

ORDINANCE NO. 983

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANT HILL TO FORMALLY CODIFY PREVIOUSLY APPROVED AMENDMENTS TO TITLE 18 OF THE PLEASANT HILL MUNICIPAL CODE (ZONING ORDINANCE), SECTION 18.15.050, ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS, THAT WERE PART OF AN URGENCY ORDINANCE

WHEREAS, the City of Pleasant Hill, California (the “City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

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, the City desires to amend its local regulatory scheme for the construction of accessory dwelling units to meet new state law; and

WHEREAS, in recent years, the California Legislature has approved, and the Governor has signed into law, a number of 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, in 2025, the California Legislature approved, and the Governor signed into law further amendments to State ADU law; and

WHEREAS, on December 15, 2025, to protect the public safety, health, and welfare, the City Council adopted Ordinance No. 980 as an urgency measure in accordance with Government Code section 36937, subdivision (b).

WHEREAS, Ordinance No. 980 allows the City to apply local regulations governing height, setback, landscape, and architectural review, among other things, to certain applications for ADUs and JADUs, that would otherwise threaten the character of existing neighborhoods, and negatively impact property values, personal privacy, and fire safety.

WHEREAS, the City desires to codify the provisions of the urgency ordinance that were implemented as part of Ordinance No. 980; and

WHEREAS, after notice thereof having been duly, regularly and lawfully given, a public hearing on the proposed ordinance amendment was held by the Planning Commission on February 24, 2026, at which all interested persons might appear and be heard; and

WHEREAS, on February 24, 2026, the Planning Commission adopted Resolution No. 06-26 recommending approval of the proposed zoning ordinance amendment to the City Council; and

WHEREAS, after notice thereof having been duly, regularly and lawfully given, a public hearing on the proposed ordinance amendment was held by the City Council on April 6, 2026, at which all interested persons might appear and be heard; and

WHEREAS, on April 6, 2026, the City Council reviewed additional staff-recommended revisions to the ADU Ordinance, including clarifications to deed restrictions and certain setbacks; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANT HILL does ordain as follows:

**SECTION 1.** The City Council hereby adopts the Zoning Ordinance Amendment based on the following findings according to Chapter 18.180 (Amendments – General Plan, Zoning Ordinance, and Zoning Map) of the Pleasant Hill Municipal Code:

1. *The new ordinance section shall be consistent with the policies of the General Plan;*

See Section 2 below for consistency with the policies of the General Plan.

2. *The new ordinance section shall be consistent with the purpose of the Zoning Ordinance which is to protect and promote the public health, safety and general welfare and implement the policies of the General Plan, more specifically:*

a. *Provide a precise guide for the physical development of the City to preserve the character and quality of the residential neighborhoods, foster convenient, harmonious and workable relationships among land uses and achieve the arrangement of land uses described in the General Plan.*

The amendment clarifies provisions for accessory dwelling units within residential areas consistent with recent changes to State Law. In addition, the new ordinance will provide greater consistency with the City’s General Plan (as noted under Section 2).

b. *Promote the economic stability of existing land uses.*

The amendment codifies provisions that were implemented by the City as part of an urgency ordinance in 2025 that is consistent with recent changes to State Law. In addition, the new ordinance provides greater consistency with the City’s General Plan, as noted in Section 2 below.

c. *Prevent excessive population densities and overcrowding of land and buildings.*

The ordinance amendment codifies provisions that were implemented by the City as part of an urgency ordinance in 2025 that is consistent with recent changes to State Law. Existing State provisions allow combinations of certain types of ADUs and JADUs on properties with Single Family and Multiple Family dwellings. The new ordinance will not allow increases in size or number of units than what is currently allowed, thus avoiding overcrowding.

d. *Ensure the provision of adequate open space for light, air and fire safety.*

The ordinance amendment codifies provisions that were implemented by the City as part of an urgency ordinance in 2025 that is consistent with recent changes to State Law. Removing the landscape screening option for Class 2 ADU’s will increase fire safety by enhancing access in setback areas. The City of Pleasant Hill will still enforce lot coverage and setback provisions to provide adequate open space for light, air and fire safety.

e. *Ensure that service demands of new development will not exceed the capacities of existing streets, utilities or public services.*

The ordinance amendment will be in accordance with State requirements and will not increase the number of residential units beyond what is currently allowed by State law. The City already passed an urgency ordinance consistent with State provisions; thus, the amendment will have minimal effects on streets, utilities and public services.

