floor; or (ii) the proposed window of the accessory dwelling unit utilizes frosted or obscured glass in the glazing portion of the window. As used in this section, frosted or obscure glass is glass which is patterned or textured such that objects, shapes, and patterns beyond the glass are not easily distinguishable.
3. No balconies or upper-story decks shall be allowed for an accessory dwelling unit, except for decorative/faux balconies without decks that match the primary dwelling structure.
4. If garage space is converted to an accessory dwelling unit, at the option of the property owner, the existing garage door(s) may either be left in place, or removed and infilled such that the wall appears integrated with rest of the home, with the same exterior wall material, building color, and trim as the primary dwelling structure.
5. With the objective of retaining the appearance of a one-family residence, the entry door to an attached accessory dwelling unit proposed on a property with a one-family development shall be located on a different facade than the door to the primary residence.
6. Additions to accessory structures of 150 square feet or less beyond the existing physical dimensions to accommodate ingress/egress to an accessory dwelling unit are allowed. Additions to accessory structures greater than 150 square feet necessitate that the proposed accessory dwelling unit meet the maximum size required by Section 18.106.045.
7. The following parking standards apply to accessory dwelling units:
 - a. One additional off-street parking space on the lot shall be made continuously available to the occupants of the accessory dwelling unit. Required parking may be provided as tandem, or may be located in setbacks, but not in the front yard setback unless on the driveway.
 - b. When a garage, carport, or covered or uncovered parking structure is demolished in conjunction with construction of an accessory dwelling unit or is converted to an accessory dwelling unit, those off-street parking spaces are not required to be replaced.
 - c. Parking for an accessory dwelling unit shall not be required if the accessory dwelling unit is:
 - i. Located within one-half mile of public transit;
 - ii. Located within an architecturally and historically significant historic district;
 - iii. Located in part of an existing primary residence or an existing

- accessory structure;
- iv. Located in an area requiring on-street parking permits, but not offered to the occupant of the accessory dwelling unit;
 - v. Located within one block of a car share vehicle; or
 - vi. Constructed with a new single-family or multi-family dwelling unit on the same lot, provided the accessory dwelling unit or the parcel satisfies all other development and parcel criteria.
- d. Parking shall not be required if the city finds that parking is not feasible due to site topography or would create fire or life-safety conditions.
8. The square footage of the primary residence and accessory dwelling unit(s) combined cannot exceed the maximum floor area ratio requirement for the lot, except that the maximum floor area ratio may not reduce the square footage of an accessory dwelling unit to less than 800 square feet if the accessory dwelling unit meets the requirements of Section 18.106.020(E).
9. The accessory dwelling unit shall have access to at least 80 square feet of open space on the lot, except that this open space requirement may not reduce the square footage of an accessory dwelling unit to less than 800 square feet if the accessory dwelling unit is 16 feet or less in height and located at least four feet from side and rear property lines.
- C. The resident owner shall install address signs which indicate that two separate units exist on the lot, as required by the fire marshal. The resident owner shall obtain the new street address for the accessory dwelling unit from the engineering department.
- D. Adequate roadways, public utilities and services shall be available to serve the accessory dwelling unit. Accessory dwelling units shall not be considered new residential uses for the purposes of calculating connection fees or capacity charges for sewer and water.
- Installation of a separate direct connection between an accessory dwelling unit contained within an existing structure and the utility shall not be required. Accessory dwelling units not within an existing structure shall be required to install a new or separate utility connection and be charged a connection fee and/or capacity charge. These charges shall be proportionate to the burden imposed by the accessory dwelling unit on the water or sewer system based upon either its size or number of plumbing fixtures as determined by the city.
- E. The owner of the lot on which an accessory dwelling unit is located shall participate in the city's monitoring program to determine rent levels of the accessory dwelling units being rented.
- F. The accessory dwelling unit shall not create an adverse impact on any real property that is listed in the California Register of Historical Resources.
- G. The accessory dwelling unit shall comply with other zoning and building requirements generally applicable to residential construction in the applicable zone where the property is located.
- (Ord. 1885 § 2, 2003; Ord. 2000 § 1, 2009; Ord. 2080 § 2, 2013; Ord. 2161 § 1, 2017; Ord. 2179 § 2, 2018; Ord. 2213 § 2, 2021; Ord. 2277, 5/7/2024)

§ 18.106.080. Required standards for all junior accessory dwelling units.

