



COUNTY OF SANTA CRUZ BROCHURES

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ADU Regulations in effect January 1, 2020

New state laws Assembly Bill (AB) AB 68, AB 881 and Senate Bill (SB) 13 regarding accessory dwelling units (ADUs) are in effect January 1, 2020. The Santa Cruz County Code has been updated to comply with these new laws.

The new state laws will not be in effect within the Coastal Zone until the Coastal Commission certifies the County's ordinance, expected in Spring 2020.

How do the new ADU laws change the ADU regulations for Santa Cruz County?

Where ADUs are Allowed. ADUs are now allowed on parcels in all zone districts and General Plan designations that allow single-family or multi-family residential development or mixed-use residential and non-residential development.

Junior ADUs. JADUs are now allowed. JADUs are 150-500 square feet, converted from living areas in single family dwelling units, and have an efficiency kitchen and a bathroom that is either independent or shared with the primary dwelling unit.

Number of ADUs Allowed. Single family dwellings may now have one ADU and one JADU. Lots with multifamily dwellings may now have up to two new construction detached ADUs plus up to 25% of units can have conversion¹ ADUs created from areas that are not currently livable space (such as storage rooms).

Owner Occupancy. Owner occupancy of the primary dwelling unit is required for JADUs. Owner occupancy is NOT required for ADUs first permitted during the five-year period from January 1, 2020 through January 1, 2025.

Reduced Fees. Impact fees are not charged for ADUs less than 750 square feet, and impact fees for larger ADUs are proportional to ADU size. Utility connection fees are charged for detached ADUs in proportion to the square footage of the structure or the number of fixtures. ADUs are considered a new residential use for new utility service fees only if constructed in conjunction with a new dwelling unit.

¹ A "conversion ADU" means the conversion of any portion of a legal accessory structure, or any portion of a single-family dwelling, or any garage, for the purpose of creating an ADU. A "new construction ADU" means a new structure that is either detached or attached to the main dwelling unit.

Development Standards. Development standards for ADUs have been relaxed.

- **ADU Size.** Minimum ADU size is 150 square feet. Conversion ADUs still have a maximum size of 50% of the primary dwelling unit. For new construction ADUs on properties less than one acre, maximum sizes are now 850 square feet for studios and one-bedroom ADUs and 1,000 square feet for multiple bedroom ADUs. On properties greater than one acre, maximum size for detached new construction ADUs is 1,200 sf and maximum size for attached new construction ADUs is 50% of the main dwelling unit.
- **Setbacks and Height.** Interior side and rear setbacks for ADUs are four feet; front yard setbacks have not changed. ADU height is the same as the zone district standard except that detached new construction ADUs within the urban services line shall be maximum 16 feet and ADUs above detached garages shall be 24 feet (20 feet at exterior wall). Height requirements are different in the Seascapes Beach Estates and Pleasure Point communities – please check with County staff regarding height in these communities.
- **800-Square-Foot ADU Allowance.** If a property exceeds maximum allowed floor area ratio or lot coverage for the zone district, an ADU up to 800 square feet is allowed with maximum height of 16 feet, with additional height allowed for ADUs above garages.
- **Parking.** ADUs are now exempt from parking requirements if they are within a half-mile walking distance from any transit stop, except in certain Coastal designated areas. Also, outside the Coastal Zone, no parking replacement is required for the main dwelling unit when ADUs are converted from existing covered parking.

Nonconforming Conditions. The County does not require the correction of most nonconforming conditions when approving a building permit for an ADU or JADU.

Code Enforcement. Between January 1, 2020 and January 1, 2030, code enforcement for ADUs may be delayed for up to five years for ADUs built before January 1, 2020.

Building Permit Approval Timeline. ADU and Junior ADU (JADU) building permit applications will be approved or denied within 60 days from the date a complete application is submitted, subject to certain exceptions.

Want to Learn More?

- **Visit the ADU website** which is being updated with new information as it becomes available: <http://www.sccoplanning.com/ADU.aspx>
- **Review Public Meeting Information.** The Board of Supervisors held a public hearing on January 28, 2020 and adopted new ADU rules. Meeting materials are available here: https://santacruzcountyca.ig2.com/Citizens/Detail_Meeting.aspx?ID=1792
- **Contact** Daisy Allen, Senior Planner, 454-2801, with questions about the new state laws or to be added to the ADU mailing list for email updates on this topic.