**SECTION 2.** The City Council finds that the ordinance amendment will be consistent with the existing General Plan policies and programs identified in the Land Use Element and Housing Element as identified below:

1. *Land Use Policy LU-3: “To provide a variety of housing types that offer choices for Pleasant Hill residents and create complete, livable neighborhoods.*

The ordinance amendment will allow the City to continue providing a variety of housing types by increasing ADU and JADU construction within livable neighborhoods.

2. *Land Use Program LU-3.5: “Support the development of a broad range of housing types, to increase housing choice, neighborhood diversity, and innovative design.*

The ADU ordinance will support the construction of ADUs and JADUs, which will increase housing choice and further neighborhood diversity.

3. *Housing Policy H-2: “Promote a diversity in tenure, type, size, location, and price to permit a choice of housing for persons of all economic levels throughout the City.”*

The ordinance amendment will continue to allow for ADU’s that are both different types of housing from traditional single- and multi-family residential units.

4. *Housing Program H-2.5: “Promote the development of Accessory Dwelling Units (ADUs) in all residential zones.”*

The ordinance amendment codifies provisions that were implemented by the City as part of an urgency ordinance in 2025. The ordinance will be consistent with State legislation that, in part, would address California’s shortage of housing supply.

**SECTION 3.** Section 18.15.050 of the Pleasant Hill Municipal Code is codified and replacing the urgency ordinance (Ordinance 980) with the following ordinance provisions.

### **18.15.050 Accessory dwelling units (ADU and JADU)**

#### **A. Purpose and Intent.**

1. Purpose. The purpose of this Section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with Chapter 13 of Division 1 of Title 7 of the California Government Code.
2. Intent. The regulations of this Section are intended to:
  - a. Implement the provisions of the General Plan Housing Element.

- b. Assure compliance with State law.
  - c. Encourage the development of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs).
  - d. Streamline and minimize governmental constraints on residential development
  - e. Minimize potential adverse impacts on public health, safety, and general welfare that may be associated with accessory dwelling units.
- B. **Applicability.** This Section contains all applicable zoning standards for accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs). No additional standards from other chapters or sections of the Zoning Ordinance shall apply.
- C. **Building Code Compliance Required.** Any construction, establishment, alteration, enlargement or modification of an ADU or JADU shall comply with the requirements of this Section and the California Building Code. An ADU or JADU that conforms to the standards in this Section will not be:
- 1. Deemed to be inconsistent with the General Plan and zoning district for the lot on which the ADU or JADU is located.
  - 2. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
  - 3. Considered in the application of any local ordinance, policy, or program to limit residential growth.
  - 4. Required to correct a nonconforming zoning condition, as defined in Subsection C.8 of this Section. This does not prevent the City from enforcing compliance with applicable building standards in compliance with California Health and Safety Code Section 17980.12.
- D. **Definitions.** As used in this Section, terms are defined as follows additional terms:
- 1. **Accessory Dwelling Unit (ADU).** An attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family primary dwelling unit is situated. An accessory dwelling unit also includes the following:
    - a. An efficiency unit, as defined by California Health and Safety Code section 17958.1; and
    - b. A manufactured home, as defined by California Health and Safety Code section 18007.

2. Complete Independent Living Facilities. Permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
3. Attached. An attached structure shares a common wall with the primary residential dwelling structure on a lot. A structure that is connected to the primary residential dwelling solely by a breezeway shall not be considered attached.
4. Efficiency Kitchen. A removable kitchen that does not exceed six lineal feet and includes each of the following:
  - a. A cooking facility with appliances. Examples of appliances that may be used include microwaves, two-burner electric stove tops, refrigerators, freezers, and toaster ovens.
  - b. A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.
  - c. Food storage cabinets that total at least 30 square feet of shelf space.
5. Junior Accessory Dwelling Unit (JADU). A JADU is a residential unit that does not exceed 500 square feet of livable space and is contained entirely within an existing or proposed structure and includes an efficiency kitchen and access to either private or shared sanitation facilities within the existing structure.
6. Livable space means a space in a dwelling intended for human habitation including living, sleeping, eating, cooking, or sanitation.
7. Living Area. The interior habitable area of a dwelling unit includes basements and attics but does not include a garage or any accessory structure.
8. Nonconforming Zoning Condition. A physical improvement on a property that does not conform with current zoning standards.
9. Passageway. A pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
10. Proposed Dwelling. A dwelling that is the subject of a permit application and that meets the requirements for permitting.
11. Public Transit. A location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
12. Setback. The required front, side, and rear setback for an ADU is measured from the furthest projection of the structure (such as an eave) to the corresponding property line.

