

FAQ: ACCESSORY DWELLING UNITS (“ADUs”)

City of Burbank - Community Development Department Planning Division

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WHERE CAN I BUILD AN ADU?

- ADUs are allowed on lots zoned R-1, R-1-H (Horse Keeping), R-2, R-3, R-4, MDR-3, MDR-4, and any lots that contain existing single-family or multi-family residential units.
- In the R-1-H Zone, ADUs may be created only by converting an existing permitted garage, permitted guest dwelling, or square footage within the main dwelling unit; horse keeping facilities and all any other accessory structures cannot be converted.
- In the Mountain Fire Zone or the R-1-H Zone, no more than one ADU or one Junior ADU is allowed.

IS PARKING REQUIRED?

- Parking for an ADU is not required when the property is located within one-half mile walking distance from public transit or when the street requires a parking permit.
- When an existing garage, carport, or covered parking structure is demolished or converted to facilitate the construction of an ADU, that parking does not have to be replaced.
- When an ADU is not exempt from required parking, one space per ADU shall be provided onsite.
- A new curb cut and driveway may be installed on a property for ADU parking so long as minimum vehicle parking stall dimensions of 18'-0" deep and 8'-6" wide are satisfied, and no additional onsite parking areas exist on the property that satisfy these minimum parking stall dimensions.
- Required parking for an ADU provided on-site can be tandem and in an existing driveway or within any existing setback area, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site, topographical or fire and life safety conditions.

WHAT IS THE MAXIMUM SQUARE FOOTAGE?

- Regardless of A) the size of the existing residence, B) maximum Floor Area Ratio (FAR), C) maximum lot coverage, or D) maximum density, an attached or detached ADU can be built on any lot where an ADU is permitted.
- The maximum square footage of a detached one-bedroom/studio ADU is 850 sq. ft.
- An ADU greater than 850 sq. ft. must provide at least two bedrooms, and cannot exceed 1,000 sq. ft.
- The maximum square footage of an attached ADU is 800 sq. ft., or 50% of the main dwelling sq. ft., whichever is greater, but not to exceed 1,000 sq. ft.
- The maximum square footage of an attached or detached ADU in the Mountain Fire Zone is 800 sq. ft.
- ADUs built in the front yard setback area are limited to 800 sq. ft.
- Any portion of an ADU with an interior height exceeding 12 feet shall be considered as constituting two stories for the

purpose of calculating square footage and thus the ground floor area is counted twice.

- For each additional code-compliant onsite parking space provided beyond the minimum onsite parking required by this Division, up to an additional 120 square feet will be added to the maximum size of only one ADU on the lot. However, in no event shall that one ADU exceed the maximum square footage listed in Burbank Municipal Code or State law by more than 120 square feet. A deed restriction must be recorded and will run with the land prohibiting the removal of the onsite parking spaces for as long as the ADU(s) remain on the lot and exceed the otherwise applicable maximum square footage.
- Lots with ADUs built prior to December 17, 2019 cannot subtract the existing ADU square footage from the existing FAR to build an addition to the main dwelling.

WHAT IS THE MAXIMUM HEIGHT ALLOWED?

- ADUs attached to the main dwelling have a height limit of 20 feet to the top of plate and 30 feet to the top of the roof or architectural feature(s).
- When a detached ADU is built on top of a garage, an accessory structure, or another ADU, the height is limited to 20 feet to top of plate and 23 feet to top of roof or architectural feature(s).
- All new detached ADUs, not constructed on top of a detached garage or accessory structure shall have a maximum height of 17 feet to any architectural features.
- Detached ADUs either (1) located within a half-mile of high-quality transit or major transit stops may or (2) located on a lot with a multistory, multi-family dwelling structure are limited to a maximum height of 18 feet to the top of roof or architectural feature(s). An additional 2 feet of height can be allowed to accommodate the ADU matching the roof pitch of the primary dwelling on lots located within a half-mile of a high quality or major transit stop.
- All attic spaces and loft areas within a one-story ADU shall be less than 5 feet in height, as measured from finished floor to the top of the attic ceiling. Attic space that exceeds 5 feet in height shall count towards the total allowable square footage as if a second story were within the space and would count towards the maximum square footage of the ADU.
- All air conditioning units and other mechanical equipment shall be ground mounted or installed within an enclosed attic space. ADUs that include a parapet roof can include roof mounted air conditioning units that are behind the roof parapet wall so long as they are not visible from the grade level of adjacent properties.

WHAT ARE THE REQUIRED SETBACKS?

