

AMENDED IN ASSEMBLY APRIL 3, 2019  
AMENDED IN ASSEMBLY MARCH 27, 2019  
CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

**ASSEMBLY BILL**

**No. 68**

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**Introduced by Assembly Member Ting**  
**(Coauthor: Assembly Member Gloria)**  
(Coauthors: Senators Skinner and Wiener)

December 3, 2018

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An act to amend Sections 65852.2 and 65852.22 of the Government Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

AB 68, as amended, Ting. Land use: accessory dwelling units.

(1) The Planning and Zoning Law authorizes a local agency to provide, by ordinance, for the creation of accessory dwelling units in single-family and multifamily residential zones and sets forth required ordinance standards, including, among others, lot coverage.

This bill would delete the provision authorizing the imposition of standards on lot coverage and would prohibit an ordinance from imposing requirements on minimum lot size.

(2) Existing law requires a local agency to ministerially approve or deny a permit application for the creation of an accessory dwelling unit within 120 days of receiving the application.

This bill would instead require a local agency to ministerially approve or deny a permit application for the creation of an accessory dwelling unit permit within 60 days ~~of receipt~~. *from the date the local agency receives a completed application.*

(3) Existing law prohibits the establishment by ordinance of minimum or maximum size for an accessory dwelling unit, or size based upon a percentage of the proposed or existing primary dwelling, if the limitations do not permit at least an efficiency unit to be constructed.

This bill would instead prohibit the imposition of those limitations if they do not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height with 4-foot side and rear yard setbacks. This bill would additionally prohibit the imposition of limits on lot coverage, floor area ratio, open space, and minimum lot size if they prohibit the construction of an accessory dwelling unit meeting those specifications.

(4) Existing law requires ministerial approval of a permit to create one accessory dwelling unit within a single-family dwelling, subject to specified conditions and requirements.

This bill would require ministerial approval of an application for a permit to create one or more accessory dwelling units or junior accessory dwelling units on a lot with a proposed or existing single-family dwelling or multifamily dwelling, subject to specified conditions and requirements.

~~(5) Existing law authorizes a local agency ordinance for accessory dwelling units to require that a permit applicant be an owner-occupant or that the property be used for rentals of terms longer than 30 days.~~

~~This bill would provide that, if a local agency imposes an owner-occupancy restriction, the monitoring for compliance shall not be more frequent than annually and shall be based on specified published documents. The bill would describe owner-occupant for purposes of that requirement.~~

~~(6)~~

(5) Existing law requires a local agency to submit its accessory dwelling unit ordinance to the Department of Housing and Community Development within 60 days after adoption and authorizes the department to review and comment on the ordinance.

This bill would instead authorize the department to submit written findings to a local agency as to whether the local ordinance complies with state law, would require the local agency to consider the department's findings and to amend its ordinance to comply with state law or adopt a resolution with specified findings. The bill would require the department to notify the Attorney General that the local agency is in violation of state law if the local agency does not amend its ordinance or adopt a resolution with specified findings.

(6) *This bill would also prohibit a local agency from issuing a certificate of occupancy for an accessory dwelling unit before issuing a certificate of occupancy for the primary residence.*

(7) Existing law authorizes a local agency to adopt an ordinance providing for the creation of junior accessory dwelling units in single-family residential zones, and requires a local agency to ministerially approve or deny an application for a junior accessory dwelling unit within 120 days of submission of the application.

This bill would instead require a local agency to ministerially approve or deny an application for a junior accessory dwelling unit within 60 days ~~of submission of the~~ *from the date a local agency receives a completed application.* The bill would require a local agency that has not adopted an ordinance for the creation of junior accessory dwelling units to apply the same standards established by this bill for local agencies with ordinances.

(8) This bill would make other conforming changes, including revising definitions and changes clarifying that the above-specified provisions regulating accessory dwelling units and junior accessory dwelling units also apply to the creation of accessory dwelling units and junior accessory dwelling units on proposed structures to be constructed.

(9) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 65852.2 of the Government Code is  
2 amended to read:

3 65852.2. (a) (1) A local agency may, by ordinance, provide  
4 for the creation of accessory dwelling units in areas zoned to allow  
5 single-family or multifamily use. The ordinance shall do all of the  
6 following:

7 (A) Designate areas within the jurisdiction of the local agency  
8 where accessory dwelling units may be permitted. The designation  
9 of areas may be based on criteria that may include, but are not

1 limited to, the adequacy of water and sewer services and the impact  
2 of accessory dwelling units on traffic flow and public safety.

