



AMADOR COUNTY COMMUNITY DEVELOPMENT  
AGENCY  
**PLANNING DEPARTMENT**

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**MEMO**

**TO: Land Use Committee**  
**FROM: Chuck Beatty, Planning Director**  
**DATE: August 18, 2022**  
**RE: Rental terms for Accessory Dwelling Units**

When the Board of Supervisors approved the reduction in the minimum dwelling size (07/26/22), there was concern about the potential for small homes to be built as Accessory Dwelling Units (ADUs) and subsequently used as short term rentals. The County's ADU code allows two categories of detached ADUs. Category 1 units can be as large as the primary house, must meet off-street parking requirements, but have no limit on rental duration. Category 2 units avoid the parking requirements, must be less than 800 square feet, and are required by State law and County code to have rental terms longer than 30 days.

Government Code Section 65852.2(a)(6) allows local agencies to require that all ADU rentals be rented for terms longer than 30 days.

"65852.2(a)(6): This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or imposed, including any owner-occupant requirement, **except that a local agency may require that the property be used for rentals of terms longer than 30 days.**"

If the Committee recommends that the ADU code be amended, staff can prepare a Resolution of Intention to present to the Board of Supervisors.