

This bill expands an existing CEQA exemption for adoption by a city or county of an ordinance to facilitate ADU's to specifically include JADU's.

COMMENTS:

- 1) *Author's Statement.* "The expansion of ADU development in recent years has led to the creation of thousands of affordable rental properties throughout California. AB 3057 is a technical fix designed to ensure local JADU regulations receive the same exemption from environmental assessments as is already afforded to conventional ADUs. JADUs are small living areas situated within existing single-family residences. However, under current law, only ADUs are exempt from CEQA. Allowing JADU ordinances to qualify for the same CEQA exemption is a much-needed step towards thousands of new, budget-friendly rental properties throughout California."
- 2) *Background.* CEQA includes various statutory exemptions, as well as categorical exemptions in the CEQA Guidelines, for a wide range of residential projects. Since 1978, CEQA has included statutory exemptions for housing. There are now at least 15 distinct CEQA exemptions for housing projects. The majority of residential projects are approved via exemption or negative declaration under CEQA, or through ministerial permits where CEQA does not apply. One such exemption applies to the adoption of an ordinance governing the permitting process for ADUs. This exemption for has been in effect for 40 years.
- 3) *ADUs/JADUs.* ADUs, also known as mother-in-law units or granny flats, are additional living spaces that have a separate kitchen, bathroom, and exterior access independent of the primary residence. These spaces can either be attached to, or detached from, the primary residence. Local ADU ordinances must meet specified parameters outlined in state law. Local governments may also adopt ordinances for JADUs. A JADU is a unit of up to 500 square feet within a single-family home with an entrance into the JADU from the main home and an entrance to the outside from the JADU. The JADU must have cooking facilities, including a sink and a stove, but is not required to have a bathroom. ADUs and JADUs are permitted in any zone that allows single-family or multifamily housing.
- 4) *CEQA exemptions for adopting JADU ordinances.* Current law provides a CEQA exemption for local governments adopting a local ordinance for permitting ADUs. This bill adds a CEQA exemption for the adoption of a local ordinance regarding JADUs.

5) *Double referral.* This bill was passed out from the Senate Committee on Environmental Quality on June 5, 2024 with a vote of 7-0.

RELATED LEGISLATION:

SB 477 (Committee on Housing, Chapter 7, Statutes of 2024) — reorganized sections of housing law relating to accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) into a single chapter and updates cross-references to new sections of law.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, June 26, 2024.)

SUPPORT:

California YIMBY (Sponsor)
Abundant Housing LA
Apartment Association of Greater Los Angeles
California Apartment Association
California Building Industry Association (CBIA)
California Chamber of Commerce
California Hispanic Chambers of Commerce
California Rental Housing Association
California State Association of Counties
Circulate San Diego
City of Rancho Cucamonga
Fieldstead and Company
Fremont for Everyone
Generation Housing
Housing Action Coalition
Midpen Housing
San Diego Housing Commission
SPUR
YIMBY Action

OPPOSITION:

None received.

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