



Accessory Dwelling Units (ADUs) FAQs

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INTRODUCTION

This Frequently Asked Questions (FAQ) was developed in response to common questions regarding development of Accessory Dwelling Units (ADUs). The regulations for ADUs can be found in La Mesa Municipal Code Section 24.05.020D8. For your reference and where applicable, the specific LMMC section related to each question is listed in parentheses at the end of the response. Please consult the Junior Accessory Dwelling Unit (JADU) FAQ for information about the development of JADUs.

1. What is an Accessory Dwelling Unit (ADU)?

An ADU is an attached or detached residential unit on the same lot as an existing or proposed single-family residence in any single-family or multifamily zone, or on the same lot as existing multifamily dwellings in any residential or mixed-use zone. An ADU is an independent unit from the primary residence that provides its own kitchen, bathroom, living area, sleeping area, and entrance. ADUs are commonly known as granny flats, studio apartments, or mother-in-law apartments. (LMMC Section 24.01.100)

2. Can I put an ADU on my property?

One ADU is allowed in conjunction with an existing or proposed single-family residence on lots zoned for single-family or multifamily use (R1E, R1R, R1S, R1, R1A, R2, R3, and RB). (LMMC Section 24.05.020.D8a)

At least one ADU, or a number of ADUs totaling not more than 25% of the existing dwelling units in a multifamily dwelling* structure, may be allowed on lots with existing multifamily dwelling structures in any residential or mixed-use zone. (LMMC Section 24.05.020.D8b)

Two detached ADUs are allowed in conjunction with existing multifamily dwellings* on lots zoned for residential or mixed-use. (LMMC Section 24.05.020D8c)

*Multifamily dwelling: Consisting of two or more dwelling units on the same lot

3. May I build an ADU if my property is an historic resource or in an historical district?

An ADU may be built on a designated historical site and within a historical district; however, a detached ADU must be placed behind the primary residence and/or historic structure. Furthermore, the design and finished materials composition of the ADU must be architecturally compatible with the primary residence and/or historic structure, and must comply with historical preservation requirements in place at the time of construction. The construction of an ADU is prohibited from removing any historically significant accessory structures. (LMMC Section 24.05.020D8r)

4. How do the Scenic Preservation Overlay, Hillside Overlay, Bowling Green Overlay, and Urban Design zones apply to ADU development?

Scenic Preservation Overlay Zone (P): The requirements of LMMC Section 24.09, Scenic Preservation Overlay Zone, apply to the development of ADUs, except that Planning Commission review is not required for a project that solely proposes an ADU. (LMMC Section 24.05.020D8u)

Hillside Overlay Zone (H): The requirements of LMMC Section 24.13, Hillside Overlay Zone, apply to the development of ADUs, except that Planning Commission review is not required for a project that solely proposes an ADU. (LMMC Section 24.05.020D8w)

Bowling Green Overlay Zone: Any tree that was required to be planted per LMMC Section 24.17.030D that is disturbed by a project to build an ADU must be preserved in place, or replaced in kind on the same property if disturbed by the project. (LMMC Section 24.05.020D8x)

Urban Design Overlay Zone (D): A project that solely proposes an ADU is not subject to the requirements of LMCC Section 24.11, Urban Design Overlay Zone, or the requirements of the Urban Design Program. (LMMC Section 24.05.020D8v)

5. Am I allowed to have an ADU and a JADU on my property?

Yes. An ADU and a junior accessory dwelling unit (JADU) may be developed on the same lot as an existing or proposed single-family residence. See JADU regulations for more information. (LMMC Section 24.05.020.D9f)

6. What size ADU may I build?

The maximum floor area for an ADU is 1,200 square feet including basements and attics. This limit does not include area within garages or accessory structures. (LMMC Section 24.05.020.D8k)

7. May I build an ADU if my house is 1,200 square feet or less?

Yes, an ADU may be built up to 1,200 square feet even when the existing house is 1,200 square feet or less. The ADU may be located in front or behind the primary home regardless of size, and the homeowner may choose which to identify as primary residence and ADU. However, this does not apply to historical sites or within historical districts.

8. What are the setbacks for an ADU?

Generally the setbacks for an ADU are the same as the underlying zone, however, an ADU may use reduced setbacks up to four feet from the rear and side property lines. An existing garage, accessory structure, or space entirely within an existing primary residence may be converted to an ADU, even if the structure doesn't meet the setbacks of the underlying zone. All ADUs shall comply with all local building and fire code requirements, as appropriate. (LMMC Section 24.05.020.D8l)

9. What is the maximum height for an ADU on a lot with an existing or proposed single-family residence?

- a) If an ADU meets the setbacks of the underlying zone for a principal dwelling, the ADU is subject to the height limit applicable to the primary dwelling.
- b) An ADU built over a garage, when complying with the underlying zone setback(s), is subject to the height limit applicable to the primary dwelling.
- c) If reduced setbacks are used to build an ADU up to four feet from the rear and/or side property line(s), the ADU is limited to a height of one story and 16 feet for any portion of the ADU using the reduced setbacks. (LMMC Section 24.05.020D8l)

10. What is the maximum height for an ADU on a lot with existing multifamily dwelling units?

A detached ADU is subject to a maximum of 16 feet in height and one story.