3 (B) (i) Impose standards on accessory dwelling units that  
4 include, but are not limited to, parking, height, setback, landscape,  
5 architectural review, maximum size of a unit, and standards that  
6 prevent adverse impacts on any real property that is listed in the  
7 California Register of Historic Places. These standards shall not  
8 include requirements on minimum lot size.

9 (ii) Notwithstanding clause (i), a local agency may reduce or  
10 eliminate parking requirements for any accessory dwelling unit  
11 located within its jurisdiction.

12 (C) Provide that accessory dwelling units do not exceed the  
13 allowable density for the lot upon which the accessory dwelling  
14 unit is located, and that accessory dwelling units are a residential  
15 use that is consistent with the existing general plan and zoning  
16 designation for the lot.

17 (D) Require the accessory dwelling units to comply with all of  
18 the following:

19 (i) The unit may be rented separate from the primary residence,  
20 but may not be sold or otherwise conveyed separate from the  
21 primary residence.

22 (ii) The lot is zoned to allow single-family or multifamily use  
23 and includes a proposed or existing single-family dwelling.

24 (iii) The accessory dwelling unit is attached or located within  
25 the living area of the proposed or existing primary dwelling,  
26 attached or located within an accessory structure, or detached from  
27 the proposed or existing primary dwelling and located on the same  
28 lot as the proposed or existing primary dwelling.

29 (iv) The total floor area of an attached accessory dwelling unit  
30 shall not exceed 50 percent of the proposed or existing primary  
31 dwelling living area or 1,200 square feet.

32 (v) The total floor area for a detached accessory dwelling unit  
33 shall not exceed 1,200 square feet.

34 (vi) No passageway shall be required in conjunction with the  
35 construction of an accessory dwelling unit.

36 (vii) No setback shall be required for an existing living area or  
37 accessory structure or a structure constructed in the same location  
38 and to the same dimensions as an existing structure that is  
39 converted to an accessory dwelling unit or to a portion of an  
40 accessory dwelling unit, and a setback of no more than four feet

1 from the side and rear lot lines shall be required for an accessory  
2 dwelling unit that is not converted from an existing structure or a  
3 new structure constructed in the same location and to the same  
4 dimensions as an existing structure.

5 (viii) Local building code requirements that apply to detached  
6 dwellings, as appropriate.

7 (ix) Approval by the local health officer where a private sewage  
8 disposal system is being used, if required.

9 (x) (I) Parking requirements for accessory dwelling units shall  
10 not exceed one parking space per unit or per bedroom, whichever  
11 is less. These spaces may be provided as tandem parking on a  
12 driveway.

13 (II) Offstreet parking shall be permitted in setback areas in  
14 locations determined by the local agency or through tandem  
15 parking, unless specific findings are made that parking in setback  
16 areas or tandem parking is not feasible based upon specific site or  
17 regional topographical or fire and life safety conditions.

18 (III) This clause shall not apply to a unit that is described in  
19 subdivision (d).

20 (xi) When a garage, carport, or covered parking structure is  
21 demolished in conjunction with the construction of an accessory  
22 dwelling unit or converted to an accessory dwelling unit, the local  
23 agency shall not require that those offstreet parking spaces be  
24 replaced.

25 (2) The ordinance shall not be considered in the application of  
26 any local ordinance, policy, or program to limit residential growth.

27 (3) A permit application shall be considered ministerially  
28 without discretionary review or a hearing, notwithstanding Section  
29 65901 or 65906 or any local ordinance regulating the issuance of  
30 variances or special use permits, within 60 days ~~after receiving~~  
31 ~~the~~ *from the date the local agency receives a completed* application.  
32 A local agency may charge a fee to reimburse it for costs that it  
33 incurs as a result of amendments to this paragraph enacted during  
34 the 2001–02 Regular Session of the Legislature, including the costs  
35 of adopting or amending any ordinance that provides for the  
36 creation of an accessory dwelling unit.

