

ADU Bill Comparison
 Sightline Institute
 1/17/23

	HB 1337 (only 3 of first 4 provisions required)	HB 1276	SB 5357 (ADUs outside UGAs)	California	Oregon
renter bans (owner occupancy requirement)	prohibited	allowed if ADU used for STR or if owner accepts gov't incentive	unspecified	prohibited for standard ADUs, but required for "junior" ADUs (JADU)	prohibited
parking mandates	prohibited	no change to existing prohibition <1/4-mile from transit	unspecified	prohibited for all AADUs, and also for DADUs < 1/2-mile of transit; else capped at 1 per ADU	prohibited
impact fees	capped at 50% of fees on main house	no limit on fee amount	unspecified	waived for up to 750 sf, proportional to ADU size above that	allowed, but model code recommends waiving or reducing
max ADUs per lot	two	two, but only on lots > 4,500 sf	one	two (one standard ADU and one JADU)	at least one (fourplexes and duplexes also legal)
detached ADUs	allowed	allowed	allowed	allowed	allowed
allowed floor area	1,000 sf	none (cities can set max size as low as they want)	1,296 sf (or existing limits)	850 sf; or 1,000 sf for 2-bed; or 500 sf for JADU; model code rec's 1,200 sf	unspecified, but model code rec's 800-900 sf
allowed height	24 feet max, or no higher than limit for houses	none (cities can set max height as low as they want)	unspecified	minimum 16 feet	unspecified

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minimum lot size	no more than minimum for main house	4,500 sf for two ADUs or for detached ADUs	unspecified	no more than minimum for main house	all parcels that allow houses
setbacks	no more than req's for main house, zero on alley	no more than req's for main house	unspecified	max 4 feet, side and rear	unspecified
other design restrictions	rules can't be more restrictive than rules for main house	rules can't be more restrictive than rules for main house, but aesthetic req's allowed	same driveway as main house; aesthetics must match main house	design standards must be "objective"	design standards must be "objective"
extra utility connections	unspecified	unspecified	must have water and sewer/septic capacity	don't require (unless part of brand new house)	unspecified
public improvement requirements	prohibited	unspecified	unspecified	prohibited	unspecified
separate sale	allowed	allowed	unspecified	must allow it if the ADU is affordable to low-income households	unspecified
discretionary approval	unspecified	unspecified	unspecified	prohibited	prohibited
supersedes pre-existing covenants?	yes	yes	unspecified	yes	no
ADU-specific STR rules	none	prohibits ADU incentives unless owner signs "binding commitments" that units will not be used for STR	none	none	none