13. Tandem Parking. When two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another, such that the front vehicle may not be retrieved without the rear vehicle being moved.

E. Types of Accessory Dwelling Units. An ADU approved under this Section may be one of the following types:

1. Attached. An accessory dwelling unit that is created in whole or in part from newly constructed space that is attached to the proposed or existing primary dwelling, such as through a shared wall, floor, or ceiling.
2. Detached. An accessory dwelling unit that is created from newly constructed space that is detached or separated from the proposed or existing primary dwelling. The detached accessory dwelling unit shall be located on the same lot as the proposed or existing primary dwelling.
3. Converted. An accessory dwelling unit that is entirely located within the proposed or existing primary dwelling or accessory structure, including but not limited to attached garages, storage areas, or similar uses; or an accessory structure including but not limited to studio, pool house, or other similar structure. Converted spaces may include an expansion of not more than 150 square feet beyond the same physical dimensions of the existing space for the sole purpose of accommodating ingress and egress to the unit.
4. Junior Accessory Dwelling Unit. A junior accessory dwelling unit is a unit that meets all the following:
  - a. Shall only be allowed on lots zoned for single-unit residences and that include an existing or proposed single-family dwelling.
  - b. Is entirely located within a proposed or existing primary single-family dwelling (an enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family structure).
  - c. Has independent exterior access from the primary dwelling.
  - d. Has sanitation facilities that are either shared with or separate from those of the primary dwelling.
  - e. Includes an efficiency kitchen as defined in Subparagraph D.4 of this Section.

F. General Requirements for Approval. The following approvals apply to ADUs and JADUs under this Section:

1. Class 1: Statutorily Regulated. Class 1 ADUs and JADUs are approved with an ADU permit and building permit under Government Code section 66323. If an

ADU or JADU complies with each of the general requirements in subsection G below, it is allowed in each of the scenarios provided in this subsection F.1. An ADU and JADU approved under subsection F.1.a may be combined with an ADU approved under subsection F.1.b, and ADUs approved under subsection F.1.c may be combined with ADUs approved under subsection F.1.d.

- a. One Converted ADU and One JADU on a Lot with Single-Family. One converted ADU as defined in Subparagraph E.3 of this Section and one JADU shall be allowed on a lot with a proposed or existing single-family dwelling if all of the following apply:
  - i. Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and
  - ii. The converted ADU has exterior access that is independent from the single-family dwelling; and
  - iii. The converted ADU has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.
  - iv. The JADU, if applicable, complies with the requirements of Government Code Sections 66333 through 66339.
- b. One Detached ADU on a Lot with Single-Family. One detached, new-construction ADU shall be allowed on a lot with a proposed or existing single-family dwelling, if all the following conditions are met:
  - i. The side and rear setbacks of the detached ADU are at least four feet.
  - ii. The total floor area of the detached ADU is 800 square feet of livable space or smaller.
  - iii. The peak height above finished grade does not exceed the applicable height limit in Subparagraphs G.2.a through G.2.c of this Section.
- c. Converted ADU(s) on a Lot with Multi-Family. One or more ADUs within portions of existing multi-family dwelling structures that are not used as livable space (e.g., storage rooms, boiler rooms, passageways, attics, basements, or garages) if each converted ADU complies with State building standards for dwellings. A least one converted ADU shall be allowed within an existing multi-family structure, up to a quantity equal to 25 percent of the existing multi-family dwelling units in the structure.