37 (4) An existing ordinance governing the creation of an accessory  
38 dwelling unit by a local agency or an accessory dwelling ordinance  
39 adopted by a local agency after January 1, 2017, shall provide an  
40 approval process that includes only ministerial provisions for the

1 approval of accessory dwelling units and shall not include any  
2 discretionary processes, provisions, or requirements for those units,  
3 except as otherwise provided in this subdivision. If a local agency  
4 has an existing accessory dwelling unit ordinance that fails to meet  
5 one or more of the requirements of this subdivision, that ordinance  
6 shall be null and void to the extent of such conflict on January 1,  
7 2017, and that agency shall thereafter apply the applicable  
8 standards or standards established in this subdivision for the  
9 approval of accessory dwelling units, unless and until the agency  
10 amends its ordinance to comply with this section.

11 (5) No other local ordinance, policy, or regulation shall be the  
12 basis for the delay or denial of a building permit or a use permit  
13 under this subdivision.

14 (6) This subdivision establishes the maximum standards that  
15 local agencies shall use to evaluate a proposed accessory dwelling  
16 unit on a lot zoned for residential use that includes a proposed or  
17 existing single-family dwelling. No additional standards, other  
18 than those provided in this subdivision, shall be used or imposed,  
19 except that a local agency may require an applicant for a permit  
20 issued pursuant to this subdivision to be an owner-occupant or that  
21 the property be used for rentals of terms longer than 30 days. ~~If~~  
22 ~~an ordinance imposes an owner-occupancy restriction, this~~  
23 ~~restriction shall not be monitored more frequently than annually~~  
24 ~~based on published public documents that evidence residency,~~  
25 ~~including, but not limited to, a driver's license, school registration,~~  
26 ~~or a voter registration document. For purposes of this requirement,~~  
27 ~~an owner-occupant shall include any of the following:~~

28 ~~(A) An owner of the lot who occupies the primary dwelling or~~  
29 ~~the accessory dwelling unit.~~

30 ~~(B) A trust in which ownership of the lot is placed if at least~~  
31 ~~one beneficiary of the trust occupies the primary dwelling or the~~  
32 ~~accessory dwelling unit.~~

33 ~~(C) An organization that owns the lot in order to provide~~  
34 ~~long-term, deed-restricted affordable housing that is subject to a~~  
35 ~~regulatory agreement with a local agency.~~

36 (7) A local agency may amend its zoning ordinance or general  
37 plan to incorporate the policies, procedures, or other provisions  
38 applicable to the creation of an accessory dwelling unit if these  
39 provisions are consistent with the limitations of this subdivision.

1 (8) An accessory dwelling unit that conforms to this subdivision  
2 shall be deemed to be an accessory use or an accessory building  
3 and shall not be considered to exceed the allowable density for the  
4 lot upon which it is located, and shall be deemed to be a residential  
5 use that is consistent with the existing general plan and zoning  
6 designations for the lot. The accessory dwelling unit shall not be  
7 considered in the application of any local ordinance, policy, or  
8 program to limit residential growth.

9 (b) When a local agency that has not adopted an ordinance  
10 governing accessory dwelling units in accordance with subdivision  
11 (a) receives an application for a permit to create an accessory  
12 dwelling unit pursuant to this subdivision, the local agency shall  
13 approve or disapprove the application ministerially without  
14 discretionary review pursuant to subdivision (a) within 60 days  
15 ~~after receiving the~~ *from the date the local agency receives a*  
16 *completed application.*

17 (c) A local agency may establish minimum and maximum unit  
18 size requirements for both attached and detached accessory  
19 dwelling units. No minimum or maximum size for an accessory  
20 dwelling unit, or size based upon a percentage of the proposed or  
21 existing primary dwelling, or limits on lot coverage, floor area  
22 ratio, open space, and minimum lot size, shall be established by  
23 ordinance for either attached or detached dwellings that does not  
24 permit at least an 800 square foot accessory dwelling unit that is  
25 at least 16 feet in height with four-foot side and rear yard setbacks  
26 to be constructed in compliance with all other local development  
27 standards. Accessory dwelling units shall not be required to provide  
28 fire sprinklers if they are not required for the primary residence.

29 (d) Notwithstanding any other law, a local agency, whether or  
30 not it has adopted an ordinance governing accessory dwelling units  
31 in accordance with subdivision (a), shall not impose parking  
32 standards for an accessory dwelling unit in any of the following  
33 instances:

34 (1) The accessory dwelling unit is located within one-half mile  
35 of public transit.

36 (2) The accessory dwelling unit is located within an  
37 architecturally and historically significant historic district.

