



City Council Staff Report

Subject: Accessory Dwelling Unit and Junior Accessory Dwelling Unit Zoning Ordinance Amendments / Zoning Ordinance Amendment, ZOA2026-0001 and Environmental, ENV2026-0003

Date: April 28, 2026

Submitted By: Bennett Smithhart, Senior Planner
Arwen Wacht, Planning Manager
David Mohlenbrok, Community Development Director

Department: Community Development

Recommendation:

Conduct a Public Hearing and Consider the Following Actions:

- A. Adopt a Resolution of the City Council of the City of Rocklin approving a Notice of Exemption (Accessory Dwelling Units and Junior Accessory Dwelling Units Zoning Ordinance Amendments / ENV2026-0003).
- B. Introduce, Waive the Full Reading and Read by Title Only, an Ordinance of the City Council of the City of Rocklin Amending Rocklin Municipal Code - Title 17 (Zoning) Specific to Accessory Dwelling Units and Junior Accessory Dwelling Units (Accessory Dwelling Units and Junior Accessory Dwelling Units Zoning Ordinance Amendments / ZOA2026-0001).

Background:

Proposal:

The proposal is for amendments to sections of Title 17 - Zoning of the Rocklin Municipal Code (RMC) specific to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) to reflect changes in State law.

Proponent:

The proposed Zoning Ordinance Amendment was initiated by the City of Rocklin, in response to ongoing changes in State law.

Location:

The proposed Zoning Ordinance Amendment would apply citywide for any proposed ADUs and/or JADUs within the City of Rocklin.

Summary of Planning Commission Hearing and Action:

On March 3, 2026, the Planning Commission (Commission) reviewed the proposed ordinance amendments, with staff presenting the item. One question was raised by the Commission regarding AB 1033, the state law that allows a local agency to adopt an ordinance permitting the separate sale or conveyance of ADUs. Staff summarized Assembly Bill (AB) 1033 and clarified that the City has not opted in by adopting such an ordinance, and that this provision is not included in the proposed ADU amendments. One member of the public made a comment encouraging the City to utilize ADUs as a source of affordable housing. The Commission then closed the public hearing and deliberated. During deliberation, the Commission expressed support for the amendments to bring the ordinance into consistency with state law. The Planning Commission subsequently voted 4-0, with one member absent, to recommend approval to the City Council.

Background:

Over the past decade, the State of California has adopted numerous amendments to state law governing Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) in order to promote and streamline the production of housing units. These changes establish uniform development standards, limit local discretionary review, and require ministerial processing of ADU and JADU applications that meet objective criteria.

The City's current ADU and JADU standards were established in 2017, when the City repealed its *Secondary Residential Unit* regulations and adopted the *Accessory Dwelling Units and Junior Accessory Dwelling Units* ordinance to implement changes in state law, including AB 2209, AB 2406 and SB 1069, among others. These bills revised State law to require ministerial approval of ADU applications that comply with prescribed objective development standards, including but not limited to parking, unit size limits, and setbacks.

In 2020, additional State legislation became effective, through several Assembly Bills (AB 68, 881, 670, and 587) and a Senate Bill (SB 13). Collectively, these bills expanded eligibility for ADUs and JADUs, refined development standards, and further limited local barriers to ADU production. Notably, AB 68 overhauled ADU standards by streamlining approval timelines, expanding allowable size and placement, and curtailing the ability of local jurisdictions to impose restrictive requirements. SB 13 waived City impact fees for ADUs less than 750 square feet and required any fees imposed on larger units to be proportional to the size of the ADU. In response, the City revised its current ADU and JADU regulations, effective March 20, 2020, to ensure consistency with State law.

Since March 2020, the State has adopted a number of other amendments to ADU and JADU law, further reducing regulatory constraints, clarifying development standards, shortening review timelines, and further facilitating the streamlined approval and increased production of ADU/JADUs statewide.

Summary of the Proposed Changes:

The proposed amendments to Title 17 – Zoning of the Rocklin Municipal Code (RMC) will provide updates to reflect revisions to State law and updated guidance from the California Department of Housing and Community Development (HCD), including their most recent revisions to their ADU Handbook in 2026. Staff identified several sections in Title 17 of the RMC that would benefit from additional clarification and/or revision to ensure that the RMC is compliant with State law.

Updates and Clarifications to Application Processing Deadlines

Under current State law, local agencies are required to act on a completed ADU application within sixty (60) calendar days. The City is required to determine the application's completeness within fifteen (15) business days of the submittal, and if the application is incomplete, provide a detailed written list of items required to in order to make the submittal complete. Also, applications that utilize pre-approved ADU plans are subject to an expedited thirty (30) calendar-day ministerial review. All of these changes were established by SB 543 (2025) and AB 1332 (2023), and the law now also requires a formal written appeal process for any application denial or incompleteness determination, with a final decision due within sixty (60) business days of the appeal filing.