11. What is the allowable lot coverage for an ADU project?

Generally, properties zoned single-family residential are allowed up to 40% lot coverage. On lots that are 10,000 square feet in area or less and have an existing single-family residence, the lot coverage may be increased up to 45% for ADU projects. (LMMC Section 24.05.020.D8m) However, no lot coverage limitation, minimum open space, or minimum lot size requirement may prevent the development of an ADU that is at least 800 square feet with a minimum of four-foot side and rear setbacks, provided that all other development standards are met. (LMMC Section 24.05.020.D8n)

12. Do I need to provide additional parking?

No additional parking is required for an ADU. If an ADU project involves the demolition or conversion of required parking spaces (e.g. garage or carport), those parking spaces are not required to be replaced. Any proposed parking spaces for ADUs are required to comply with LMMC Section 24.04 (Parking), and Parking Standards adopted by City Council. (LMMC Section 24.05.020.D8o)

13. May I convert an existing garage or other existing accessory structure into an ADU?

Yes. An existing garage, accessory structure, or space entirely within an existing primary residence, may be converted into an ADU even if the structure doesn't meet the setbacks of the underlying zone. However, the Fire Marshal or the Building Official must determine the existing setbacks are sufficient for fire safety. (LMMC Section 24.05.020.D8l(iii))

14. What impact fees apply to the development of an ADU?

Projects that only propose an ADU are exempt from public right-of-way dedication, improvement requirements, park fees, and maybe RTCIP fees. However, the City can ask for public right-of-way dedication for lots abutting proposed sidewalks as part of the City's Sidewalk Master Plan. (LMMC Section 24.05.020D8j)

15. Am I required to install fire sprinklers for an ADU?

An ADU is not required to have fire sprinklers installed, unless required for the primary residence. (LMMC Section 24.05.020D8i)

16. Are utility connections required for ADUs?

No new or separate utility connection between the ADU and utility (i.e., water and sewer) will be required for an ADU that meets the criteria of being contained wholly within the existing space of a single-family residence or accessory structure; has independent exterior access from the existing residence; and the side and rear setbacks are sufficient for fire safety. However, a new or separate connection directly to the utility shall be required for an ADU that cannot meet the aforementioned criteria and where the physical characteristics of the lot on which the ADU is proposed preclude connection to the existing utility connection of the primary dwelling. (LMMC 24.05.020D8l)

17. Do utility connection fees or capacity charges apply to ADUs?

Impact fees are charged for ADUs greater than 750 square feet in area, assessed proportionately in relation to the square footage of the primary dwelling unit. Utility connection fees and capacity charges apply to ADUs that voluntarily propose or are required to have a new or separate connection directly to the utility. The connection fees and capacity charges are to be proportionate to the burden of the proposed ADU, based upon either its size or the number of its plumbing fixtures impacting the water or sewer system. (LMMC Section 24.05.020D8p)

Attached or detached ADUs built on the same lot as an existing multifamily dwelling structure, a new or separate utility connection may be required, subject to a connection fee and/or capacity charge. (LMMC Section 24.05.020D8q(iv))

18. May I rent my ADU?

Yes. An ADU, the primary dwelling (single-family, or both, may be rented. (LMMC Section 24.05.020D8e)

ADUs built on lots with an existing multifamily dwelling* are required to be rented for terms longer than 30 days. (LMMC Section 24.05.020D8f)

*Multifamily dwelling: Consisting of two or more dwelling units on the same lot

19. Do I have to live on my property if I build an ADU?

No. The property owner is not required to live on the premises. (LMMC Section 24.05.020D8e)

20. How do I apply for an ADU permit and how much does it cost for the permit?

Submit a building permit application and building plans to the Building Division for review. A fee for the plan review is assessed based on several factors, including but not limited to: floor area size of the proposed ADU; whether or not the ADU will be attached or detached; and whether you will be converting an existing garage, part of an existing primary residence, or existing accessory structure into an ADU. The Building Division can provide a rough estimate for the plan check fee once the needed information discussed above is provided. Building permit fees are determined during review of the building plans.

21. Does the City have pre-approved plans for ADUs?

Currently, the City of La Mesa does not have any pre-approved plans for ADUs. Other jurisdictions, including San Diego County, have pre-drawn plans available at no cost that may be used in La Mesa if adapted to meet the Building Division's submittal requirements. The plans and a building permit application must be submitted to the Building Division for review.

22. How long will it take to obtain a building permit for an ADU? Is there an expedited review?

Applications for a building permit submitted for ADUs must be approved or denied within 60 calendar days after receiving the application, if there is an existing single-family or multifamily dwelling on the lot. However, on lots with a proposed single-family dwelling, an ADU building permit application will be delayed until the City acts on the permit application for the single-family residence.