- The required rear and side-yard setback for an ADU is 4 feet, whether attached or detached from the main dwelling or located on top of a garage or accessory structure.
- Any new ADU or Junior ADU cannot be located closer to the front property line than the prevailing front yard setback for a single family residential zoned lot or minimum required front setback for a multifamily residential zoned lot or nonresidential zoned lot. Notwithstanding the foregoing, the following exceptions shall apply:
 - The conversion of an existing building footprint of a primary structure or attached accessory structure into an ADU or Junior ADU that is located within the front yard setback is permitted.
 - An ADU that complies with all other applicable development standards may be built within the front yard setback of a lot if it is otherwise deemed physically infeasible to construct an 800 square foot ADU on other areas of the lot with at least a 2-foot side and rear setback. In order to take advantage of this exception, a physically infeasible determination must be made by the City pursuant to BMC Section 10-1-620.3(H)(2)(b).
- When a permitted garage, portion of the main dwelling, or accessory structure is converted into an ADU, any legal-nonconforming setback can be retained; any portions or additions that go beyond this footprint must meet the required ADU setback requirements.
- New ADUs must maintain a 5-foot linear separation on a horizontal or vertical plane from building face to building face, and a 4-foot separation from eave to eave of any adjacent structure, unless it is physically infeasible to construct an 800 square foot ADU on other areas of the lot with at least 4-foot side and rear setbacks.
- When a balcony, porch or patio is provided in conjunction with the ADU and is 7 inches above grade level, the balcony, porch or patio must be setback from the rear and side property lines a minimum of 4 feet.
- When a staircase or landing is provided for a new or existing second story ADU, whether attached or detached to the primary dwelling unit, that staircase or landing must provide a minimum 4-foot setback to the rear and side property line.

ARE THERE ANY DESIGN STANDARDS?

- ADUs must have a separate entrance when attached to the main dwelling.
- When a garage is converted into an ADU, the garage door must be removed and replaced with one or more windows and/or a residential entry door.
- If a detached ADU is visible from the street, then the main entrance of a detached ADU must face the same direction as the main entrance for the primary dwelling unit or face the side property lines. The main entrance for the ADU may face an alley if the entrance is at least 5 feet away from the property line abutting the alley, and another entrance is provided facing the front or side property lines.
- All air conditioning units and other mechanical equipment shall be ground mounted or installed within an enclosed attic space. ADUs that include a parapet roof can include roof mounted air conditioning units that are behind the roof

parapet wall so long as they are not visible from the grade level of adjacent properties.

- The design and construction of each new detached ADU and ADU conversion of existing structures shall conform to all applicable provisions of Title 9 Chapter 1 of the Burbank Municipal Code, unless otherwise provided for in California Government Code Section 65852.2(a)(1)(D)(viii). The accessory dwelling unit shall comply with all provisions of the Code pertaining to the adequacy of water, sewer, electrical, drainage, and fire and emergency services to the property on which the accessory dwelling unit will be located as well as all applicable codes pertaining to building, fire, health, and/or safety.

WHAT ABOUT ADUS IN LOTS WITH MULTI-FAMILY STRUCTURES?

- Up to two ADUs, which must be detached from the main dwelling(s), may be built on a lot with an existing or proposed multi-family dwelling structure. The two ADUs can be attached or detached from each other.
- ADUs may be created within a multifamily dwelling structure in areas not used as livable space, such as storage rooms, boiler rooms, passageways, attics, basements, common areas or garages, so long as the converted space complies with state building standards for dwellings. The number of ADUs so created within an existing multifamily structure shall be limited to 25% of the existing multifamily dwelling units in the multifamily dwelling structure, but at least one ADU is permitted.

WHAT IS A JUNIOR ADU?

- A Junior ADU is a unit created within the envelope of an existing single-family home located within the R-1 or R-1-H zone. A Junior ADU must have a separate entrance from the main dwelling.
- Junior ADUs cannot exceed 500 sq. ft.
- Parking is not required for a Junior ADU.
- An efficiency kitchen, including cooking appliances, food preparation counters, and storage space, is required.

IS OWNER OCCUPANCY REQUIRED FOR AN ADU?

- Owner occupancy and covenant is required with the construction of a Junior ADU. The owner is required to live in either the main dwelling or the Junior ADU.
- Owner occupancy is currently not required when only an ADU is constructed.

ARE THERE PRE-APPROVED PLANS FOR ADUS?

- The Building & Safety Division is currently accepting permit applications for 12 pre-approved accessory dwelling unit (ADU) projects from Los Angeles Pre-Approved ADU program. The 12 units have been selected based upon their design criteria matching our local Municipal Code.
- The approved ADU plans can be found in Building and Safety's Pre-approved ADU page:
<https://www.burbankca.gov/web/community-development/pre-approved-adu>

For the full text of the ADU Ordinance and submittal process:

<https://www.burbankca.gov/departments/community-development/planning/accessory-dwelling-units>