- d. Detached ADU on a Lot with Multi-Family. No more than two detached ADUs on a lot with a proposed multi-family dwelling, or up to eight detached ADUs on a lot with an existing multi-family dwelling, if each detached ADU satisfies the following limitations:
  - i. The side and rear setbacks are at least four feet. If the existing multi-family dwelling has a rear or side setback of less than four feet, the City will not require any modification to the multi-family dwelling as a condition of approving the ADU.
  - ii. The peak height above finished grade does not exceed the applicable height limit in Subparagraphs G.2.a through G.2.c of this Section.
  - iii. If the lot has an existing multi-family dwelling, the quantity of detached ADUs does not exceed the number of primary dwelling units on the lot.
- 2. Class 2: Locally Regulated. Class 2 ADUs are approved under Government Code sections 66314-66322. Except for Class 1 ADUs approved under subsection F.1 above, all ADUs are subject to the standards set forth in subsections G and H below.
  - a. Except as allowed under Subparagraph E.1 of this Section, no ADU may be created without a Building Permit and an ADU Permit in compliance with the standards established in Subsections G and H of this Section.
  - b. An ADU Permit shall be processed in compliance with the standards established in Section F.3.
  - c. The City may charge a fee to reimburse it for costs incurred in processing ADU Permits, including any costs of adopting or amending the City's ADU ordinance. The ADU Permit processing fee is determined by the Zoning Administrator and approved by the City Council by resolution.
- 3. Process and Timing.
  - a. Completeness
    - i. The City will determine whether an application to create or serve an ADU or JADU is complete and will provide written notice of the determination to the applicant within 15 business days after the City receives the application submittal.
    - ii. If the City determination under subsection F.3.a.i above is that the application is incomplete, the City's notice must list the incomplete items and describe how the application can be made complete.

- iii. After receiving a notice that the application is incomplete, the applicant may cure and address the items that were deemed by the City to be incomplete.
  - iv. If the applicant submits additional information to address incomplete items, within 15 business days of the subsequent submittal the City will determine in writing whether the additional information remedies all the incomplete items that the City identified in its original notice. The City may not require the application to include an item that was not included in the original notice.
  - v. If the City does not make a timely determination as required by this subsection (a), the application or resubmitted application is deemed complete for the purposes of subsection F.3.c below.
  - vi. An applicant may appeal the City's determination that the application is incomplete by submitting a written appeal to the City Clerk. The Planning Commission will review the written appeal and affirm or reverse the completeness determination and provide a final written determination to the applicant within 60 business days after receipt of the appeal.
- b. An ADU Permit shall be considered and approved ministerially, without discretionary review or a hearing.
  - c. The City must approve or deny an application to create an ADU or JADU within 60 days from the date that the City receives a completed application. If the City has not approved or denied the completed application within 60 days, the application shall be deemed approved unless either:
    - i. The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay; or
    - ii. An application to create an ADU or JADU is submitted with a permit application to create a new single-family or multi-family dwelling on the lot, in which case the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to for the new single-family or multi-family dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.
  - d. If the City denies an application to create an ADU or JADU, the City shall provide the applicant written comments that include a list of all the defective

or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by Subsection F.3.c of this Section.

- e. An applicant may appeal the city's denial of the application by submitting a written appeal to the city clerk. The planning commission will review the written appeal and affirm or reverse the denial and provide a final written determination to the applicant within 60 business days after receipt of the appeal.
- f. A demolition permit for a detached garage that is to be replaced with an ADU shall be reviewed with the application for the ADU and issued at the same time.

G. General Development Requirements. The following requirements apply to all Class 1 and Class 2 ADUs and JADUs:

- 1. Zoning.
  - a. A Class 1 ADU approved under Subsection F.1 of this Section may be created on any lot in a residential or mixed-use zoning district.
  - b. A Class 2 ADU approved under Subsection F.2 of this Section may be created on any lot in a zoning district that allows single-family residential uses or multi-family residential uses.
  - c. In accordance with Government code section 66333(a), a JADU may only be created on a lot zoned for single-family residences.
- 2. Height. All ADUs shall comply with the following height requirements, measured above finished grade to the peak of the structure:
  - a. Except as otherwise provided by Subparagraphs G.2.b and G.2.c of this Section, a detached ADU created on a lot with an existing or proposed single-family or multi-family dwelling unit may not exceed 16 feet in height.
  - b. A detached ADU may be up to 18 feet in height if it is created on a lot with an existing or proposed single-family or multi-family dwelling unit that is located within one-half mile walking distance of a major transit stop or a high-quality transit corridor, as defined in Section 21155 of the California Public Resources Code. The ADU may be up to two additional feet in height (for a maximum of 20 feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