38 (3) The accessory dwelling unit is part of the proposed or  
39 existing primary residence or an accessory structure.

1 (4) When on-street parking permits are required but not offered  
2 to the occupant of the accessory dwelling unit.

3 (5) When there is a car share vehicle located within one block  
4 of the accessory dwelling unit.

5 (e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a  
6 local agency shall ministerially approve an application for a  
7 building permit within a residential or mixed-use zone to create  
8 any of the following:

9 (A) One accessory dwelling unit and one junior accessory  
10 dwelling unit per lot with a proposed or existing single-family  
11 dwelling if all of the following apply:

12 (i) The accessory dwelling unit or junior accessory dwelling  
13 unit is substantially within the proposed or existing space of a  
14 single-family dwelling or accessory structure, including, but not  
15 limited to, remodeling or reconstruction of an existing space with  
16 substantially the same physical dimensions as the existing  
17 accessory structure.

18 (ii) The space has exterior access from the proposed or existing  
19 single-family dwelling.

20 (iii) The side and rear setbacks are sufficient for fire and safety.

21 (iv) The junior accessory dwelling unit complies with the  
22 requirements of Section 65852.22.

23 (B) One detached, new construction, single-story accessory  
24 dwelling unit that does not exceed four-foot side and rear yard  
25 setbacks for a lot with a proposed or existing single-family  
26 dwelling. The accessory dwelling unit may be combined with a  
27 junior accessory dwelling unit described in subparagraph (A). A  
28 local agency may impose the following conditions on the accessory  
29 dwelling unit:

30 (i) A total floor area limitation of not more than 800 square feet.

31 (ii) A height limitation of 16 feet.

32 (C) Multiple accessory dwelling units within the portions of  
33 existing multifamily dwelling structures that are not used as livable  
34 space, including, but not limited to, storage rooms, boiler rooms,  
35 passageways, attics, or garages, if each unit complies with state  
36 building standards for dwellings.

37 (D) Not more than two accessory dwelling units that are located  
38 on a lot that has an existing multifamily dwelling, but are detached  
39 from that multifamily dwelling and are subject to a height limit of  
40 16 feet and four-foot rear yard and side setbacks.



1 (2) A local agency shall not require, as a condition for ministerial  
2 approval, the correction of nonconforming zoning conditions.

3 (3) The installation of fire sprinklers shall not be required in an  
4 accessory dwelling unit if sprinklers are not required for the  
5 primary residence.

6 (4) A local agency may require owner occupancy for either the  
7 primary dwelling or the accessory dwelling unit on a single-family  
8 lot, subject to the requirements of paragraph (6) of subdivision (a).

9 (5) A local agency shall require that a rental of the accessory  
10 dwelling unit created pursuant to this subdivision be for a term  
11 longer than 30 days.

12 (6) Subparagraphs (C) and (D) of paragraph (1) shall not apply  
13 to a local agency that has adopted an ordinance by July 1, 2018,  
14 providing for the approval of accessory dwelling units in  
15 multifamily dwelling structures.

16 (f) (1) Fees charged for the construction of accessory dwelling  
17 units shall be determined in accordance with Chapter 5  
18 (commencing with Section 66000) and Chapter 7 (commencing  
19 with Section 66012).

20 (2) Accessory dwelling units shall not be considered by a local  
21 agency, special district, or water corporation to be a new residential  
22 use for purposes of calculating connection fees or capacity charges  
23 for utilities, including water and sewer service.

24 (A) For an accessory dwelling unit described in subparagraph  
25 (A) of paragraph (1) of subdivision (e), a local agency, special  
26 district, or water corporation shall not require the applicant to  
27 install a new or separate utility connection directly between the  
28 accessory dwelling unit and the utility or impose a related  
29 connection fee or capacity charge.

30 (B) For an accessory dwelling unit that is not described in  
31 subparagraph (A) of paragraph (1) of subdivision (e), a local  
32 agency, special district, or water corporation may require a new  
33 or separate utility connection directly between the accessory  
34 dwelling unit and the utility. Consistent with Section 66013, the  
35 connection may be subject to a connection fee or capacity charge  
36 that shall be proportionate to the burden of the proposed accessory  
37 dwelling unit, based upon either its size or the number of its  
38 plumbing fixtures, upon the water or sewer system. This fee or  
39 charge shall not exceed the reasonable cost of providing this  
40 service.

1 (g) This section does not limit the authority of local agencies  
2 to adopt less restrictive requirements for the creation of an  
3 accessory dwelling unit.

4 (h) (1) A local agency shall submit a copy of the ordinance  
5 adopted pursuant to subdivision (a) to the Department of Housing  
6 and Community Development within 60 days after adoption.

7 (2) (A) The department may submit written findings to the local  
8 agency as to whether the ordinance complies with this section. If  
9 the department finds that the ordinance does not comply with this  
10 section, it shall notify the local agency that it is in violation of this  
11 section and shall provide the local agency a reasonable time, no  
12 longer than 30 days, to respond to the findings before taking any  
13 other action authorized by this section.

14 (B) The local agency shall consider findings made by the  
15 department pursuant to subparagraph (A) and shall do one of the  
16 following:

17 (i) Amend its ordinance to comply with this section.

18 (ii) Adopt a resolution with findings explaining the reason the  
19 ordinance complies with this section and addressing the  
20 department's findings.

21 (C) If the local agency does not amend its ordinance in response  
22 to the department's findings or does not adopt a resolution with  
23 findings explaining the reason the ordinance complies with this  
24 section and addressing the department's findings, the department  
25 shall notify the local agency and may notify the Attorney General  
26 that the local agency is in violation of state law.

27 (i) As used in this section, the following terms apply:

28 (1) "Accessory dwelling unit" means an attached or a detached  
29 residential dwelling unit that provides complete independent living  
30 facilities for one or more persons. It shall include permanent  
31 provisions for living, sleeping, eating, cooking, and sanitation on  
32 the same parcel as the single-family *or multifamily* dwelling is or  
33 will be situated. An accessory dwelling unit also includes the  
34 following:

35 (A) An efficiency unit, as defined in Section 17958.1 of the  
36 Health and Safety Code.

37 (B) A manufactured home, as defined in Section 18007 of the  
38 Health and Safety Code.

1 (2) “Accessory structure” means an existing, fixed structure,  
2 including, but not limited to, a garage, studio, pool house, or other  
3 similar structure.

4 (3) “Living area” means the interior habitable area of a dwelling  
5 unit, including basements and attics but does not include a garage  
6 or any accessory structure.

7 (4) “Local agency” means a city, county, or city and county,  
8 whether general law or chartered.

9 (5) “Nonconforming zoning condition” means a physical  
10 improvement on a property that does not conform with current  
11 zoning standards.

12 (6) “Passageway” means a pathway that is unobstructed clear  
13 to the sky and extends from a street to one entrance of the accessory  
14 dwelling unit.

15 (7) “Tandem parking” means that two or more automobiles are  
16 parked on a driveway or in any other location on a lot, lined up  
17 behind one another.

18 (j) *A local agency shall not issue a certificate of occupancy for*  
19 *an accessory dwelling unit before the local agency issues a*  
20 *certificate of occupancy for the primary dwelling.*

21 (j)

22 (k) Nothing in this section shall be construed to supersede or in  
23 any way alter or lessen the effect or application of the California  
24 Coastal Act of 1976 (Division 20 (commencing with Section  
25 30000) of the Public Resources Code), except that the local  
26 government shall not be required to hold public hearings for coastal  
27 development permit applications for accessory dwelling units.

28 SEC. 2. Section 65852.22 of the Government Code is amended  
29 to read:

30 65852.22. (a) Notwithstanding Section 65852.2, a local agency  
31 may, by ordinance, provide for the creation of junior accessory  
32 dwelling units in single-family residential zones. The ordinance  
33 may require a permit to be obtained for the creation of a junior  
34 accessory dwelling unit, and shall do all of the following:

35 (1) Limit the number of junior accessory dwelling units to one  
36 per residential lot zoned for single-family residences with a  
37 single-family residence built, or proposed to be built, on the lot.

38 (2) Require owner-occupancy in the single-family residence in  
39 which the junior accessory dwelling unit will be permitted. The  
40 owner may reside in either the remaining portion of the structure

1 or the newly created junior accessory dwelling unit.  
2 Owner-occupancy shall not be required if the owner is another  
3 governmental agency, land trust, or housing organization.