Owner-Occupancy Requirements

Pursuant to AB 68, AB 881, SB 897, and AB 976, ADUs cannot be subject to an owner-occupancy requirement and local agencies are prohibited from imposing such a condition/requirement, although a different standard applies to JADUs. Historically, owner-occupancy was also required for JADUs; however, under AB 1154, owner-occupancy may only be required when the JADU shares sanitation facilities with the primary dwelling. Where a JADU includes independent sanitation facilities, local agencies may not impose an owner-occupancy requirement, although exceptions have historically been applied to properties owned by governmental agencies, land trusts, or nonprofit housing organizations.

Establishment of Objective Development Standards

The current RMC contains discretionary development standards originally adopted to ensure ADUs are architecturally compatible with existing primary dwellings. New state laws now require that ADU approvals follow objective development standards. This requirement, established by AB 68, AB 881, and AB 587, stipulates that objective criteria replace subjective language. The language in the ordinance was revised to be more objective while remaining consistent with the original intent. An example of this change is providing specific objective design standards to provide greater definition to the term "architecturally consistent" by adding "the roof material shall be the same material type as the primary dwelling unit" and "the primary exterior cladding material shall be the same type as the primary dwelling".

Height Limitations

The current RMC limits all ADUs to a maximum of sixteen (16) feet in height, but recent State law expands this limitation. Detached ADUs on multi-family lots or within one-half (1/2) mile of a major transit stop may extend to eighteen (18) feet, and ADUs attached to the primary dwelling may extend up to twenty-five (25) feet (or match the height of the primary dwelling), consistent with SB 897 (2022) and AB 2221 (2022).

Standards for Development Within Front Setbacks

AB 2221 allows ADUs to be developed within the front setback area, provided they meet specific defined criteria. The proposed amendments include clarifications, in accordance with the Government Code requirements, and stronger language to ensure that ADUs that qualify for front yard placement provide clear evidence that is legally or physically impossible to place the ADU in the rear or side yard.

Livable Interior Space

Typically, the total square footage of a building is measured by its exterior wall footprint. However, SB 897 clarifies that ADU floor area is measured specifically as "interior livable space." This is defined as "*space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation*" per Gov. Code § 66313, subd. (e).

The HCD ADU Handbook provides further guidance on this calculation by utilizing the California Building Code (Vol. 2, 1.1.3) definition of Gross Floor Area. Under this standard, the area is measured as:

"The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, ramps, closets, the thickness of interior walls, columns or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts."

This would mean that exterior wall thickness, amongst other factors noted above, would not be included in consideration for the total floor area of the ADU. With this consideration, it would be likely that this will allow for slightly larger ADU units.

Specific to JADUs, an update is also necessary to the definitions section (RMC Section 17.04.275) clarifying what is considered interior livable space in the JADU definition.

"Junior accessory dwelling unit" means a unit that contains no more than five hundred square feet of interior livable space, which includes areas intended for living, sleeping, eating, cooking, or sanitation. The unit includes an efficiency kitchen consistent with building code standards, is contained entirely within the walls of a single-family residence or multi-family building, and may include separate sanitation facilities or may share sanitation facilities with the existing structure or unit. See also Section 17.04.015, Accessory dwelling unit."

Parking

Recent State law limits a local government's ability to require parking for ADUs and JADUs. In many cases, including properties located within one-half (1/2) mile of transit, when an ADU is created through garage conversion, or for any JADUs, no additional parking may be required. Requiring replacement alternative parking for converted garages is also prohibited.

Other Minor Updates and Clarifications

Additional amendments to the Title 17 – Zoning of the RMC include clerical revisions, technical corrections, and clarifications to ensure consistency with state law, including but not limited to:

- Fire Sprinkler Exemptions: Clarifying that fire sprinklers are not required for an ADU or JADU if they are not required for the primary residence (Gov. Code § 66323, subd. (d)).
- Amnesty for Unpermitted Units: Establishing pathways for the legalization of previously unpermitted ADUs built before January 1, 2020, provided they meet essential health and safety standards (AB 2533 / Gov. Code § 66332, renumbered § 66311.7 by SB 543).
- Multifamily Density: Standardizing the number of detached ADUs allowed on multifamily properties (typically allowing a maximum of eight (8) detached ADUs - depending on the existing unit count) (SB 1211).

Conclusion:

The proposed amendments to the ADU and JADU portion of Title 17 – Zoning of the RMC would provide updated standards, clarify development requirements, and bring the RMC into compliance with State law, further facilitating streamlined ADU and JADU construction throughout the City.

Environmental Analysis:

The proposed ADU and JADU Ordinance amendments do not authorize any actual development project. The proposed Zoning Code text amendments to Title 17 - Zoning are exempt from the California Environmental Quality Act (CEQA) under Sections 15060 (c)(2) and 15061 (b)(3), as the activity will not result in a direct or reasonably foreseeable indirect physical change to the environment.

ATTACHMENTS:

1. [Resolution - Notice of Exemption](#)
2. [Ordinance](#)
3. [RMC Title 17 \(Redline Changes\)](#)