- c. A detached ADU created on a lot with an existing or proposed multi-family dwelling that has more than one story above finished grade may not exceed 18 feet in height.
  - d. An ADU that is attached to the primary dwelling may not exceed 25 feet in height or the height limitation imposed by the underlying zoning district that applies to the primary dwelling, whichever is lower. This requirement shall not require the City to allow an ADU to exceed two stories.
- 3. Fire sprinklers.
  - a. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.
  - b. The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.
- 4. Rental Term. An ADU or JADU may be rented separate from the primary residence for a rental term of 30 days or longer.
- 5. Separate Conveyance. An ADU or JADU shall not be sold or otherwise conveyed separately from the primary residence (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot), except as allowed under Government Code Section 66341.
- 6. Septic System. If the ADU or JADU will connect to an on-site water-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years.
- 7. Owner Occupancy.
  - a. ADUs are not subject to owner-occupancy requirements.
  - b. JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement does not apply if the JADU has separate sanitation facilities (i.e., does not share sanitation facilities with the existing primary dwelling unit structure), or the property is entirely owned by another governmental agency, land trust, or housing organization.
- 8. Deed restriction. Prior to issuance of a Certificate of Occupancy for a JADU, a deed restriction must be recorded against the title of the property in the County Recorder's Office and a copy filed with the Administrator. The deed restriction

must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:

- a. The JADU may not be sold separately from the primary dwelling except as allowed under State law.
  - b. The JADU is restricted to the approved size and to other attributes allowed by this Section.
  - c. The deed restriction runs with the land and may be enforced against future property owners.
  - d. The deed restriction may be removed if the owner eliminates the JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request to the Zoning Administrator, providing evidence that the JADU has in fact been eliminated. The Zoning Administrator may then determine whether the evidence supports the claim that the JADU has been eliminated. Appeal may be taken from the Zoning Administrator's determination consistent with other provisions of this code. If the JADU is not entirely physically removed but is only eliminated by virtue of having a necessary component of a JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Municipal Code.
  - e. The deed restriction is enforceable by the Zoning Administrator or their designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the JADU in violation of the recorded restrictions or abatement of the illegal unit.
9. Income reporting. In order to facilitate the City's obligation to identify adequate sites for housing in accordance with Chapter 13 of Division 1 of Title 7 of California Government Code, each building permit application must include an estimate of the projected annualized rent that will be charged for the ADU or JADU.
10. Building and Safety.
- a. Building Code. Subject to Subsection F.10.b of this Section, all ADUs and JADUs must comply with all local building code requirements.
  - b. No Change of Occupancy. Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the Building Official or a Code Enforcement Officer makes a written finding based on substantial

evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this Subsection G.10.b prevents the City from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this Section.

11. Certificate of Occupancy Timing
  - a. No certificate of occupancy for an ADU or JADU may be issued before the certificate of occupancy is issued for the primary dwelling unit.
  - b. Notwithstanding subsection G.11.a above, a certificate of occupancy for an ADU may be issued before a certificate of occupancy for the primary dwelling if each of the following requirements are met:
    - i. The county is subject to a proclamation of a state of emergency made by the California Governor on or after February 1, 2025.
    - ii. The primary dwelling was substantially damaged or destroyed by an event referenced in the Governor's state of emergency proclamation.
    - iii. The ADU has been issued construction permits and has passed all required inspections.
    - iv. The ADU is not attached to the primary dwelling.

H. Specific ADU Requirements. The following requirements apply only to ADUs that require an ADU Permit under Paragraph F.2 of this Section. No application of any requirements in this Subsection shall prevent the construction of an attached or detached ADU of at least 800 square feet with four-foot side and rear setbacks.

1. Maximum Unit Size.
  - a. The maximum size of a detached or attached ADU subject to this Subsection is 1,200 square feet.
  - b. An attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.
2. Setbacks. ADUs subject to this Subsection shall comply with the following setbacks. Setbacks are measured from property lines or vehicular easements, whichever is applicable.
  - a. Attached and Detached ADUs.

