

**SANTA CRUZ COUNTY PLANNING DEPARTMENT POLICY/ORDINANCE
INTERPRETATION**

Interpretation No.: RES-2nd UNIT & HAS-01
Effective Date: 01/01/06
Originally Issued: replaces oral direction from management

Question:

Are a Habitable Accessory Structure and a Second Unit both allowed on a parcel developed with a single-family dwelling?

**Applicable Ordinance Section(s)
And/or General Plan/LUP Policy(ies)**
13.10.681(d)7

INTERPRETATION:

A Second Unit is permitted on a parcel developed with a single-family dwelling and a habitable accessory structure as long as no use on the property (other than one single-family dwelling and the Second Unit) contains a kitchen and/or a bathroom (such as an agricultural caretaker's quarters or a guest house). The one allowed exception is farmworker housing on agricultural parcels greater than 10 acres in size outside of the Coastal Zone (as specifically allowed by Section 13.10.681(d)7).

A Habitable Accessory Structure, as defined in 13.10.700-H, that does not contain a bathroom is permitted on property containing a Second Unit and a single-family dwelling.

Reason:

The County Code contains restrictions on the number of structures capable of being used as living quarters allowed on a parcel. These restrictions ensure that there are adequate services (water, sewer, septic), parking, and usable open space for the residents on-site. Kitchens and/or bathrooms are features required for living quarters; therefore, the County Code regulates their use.

There are numerous features that trigger an accessory structure to be considered habitable under the definition of Habitable Accessory Structure. Not all of these features lend the structure capable or desirable of being used for living quarters. Bathrooms are a feature in an accessory structure that automatically triggers discretionary permit review (County Code Section 13.10.611c3(ii)). As kitchens are already prohibited in Habitable Accessory Structures by ordinance, it is appropriate to prohibit bathrooms in these structures if a Second Unit is existing or proposed.

Tom Burns
Planning Director

Date

13.10.681(d)7