All junior accessory dwelling units shall meet the following standards:

- A. The junior accessory dwelling unit shall be located entirely within the existing structure of the one-family residence and attached garages and shall have its own separate interior and exterior entrances.
- B. The junior accessory dwelling unit shall not exceed 500 square feet in area.
- C. The junior accessory dwelling unit shall include an efficiency kitchen which includes a sink, cooking appliance, counter surface, and storage cabinets that meet minimum building code standards. The junior accessory dwelling unit may share sanitation facilities with the primary residence or may have its own sanitation facilities.
- D. Parking shall not be required for a junior accessory dwelling unit. When code-required parking for the primary residence's garage is eliminated and/or modified, in conjunction with the creation of a junior accessory dwelling unit, the replacement space(s) shall be located on the same lot as the primary unit. With the approval of the community development director or designee, the parking may be configured in a flexible manner so as not to burden the creation of the junior accessory dwelling unit. The location and configuration of the replacement parking is subject to the review and approval of the director of community development, and may be located and configured in such a manner to facilitate the junior accessory dwelling unit.
- E. Additional water, sewer and power connection fees shall not be required.
- F. Only one other residential unit and up to one other accessory dwelling unit shall be permitted on a lot with a junior accessory dwelling unit, as provided in 18.106.030(C)(1). If the owner occupies the primary residential unit, the owner may rent the junior accessory dwelling unit to one party. If the owner occupies the junior accessory dwelling unit, the owner may rent the primary residential unit to one party. The owner may rent both the primary residential unit and the junior accessory dwelling unit together to one party who may not further sublease any unit(s) or portion(s) thereof. In any case, the rental period shall be longer than 30 days. The owner shall be a signatory to any lease for the rented unit, for which the city may reasonably require a copy of to verify compliance with this chapter, and shall be the applicant for any permit issued under this chapter.
- G. The junior accessory dwelling unit shall not be sold or held under a different legal ownership than the primary residence, nor shall the lot containing the junior dwelling unit be subdivided.
- H. The resident owner shall install address signs which indicate that two separate units exist on the lot, as required by the fire marshal. The resident owner shall obtain the new street address for the junior accessory dwelling unit from the engineering department.
- I. Except as modified by this chapter, all other regulations embodied in the zoning of the property for main dwellings shall apply to the development of junior accessory units.
- J. The owner of the lot on which the junior accessory dwelling unit is located shall participate in the city's monitoring program to determine rent levels of the junior

accessory dwelling unit being rented.

- K. The junior accessory dwelling unit shall comply with the other zoning and building requirements generally applicable to residential construction in the applicable zone where the property is located.
- L. A restrictive covenant shall be recorded against the lot containing the junior accessory dwelling unit with the Alameda County recorder's office prior to the issuance of a building permit from the building division stating that:

The property contains an approved junior accessory dwelling unit pursuant to Chapter 18.106 of the Pleasanton Municipal Code and is subject to the restrictions and regulations set forth in that chapter. These restrictions and regulations generally address subdivision and development prohibitions, owner occupancy and lease requirements, limitations on the size of the junior accessory dwelling unit, parking requirements, and participation in the city's monitoring program to determine rent levels of the junior accessory dwelling unit being rented. Current restrictions and regulations may be obtained from the city of Pleasanton planning division. These restrictions and regulations shall be binding upon any successor in ownership of the property.

(Ord. 2161 § 1, 2017; Ord. 2179 § 2, 2018; Ord. 2213 § 2, 2021)

§ 18.106.090. Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.

- A. The City will not deny an accessory dwelling unit or junior accessory dwelling unit application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety, and that is not affected by the construction of the accessory dwelling unit or junior accessory dwelling unit.
- B. As required by state law, the City may not deny a permit to legalize an existing but unpermitted accessory dwelling unit or junior accessory dwelling unit that was constructed before January 1, 2020, if the denial would be based on either of the following grounds:
 - 1. The accessory dwelling unit or junior accessory dwelling unit violates applicable building standards; or
 - 2. The accessory dwelling unit or junior accessory dwelling unit does not comply with state ADU law or this Chapter 18.106.
- C. Notwithstanding subsection 18.106.080(B). above, the City may deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if the City makes a finding that correcting a violation is necessary to comply with the standards specified in California Health and Safety Code section 17920.3. Subsection 18.106.080(B) above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.