- i. Front Setbacks. Front setback requirements shall comply with the following:
    - (1) Single-Family Residential Zoning District R-20: 25 feet.
    - (2) Single-Family Residential Zoning Districts R-15, R-10, R-10A, and Single-Family PUDs/PPDs: 20 feet.
    - (3) Single-Family Residential Zoning Districts R-6 and R-7: 15 feet.
    - (4) Mangini-Delu Residential Zoning District RMD: 15 feet.
    - (5) Multiple-Family Residential Zoning Districts MFM, MFH, MFVH: 10 feet;
    - (6) Multiple-Family Residential Zoning Districts PUD/PPD, MFL, MFVL: 15 feet.
    - (7) Mixed-Use Zoning Districts MX-N and MX: 15 feet.
    - (8) Mixed-Use Zoning District MX-HD: 10 feet.
    - (9) Mixed Use Zoning District MX-VHD: 5 feet.
  - ii. Side and Rear Setbacks. The side and rear setbacks for all ADUs shall be a minimum of four feet.
  - iii. If the ADU is constructed in the same location and to the same dimensions as an existing structure, no additional setbacks are required.
3. Floor Area Ratio (FAR). No ADU subject to this Subsection shall cause the total FAR of the lot to exceed that of the underlying zoning district.
4. Lot coverage. No ADU subject to this Subsection, shall cause the total lot coverage to exceed the maximum lot coverage requirements of the underlying zoning district as follows:
  - a. Single-Family Residential Zoning Districts R-20 and, R-15: 25 percent maximum lot coverage.
  - b. Single-Family Residential Zoning Districts R-10: 30 percent maximum lot coverage.
  - c. Single-Family Residential Zoning Districts PUD/PPD, R-10A, R-7, R-6 and Single-Family PUD/PPDs: 35 percent maximum lot coverage.
  - d. Mangini-Delu Residential Zoning District RMD: 70 percent maximum lot coverage.

- e. Multiple-Family Residential Zoning Districts PUD/PPD, MFRVL, and MFRL: 40 percent maximum lot coverage.
  - f. Multiple-Family Residential Zoning District MFM: 50 percent maximum lot coverage.
  - g. Multiple-Family Residential Zoning District MFH: 60 percent maximum lot coverage.
  - h. Multiple-Family Residential Zoning District MFVH: 70 percent maximum lot coverage.
  - i. Mixed-Use Zoning Districts MX-N, MX, MX-HD, MX-VHD: There is no lot coverage or FAR maximum established for residential uses in mixed-use zoning districts.
5. Open Space. No ADU may cause the site to be less than the following open space provisions for multi-family and mixed-use zoning districts:
- a. Total usable open space on a site having three or more dwelling units shall be at least 200 square feet per dwelling unit. This requirement shall be met by providing private open space, shared open space, or a combination of the two.
  - b. Private Open Space. To satisfy the open space requirement, private open space must be on a patio or balcony, within which a horizontal rectangle has no dimension less than six feet.
  - c. Shared Open Space. To satisfy the open space requirement, shared open space must be provided by interior side yards, patios and terraces, each designed so that no dimension is less than 10 feet. The open space must be open to the sky and may not include driveways or parking areas or area required for front or corner side yards.
6. Landscaping. No ADU(s) shall cause the total landscaping of the lot to be less than that required in the underlying zoning district as follows:
- a. Single-Family Residential Zoning Districts (including PUD and PPD single-family residential): Minimum of 50 percent of the front yard setback area is to be landscaped.
  - b. Mangini-Delu Residential Zoning District RMD: At least 35 percent of the site shall be landscaped.
  - c. Multi-Family Residential Zoning Districts.
    - i. Multi-Family Residential Zoning Districts MFVL and MFL: At least 35 percent of the site shall be landscaped.

- ii. Multi-Family Residential Zoning District MFM: At least 30 percent of the site shall be landscaped.
      - iii. Multi-Family Residential Zoning Districts PUD/PPD and MFH: At least 25 percent of the site shall be landscaped.
      - iv. Multi-Family residential zoning district MFVH: At least 15 percent of the site shall be landscaped.
    - d. Mixed-Use Zoning Districts.
      - i. Mixed-Use Zoning District MX-N: At least 25 percent of the site shall be landscaped.
      - ii. Mixed-Use Zoning Districts MX, MX-HD, and MX-VHD: At least 15 percent of the site shall be landscaped.
- 7. Passageway. No passageway, as defined by Subsection D.9 of this Section, is required for an ADU.
- 8. Parking.
  - a. General Requirements. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking. The size of the off-street parking necessary for the ADU shall be eight and one-half feet wide by 19 feet deep (if enclosed the space shall be 10 feet wide by 22 feet deep, with a nine-foot-wide door opening) with a 10-foot-wide paved vehicular access from/to the public right-of-way and shall be surfaced with concrete or two inches of asphalt concrete over six inches of aggregate base.
  - b. Exceptions. Off-street parking for ADUs is not required in the following situations:
    - i. The ADU is located within one-half mile walking distance of public transit, as defined in Paragraph D.11 of this Section.
    - ii. The ADU is located within an architecturally and historically significant historic district.
    - iii. The ADU is located fully within the proposed or existing primary residence or an existing accessory structure.
    - iv. When on-street parking permits are required but not offered to the occupant of the ADU.
    - v. When there is an established car share vehicle stop located within one block of the ADU.