4 (3) Require the recordation of a deed restriction, which shall  
5 run with the land, shall be filed with the permitting agency, and  
6 shall include both of the following:

7 (A) A prohibition on the sale of the junior accessory dwelling  
8 unit separate from the sale of the single-family residence, including  
9 a statement that the deed restriction may be enforced against future  
10 purchasers.

11 (B) A restriction on the size and attributes of the junior accessory  
12 dwelling unit that conforms with this section.

13 (4) Require a permitted junior accessory dwelling unit to be  
14 constructed within the walls of the proposed or existing  
15 single-family residence.

16 (5) Require a permitted junior accessory dwelling to include a  
17 separate entrance from the main entrance to the proposed or  
18 existing single-family residence, with an interior entry to the main  
19 living area. A permitted junior accessory dwelling may include a  
20 second interior doorway for sound attenuation.

21 (6) Require the permitted junior accessory dwelling unit to  
22 include an efficiency kitchen, which shall include all of the  
23 following:

24 (A) A sink with a maximum waste line diameter of 1.5 inches.

25 (B) A cooking facility with appliances that do not require  
26 electrical service greater than 120 volts, or natural or propane gas.

27 (C) A food preparation counter and storage cabinets that are of  
28 reasonable size in relation to the size of the junior accessory  
29 dwelling unit.

30 (b) (1) An ordinance shall not require additional parking as a  
31 condition to grant a permit.

32 (2) This subdivision shall not be interpreted to prohibit the  
33 requirement of an inspection, including the imposition of a fee for  
34 that inspection, to determine if the junior accessory dwelling unit  
35 complies with applicable building standards.

36 (c) An application for a permit pursuant to this section shall,  
37 notwithstanding Section 65901 or 65906 or any local ordinance  
38 regulating the issuance of variances or special use permits, be  
39 considered ministerially, without discretionary review or a hearing.

40 A permit shall be issued *local agency shall issue a permit* within

1 60 days of submission of an ~~an~~ *from the date the local agency receives*  
2 *a completed* application for a permit pursuant to this section. A  
3 local agency may charge a fee to reimburse the local agency for  
4 costs incurred in connection with the issuance of a permit pursuant  
5 to this section.

6 (d) For purposes of any fire or life protection ordinance or  
7 regulation, a junior accessory dwelling unit shall not be considered  
8 a separate or new dwelling unit. This section shall not be construed  
9 to prohibit a city, county, city and county, or other local public  
10 entity from adopting an ordinance or regulation relating to fire and  
11 life protection requirements within a single-family residence that  
12 contains a junior accessory dwelling unit so long as the ordinance  
13 or regulation applies uniformly to all single-family residences  
14 within the zone regardless of whether the single-family residence  
15 includes a junior accessory dwelling unit or not.

16 (e) For purposes of providing service for water, sewer, or power,  
17 including a connection fee, a junior accessory dwelling unit shall  
18 not be considered a separate or new dwelling unit.

19 (f) This section shall not be construed to prohibit a local agency  
20 from adopting an ordinance or regulation, related to parking or a  
21 service or a connection fee for water, sewer, or power, that applies  
22 to a single-family residence that contains a junior accessory  
23 dwelling unit, so long as that ordinance or regulation applies  
24 uniformly to all single-family residences regardless of whether the  
25 single-family residence includes a junior accessory dwelling unit.

26 (g) If a local agency has not adopted a local ordinance pursuant  
27 to this section, the local agency shall ministerially approve a permit  
28 to construct a junior accessory dwelling unit that satisfies the  
29 requirements set forth in subparagraph (A) of paragraph (1) of  
30 subdivision (e) of Section 65852.2 and the requirements of this  
31 section.

32 (h) For purposes of this section, the following terms have the  
33 following meanings:

34 (1) “Junior accessory dwelling unit” means a unit that is no  
35 more than 500 square feet in size and contained entirely within a  
36 single-family residence. A junior accessory dwelling unit may  
37 include separate sanitation facilities, or may share sanitation  
38 facilities with the existing structure.

39 (2) “Local agency” means a city, county, or city and county,  
40 whether general law or chartered.

1 SEC. 3. No reimbursement is required by this act pursuant to  
2 Section 6 of Article XIII B of the California Constitution because  
3 a local agency or school district has the authority to levy service  
4 charges, fees, or assessments sufficient to pay for the program or  
5 level of service mandated by this act, within the meaning of Section  
6 17556 of the Government Code.

O