



# FREQUENTLY ASKED QUESTIONS

## ACCESSORY DWELLING UNIT JUNIOR ACCESSORY DWELLING UNIT

**Below are frequently asked questions associated with the development of an Accessory Dwelling Unit (ADU) or Junior Accessory Dwelling Unit (JADU)**

**WHERE ARE ADUS AND JDUS PERMITTED?** ADUs conforming to the provisions of the City's Zoning Code are permitted on any lot that is zoned for residential development. To find the zoning for your property, refer to the City's [Zoning Map](#).

**HOW LARGE DOES MY PROPERTY NEED TO BE FOR ME TO CONSTRUCT AN ADU?** There is no minimum lot size requirement for an ADU or JADU.

**CAN I CONVERT THE SECOND FLOOR OF MY EXISTING HOME TO AN ADU?** Yes, but only existing floor area may be converted into an ADU. A separate exterior entrance will need to be provided for ingress and egress.

**HOW MANY ADUS CAN I BUILD ON MY PROPERTY?** Only one ADU and one JADU may be constructed on a property developed or proposed to be developed with a single-family residence. On properties with multi-family residences, up to two detached ADUs are allowed and one or more converted ADUs may be constructed within portions of the existing multiple-family residences that are not used as livable space, up to a maximum of 25% of the number of existing multiple-family residential units on the lot.

**CAN I BUILD A TWO-STORY DETACHED ADU?** No. The height limit of a new ADU is 16 feet, measured from grade to roof ridgeline, which only allows for a single-story ADU.

**CAN I BUILD A NEW DETACHED ADU OVER 1,200 SQUARE FEET?** No. The maximum size of a detached ADU with is 1,200 square feet.

**WHAT IS THE MAXIMUM SIZE ATTACHED ADU I CAN BUILD?** The size of a new attached ADU is 1,200 square feet or 50% of the floor area of the primary dwelling unit, whichever is greater.

**CAN I ADD AN ATTACHED COVERED PATIO OR GARAGE TO MY ADU?** Yes. The attached covered patio, porch, or garage will be subject to the provisions of [17.400.130 Residential Uses – Accessory Structures](#). However, if an unenclosed covered porch or covered area that is no more than 200 square feet and an exterior entrance to the ADU can be accessed through the porch or covered area, then the covered porch or covered area will not be required to meet the requirement of Westminster Municipal Code Section 17.400.130.B.2.a, which requires a minimum 1,000 square feet of contiguous open space in the rear yard.

**HOW MANY BEDROOMS ARE PERMITTED IN AN ADU?** There is no limit upon the number of bedrooms permitted in an ADU.

**WHAT IS THE MAXIMUM SIZE OF AN ADU CONVERSION WITHIN AN EXISTING HOUSE OR WITHIN AN ACCESSORY STRUCTURE?** There is no maximum size for a converted ADU. In addition, a converted ADU created within an existing accessory structure may be expanded up to 150 square feet for ingress and egress purposes only.



**WHAT IS THE MINIMUM DISTANCE BETWEEN A DETACHED ADU AND THE EXISTING SINGLE FAMILY DWELLING?** For any detached ADU which is new construction, there must be at least 6 feet between the ADU and the single-family dwelling and all other detached accessory structures.

**DOES THE ADU NEED TO BE ARCHITECTURALLY COMPATIBLE WITH THE EXISTING HOUSE?** Yes. The Municipal Code requires the ADU to be compatible in design with the existing home, which includes similar roof type and pitch, exterior finishes, and color.

**DO I NEED TO PROVIDE PARKING FOR AN ADU?** One parking space is required for new ADUs. However, no parking is required for an ADU with no bedrooms, for a JADU, for property located within ½-mile walking distance from public transit (i.e., a bus stop), or for ADUs part of a proposed or existing primary residence or accessory structure.

**DO I NEED TO REPLACE EXISTING PARKING WHEN DEMOLISHING OR CONVERTING AN EXISTING GARAGE, CARPORT, OR COVERED PARKING STRUCTURE TO AN ADU?** No. When a garage, carport, or covered parking structure is demolished for the construction of an ADU or converted to an ADU, the off-street parking spaces are not required to be replaced.

**CAN I BUILD A JADU AND/OR AN ADU WITH A NEW SINGLE-FAMILY HOME?** Yes. State law allows the construction of a new ADU and/or JADU at the same time a brand new home is constructed.

**HOW LARGE CAN I BUILD A JADU?** The maximum permitted size of a JADU is 500 square feet.

**CAN MY DETACHED GARAGE BE CONVERTED INTO A JADU?** No. Only a garage that is attached to the home can be converted into a JADU because it is considered by the Department of Housing and Community Development (HCD) as part of the existing residential structure.

**DO I NEED TO PROVIDE PARKING FOR A JADU?** No additional parking is required for a JADU beyond the parking already required for the primary dwelling.

**DOES THE OWNER NEED TO LIVE ON SITE WHEN A JADU IS CREATED?** Yes. State law requires owner-occupancy of either the JADU or the single-family home. There is no owner-occupancy requirement for the construction of an ADU.

**CAN I SELL A JADU AND/OR AN ADU SEPARATE FROM THE PRIMARY RESIDENCE?** A JADU and/or an ADU shall not be sold independently from primary dwelling.

**CAN I REQUEST A SEPARATE ADDRESS FOR A JADU AND/OR AN ADU?** An ADU will be assigned a unique address. A JADU will not be assigned a separate address from the primary dwelling.

**WHAT ARE THE SETBACKS FOR AN ADU?** Minimum four-foot side and rear yard setback are required. An ADU shall comply with the required front yard setback applicable to the zoning district.

**CAN I RENT OUT MY ADU OR JADU AS A SHORT TERM RENTAL?** An ADU and JADU shall not be rented on a short term basis, less than 31 days.

#### FOR MORE INFORMATION

To access the Zoning Code regulations applicable to ADUs and JADUs, refer to Title 17, Article 4, and Chapter 17.400.135 or click [here](#). You may also contact the City of Westminster, Planning Division at (714) 548-3247 or at [planning@westminster-ca.gov](mailto:planning@westminster-ca.gov).