- vi. When the permit application to create an ADU is submitted with an application to create a new single-family or multi-family dwelling on the same lot; provided, that the ADU or the lot satisfies any other criteria listed in Subsections H.8.b.i through H.8.b.v of this Section.
        - c. No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.
  - 9. Architectural Requirements.
    - a. The materials and colors of the exterior walls, roof, windows, and doors must match the appearance and architectural design of those of the primary dwelling.
    - b. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.
    - c. The ADU must have an independent exterior entrance, apart from that of the primary dwelling. The ADU entrance shall not be on the same side of the primary dwelling entrance, unless this entrance is screened from public views.
    - d. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.
  - 10. Screening. A ground-level ADU shall provide privacy between the ADU and adjacent parcels with a solid fence at least six feet in height.
  - 11. Historical Protections. The following requirements apply to ADUs on or within 600 feet of real property that is listed in the California Register of Historic Resources: the architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the federal, state, or local register of historic places must be located so as to not be visible from any public right-of-way.
- I. Fees.
- 1. Impact fees.
    - a. No impact fee is required for an ADU that is less than 750 square feet in size.
    - b. A JADU or ADU with less than 500 square feet of interior livable space does not increase assessable space by 500 square feet for purposes of Education Code section 17620(a)(1)(C) and is therefore not subject to school fees under Education Code section 17620.

- c. Any impact fee that is required for an ADU that is 750 square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit (e.g., the floor area of the primary dwelling, divided by the floor area of the ADU, times the typical fee amount charged for a new dwelling). Impact fee here does not include any connection fee or capacity charge for water or sewer service.
  2. Waiving of Fees. The City shall waive fees for ADUs in the following manner:
    - a. Building and planning permit fees shall be waived if the ADU is deed-restricted for 55 years at the low-income affordable level.
    - b. Building, planning, and traffic mitigation fees shall be waived if the ADU is deed-restricted for 55 years at the very low-income affordable level.
- J. Nonconforming Zoning Conditions, Building Code Violations, and Unpermitted Structures.
  1. General Requirements. The City will not deny an ADU or JADU 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 ADU or JADU.
  2. Unpermitted ADUs and JADUs Constructed Before 2018.
    - a. Permit to Legalize. As required by State law, the City may not deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2018, if denial is based on either of the following grounds:
      - i. The ADU or JADU violates applicable building standards; or
      - ii. The ADU or JADU does not comply with State ADU or JADU law (Chapter 13 of Division 1 of Title 7 of the California Government Code) or the standards of this Section.
    - b. Exceptions.
      - i. Notwithstanding Subparagraph J.2.a of this Section, the City may deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2018, 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.
      - ii. Subparagraph J.2.a of this Section does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code Section 17920.3.

K. Nonconforming ADUs and Discretionary Approval. Any proposed ADU or JADU that does not conform to the objective standards established in this Section may be allowed by the City with a Use Permit, in accordance with the other provisions of this Title.

**SECTION 4.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 5.** The City Council finds the adoption of this ordinance to be statutorily exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to Section 21080.17 of the Public Resources Code because it is an ordinance regarding accessory dwelling units in single-family and multifamily residential zones to implement the provisions of Government Code Section 65852.2.

**SECTION 6.** This ordinance shall be effective 30 days after its adoption.

**SECTION 7.** Within fifteen (15) days after the final passage and adoption of this ordinance, the City Clerk shall cause it to be posted in the three public places designated by resolution of the City Council.

**SECTION 8.** Filing. The City Clerk shall submit a copy of this ordinance to the Department of Housing and Community Development within 60 days after adoption.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Pleasant Hill, held on the 6th day of April, 2026.

ADOPTED and ordered posted at a meeting of the City Council of the City of Pleasant Hill, held on the 20th day of April 2026, by the following vote:

AYES: La, Noack, Szakats, Obolenskiy  
NOES:  
ABSENT: Shess  
ABSTAIN:



\_\_\_\_\_  
ANDREI OBOLENSKIY for ZAC SCHESS, Mayor

ATTEST:

