

SANTA CRUZ COUNTY

ACCESSORY DWELLING UNIT ADU BASICS

JUNE 2018



Use this guide with its companion documents
Santa Cruz County ADU Basics and ADU Design Guide
and the resources provided at
sccoplanning.com/ADU

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This Guide is not a substitute for the Santa Cruz County Code. If there are discrepancies between this Guide and the County Code, the language in the County Code will govern.

Some properties may have environmental or utility constraints that increase costs, restrict siting options, or require extra review for ADUs. Please consult with County staff for projects with these special circumstances.

Deciding to Build an ADU?

The County of Santa Cruz is encouraging the creation of more Accessory Dwelling Units, or ADUs. An ADU, also known as an “accessory unit”, “second unit”, “in-law-unit”, or “granny flat”, is one additional smaller unit on the same property with a single-family home. ADUs add housing to our community without the need to subdivide the land to create new parcels, and can play a key role in meeting housing needs in the community.

ADUs can take many forms, including new detached units, additions to an existing home or garage, or the conversion of existing space to a new habitable unit. Regardless of the form, a homeowner must work through several steps in order to legally create an ADU on a property.

This guide walks homeowners through the process of building an accessory dwelling unit, from pre-application through occupancy. Follow the How-To Guide to from start to finish; use the online GIS tool or work through the Eligibility Flowchart to determine the allowable size of your ADU; see tips for minimizing the cost of your ADU; and review the FAQs.

Users of this guide should also consult the Santa Cruz County ADU Financing Guide, which discusses the various costs and fees associated with building an ADU as well as the various methods available to homeowners for financing the construction of an ADU.

How-To Guide

Reach the Zoning Counter by calling or emailing:
Zoning Info Line:
(831) 454-2130
Planning.ZoningInfo@santacruzcounty.us

Reach the Building Counter by calling or emailing:
Building Info Line
831-454-2260
PLNBuildingInfo@santacruzcounty.us



Confirm Eligibility and Allowed Size of ADU

- Use the online GIS tool at www.sccoplanning.com/ADU to determine the eligibility of your parcel and the maximum size ADU you could build
- Consult the ADU Financing Guide to estimate your ballpark costs.
- Call or Email the Zoning Counter to discuss options as well as any constraints or site-specific factors (steep slopes, double frontages, agricultural buffer setbacks, existing accessory structures, septic systems, etc.) that could require additional consideration. This step will help you avoid surprises after investing time and money into a building design.
- If your home relies on a septic system for sanitation, consult with Environmental Health Services (EHS) about the capacity of your existing system.

Design and Preparation

- New Construction or Conversion? Refer to Chapter 3 for guidance and inspiration.
- Consider your options for drafting plans. Hire a designer or architect? Draw your own plans? Purchase plans? Purchase a manufactured unit? Purchase a pre-fab unit?
- Consider your options for building. Hire a contractor? Construct the unit yourself?
- Once you select an ADU design option, you can get an estimate of County fees by using the Fee Calculator on the County's ADU website: sccoplanning.com/ADU
- With your preliminary design, the Building Counter can provide a list of plan submittal requirements.

Submit Plans for Building Permit

Expect 2 rounds of comments/re-submittals; in addition to building plan check, plans are typically reviewed by zoning, environmental planning, the Department of Public Works, and fire districts. Expect this process to take several weeks.

Record Deed Restriction

Owner occupancy of the parcel is required. The property owner may reside in either the primary home or the ADU, and confirmation of a Homeowner's Tax Exemption is required prior to permit issuance.

Obtain Permits and Pay Fees

- Obtain your building permit and any other necessary permits.
- Pay all fees as required. Fees vary both by size (units smaller than 500 sf are exempted from certain fees) and by method of construction (Conversion ADUs are not subject to several fees). See the ADU Financing Guide, Section 4 for more information about fees.

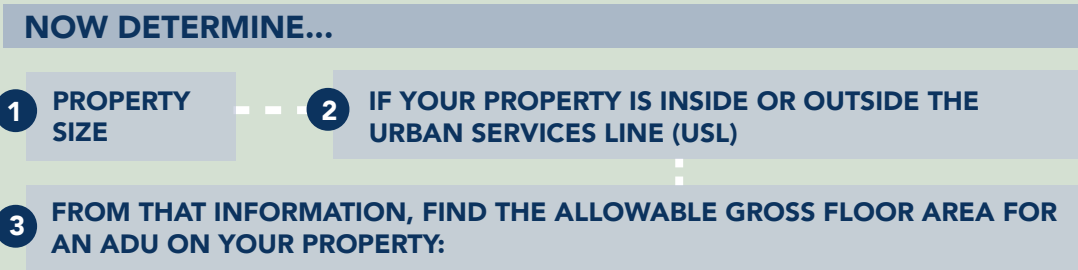
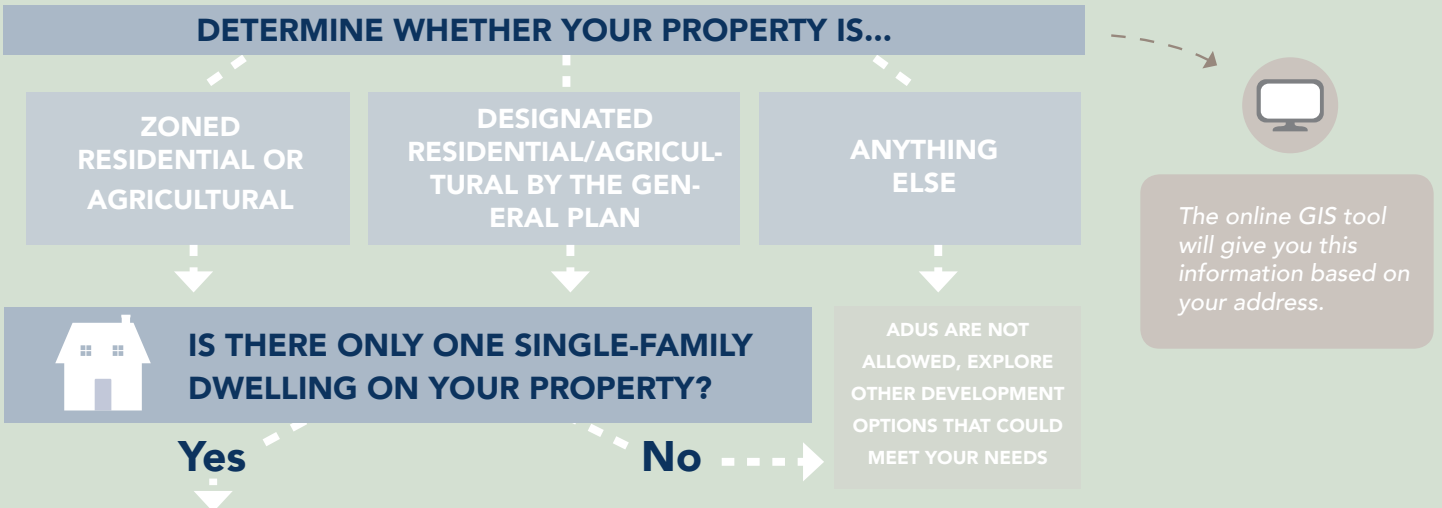
Construct Your ADU

Complete all Required Building and Environmental Inspections at appropriate stages of the construction process.

Occupy your ADU!

Review Section 8 of the ADU Financing Guide: ADUs as Rental Property about how to be a landlord, accepting housing vouchers, etc.

Eligibility Flowchart: Can I build an ADU on my property?



NEW CONSTRUCTION ADUs

"I am building a new structure or adding to an existing structure."

	PARCEL SIZE			
	<5,000 sq. ft.	5,000-10,000 sq. ft.	10,000 sq. ft. to 1 acre	>1 acre
INSIDE USL	10% of Parcel Size	640 sq. ft.	800 sq. ft.	800 sq. ft.
OUTSIDE USL	800 sq. ft.	800 sq. ft.	1,000 sq. ft.	1,200 sq. ft.

CONVERSION ADUs

"I am converting part of an existing home, garage, or barn."

	PARCEL SIZE			
	<5,000 sq. ft.	5,000-10,000 sq. ft.	10,000 sq. ft. to 1 acre	>1 acre
INSIDE USL	50% of primary dwelling or 640 sq. ft., whichever is less	640 sq. ft.	800 sq. ft.	800 sq. ft.
OUTSIDE USL	50% of primary dwelling or 640 sq. ft., whichever is less	800 sq. ft.	1,000 sq. ft.	1,200 sq. ft.

For more details on conversion ADUs, see Design Guide pg. 8



		MINIMUM SETBACKS			MAXIMUM HEIGHT	MAXIMUM NUMBER OF STORIES
		FRONT	SIDE	REAR		
INSIDE USL	DETACHED NEW CONSTRUCTION	Same as zone district standards			17 ft. overall, 15 ft. exterior side wall	1
	NEW CONSTRUCTION ABOVE DETACHED GARAGE	Same as zone district standard	5 ft.	5 ft.	24 ft. overall, 20 ft. exterior wall	2
	ATTACHED TO PRIMARY DWELLING	Same as zone district standards				
OUTSIDE USL	DETACHED NEW CONSTRUCTION	Same as zone district standards				
	NEW CONSTRUCTION ABOVE DETACHED GARAGE	Same as zone district standard	5 ft. ¹	5 ft. ¹	24 ft. overall, 20 ft. exterior wall ¹	2 ¹
	ATTACHED TO PRIMARY DWELLING	Same as zone district standards				

For more details, see Design Guide pages 2-4

For more details, see Design Guide pages 5-7

¹ If ADU side and rear setbacks conform to the standard setbacks of the zone district, then the maximum height of the ADU is same as that of the zone district.

Minimize the Cost of Your ADU

There are many alternatives for an ADU to building the typically envisioned “back yard cottage,” which entails the most expensive type of construction. Consider all the options that could meet your housing needs before settling on a style of construction and location for your ADU.

Consider whether a remodel to your existing single family home would meet your needs.

Remodels could be substantially cheaper than construction of a full, independent dwelling unit. Remodels to create greater separation between living spaces while not creating a separate dwelling unit can accommodate the needs of many households.

- A limited area for food prep that does not include a full stove or oven is allowed as a remodel to an existing home. Essentially, a sink, refrigerator, counter space, and any small appliances that plug into a standard 110 V wall outlet can be added to a bedroom or den to create a separate living space that is partially independent from the main home. These areas must maintain an interior connection to the rest of the home, since they are not fully independent ADUs.

Consider a conversion ADU.

If there is existing habitable space in your home or an outbuilding that would be suitable for a Conversion ADU, both construction and permitting costs could be substantially reduced. In order to be a fully legal Accessory Dwelling Unit, the space must have a full bathroom, full kitchen, separate entrance, separate heat source, and sound and fire-wall separation from the primary home.

Consider converting an existing garage.

Do you have space to relocate the existing required parking space(s)? These can be replaced as uncovered parking in tandem or triple tandem on your lot.

- You may want to consult with a contractor regarding the condition and quality of the existing structure to see if converting is financially more feasible than new construction.

Consider an addition to an existing structure.

Additions to existing homes, depending on the age of the existing structure, can also be a more cost effective approach to creating an ADU, especially for smaller units, than new detached construction.

- Additions under 500 sf are exempted from certain permit reviews and fees (eg. School fees, affordable housing impact fee, soils report review, etc.), creating the potential for considerable cost savings.

Explore various site-planning techniques.

Once you've settled on a style of construction, consider site planning to minimize costs:

- If you use a septic system, consider its location and elevation relative to a new ADU, and what additional costs this could create. Consult with County Environmental Health Services (sceh.com or 454-2022 for septic evaluation) early in your process.
- ADUs that are built as free-standing New Construction trigger a requirement of 1 parking space, which must be accommodated on site.
- In order to add any type of ADU, the main home on the property must meet current requirements for parking spaces in a garage, carport, or driveway; OR
 - » If the existing home does not meet current parking requirements, and the ADU does not trigger a requirement for a new parking space, the existing number of parking spaces must be maintained. As long as there is no net loss of off-street parking spaces on the property, spaces can be relocated and reconfigured in any manner that will fit on the parcel, including in tandem or triple tandem (three cars parked behind one another). There is no requirement that any of the parking spaces be covered by a carport or garage.

Santa Cruz County Zoning Code: Single Family Home Parking Standards

1 Bedroom	2 parking spaces
2 Bedrooms	3 parking spaces
3 Bedrooms	3 parking spaces
4 Bedrooms	3 parking spaces

- ADUs created as Conversions, or which are attached to the existing home or garage do not trigger a parking requirement, and therefore also do not trigger transportation-related fees.
- On parcels of 6,000 sf or smaller, the County allows a 2% bonus above the standard lot coverage and floor area ratio limits in order to accommodate an ADU.

Consider pre-fab homes.

If detached new construction is the style of ADU that works best for your needs, consider whether a manufactured home or a prefab home would work on your site. Factory-built housing is legal to use as an ADU so long as it is attached to all required utilities and permanently mounted to an appropriate foundation on the site. These units can represent significant construction cost savings in many locations, and require fewer building inspections for a quicker timeline to occupancy.

See list of resources in the ADU Financing Guide for links to manufactured and pre-fab home dealers.

Frequently Asked Questions

How much will it cost me to build an ADU?

The ADU Financing Guide provides extensive guidance on the various options for developing an ADU on your property. Your costs will vary based on how you choose to create the unit (are you converting part of your existing home, or building a new cottage in the back yard? Are you building a garage at the same time? Are you utilizing a pre-fab structure or manufactured home?), and where you are located in the County. The Financing Guide is available on the County's ADU website at sccoplanning.com/ADU.

What features and facilities are ADUs required to have?

An ADU is an independent dwelling unit providing complete living facilities for a household, including permanent provisions for living, sleeping, eating, cooking and sanitation. In order to meet this definition, ADUs must have a full kitchen, including a permanently installed cooking appliance, and a full bath with facilities for sanitation and bathing. Structures that do not provide all these facilities are not legal independent dwelling units.

Can I use a Tiny Home as an ADU?

Many “tiny homes” are mounted to a wheeled chassis to facilitate moving them from place to place. Under California state housing law, anything that is permanently mounted to a chassis with wheels is a Recreational Vehicle (RV) approved only for occasional and seasonal use and cannot be used as a dwelling unit.

Any structure that meets building code requirements for habitability, when placed on a permanent foundation and connected to utilities (County Code Section 13.1.0682), is eligible for building permits and can be used as an ADU. A small “Tiny ADU” may be new stick-built construction, a pre-fabricated unit brought to the site and installed (similar to a manufactured home that meets the HUD building standard), or may be created from converting existing space in a structure.

What permissions do I need in order to begin building/remodeling?

Once you have determined how you will create your ADU, your project will require a building permit. Most ADUs will require only a Building Permit so long as they comply with the zoning code. Certain ADUs inside the Coastal Zone may also require a Coastal Development Permit, processed at the same time as the Building Permit application. If your parcel is zoned Commercial Agriculture (CA), you must obtain approval of a discretionary land use development permit from the County, which involves public notice to your neighbors, before you can apply for a building permit for an ADU. Some projects may also require additional permits related to grading or any septic upgrade that might be necessary. If you are designing an ADU that exceeds any of the site or dimensional standards, you also may need a discretionary development permit.

How do I start the permit process?

Consult the How-To Guide on page 2, and review the information available on the County's ADU website: sccoplanning.com/ADU. Any questions you may have regarding the permit process can be addressed by the zoning counter staff. To contact zoning staff, you may either call the Zoning Information line at 454-2130 and leave a message with your questions or send an email to Planning.ZoningInfo@santacruzcounty.us with "ADU" in the subject line.

Do I need to go through a public hearing process, or go to my neighbors and inform them of my plans for an ADU?

For the most part, no. When the plans for your ADU conform to the normal standards set in the ordinance and your project doesn't trigger the need for other permits, you do not need to go through an additional discretionary hearing process. If your parcel is located in certain areas inside the Coastal Zone, and your ADU does not qualify to be exempt or excluded from the County's Coastal Permit regulations, your ADU may also require a Coastal Development Permit (CDP) which will involve noticing to your neighbors. The CDP is processed simultaneously with your Building Permit application, and typically will not cause any delay in your project. If your parcel is zoned Commercial Agriculture (CA), you must obtain approval of a development permit from the County, which involves public notice to your neighbors, before you can apply for a building permit for an ADU.

If the design of your ADU does not conform to the normal zoning standards, a development permit, variance, or minor variation process may be required:

- A development permit for design review can provide for extra height (only up to 5 additional feet is allowable). This process will involve a site visit by staff to ensure that an over-height building will not create excessive impacts on neighboring properties or on public Coastal views (if property is inside the Coastal Zone). The findings of the review will be formalized in a public hearing before the Zoning Administrator. See Code Section 13.10.323(E)6(g) for more detail.
- ADUs built above a garage might benefit from flexibility in site planning with reduced setbacks for a new garage. The County Code allows a setback reduction of up to 50% of the standard side- and rear-yard setbacks without the need for a special permit. For residential lots less than 10,000 sf in size, the setback may be reduced to zero with an administrative site development permit (Level IV). Details apply, see County Code Section 13.10.323(E)6(f).
- If your planned ADU does not conform to any other site or structural standard, such as lot coverage or floor area ratio, you may require a variance or minor exception. Consult with a planner at the zoning counter for more information, and see County Code Sections 13.10.230 and 13.10.235.

Is there any limit on the number of ADUs that can be built in the County, or in my neighborhood each year?

No. There are no limits on the number of permits that can be issued for ADUs in the unincorporated County, other than that only one ADU can be built per parcel in conjunction with a new or existing single family home.

My property is on septic. Can I still build an ADU?

Potential applicants should consult with Environmental Health Services (EHS) early in their process. The zoning code allows development of ADUs on any parcel with a single family home, regardless of the use of a septic system, but all performance standards for sanitation must be met and approved by EHS. The technical requirements for septic systems on certain parcels may be challenging or prohibitively expensive to meet, and EHS staff can help you understand the requirements of your systems, and provide advice about evaluating your existing system.

What are the requirements and associated fees of my water purveyor/sanitation district/fire district? (e.g., Soquel Creek, Water District, San Lorenzo Valley Water District, Central Fire, etc.).

While an ADU is a permitted use on your residential property, there are circumstances that may make construction more expensive in certain neighborhoods. Once you know your special districts, we recommend contacting them directly to discuss the requirements and costs of building or legalizing an ADU on your parcel, since each district has their own standards and requirements. The GIS tool on the ADU website at sccoplanning.com/ADU will identify the Special Districts that serve your property and provide you with links to their websites.

Does my ADU need a separate water meter or sewer connection?

Conversion ADUs cannot be required to have a separate water or sewer connection. The requirements for New Construction ADUs vary from one district to another. The GIS tool on the ADU website at sccoplanning.com/ADU will identify the Special Districts that serve your property and provide you with links to their websites.

There is an accessory structure on my property that was not constructed with permits. Can I convert it into an ADU?

Maybe. Your first step will be to contact the Zoning Information line at 454-2130 or send an email to Planning.ZoningInfo@santacruzcounty.us line to find out what standards will apply to the construction of the structure as well as its location on your parcel. There is no risk in asking these questions, as the County Code enforcement process operates on a complaint basis unless there is an imminent risk to health and safety.

Do I need to install fire sprinklers in my ADU?

Fire sprinklers are only required in an ADU if they are already present or are being installed in the primary home on the parcel. You will still need a sign off from the appropriate fire district, and will need to comply with the Fire Code generally, and there may be circumstances in which installing sprinklers is the most cost effective option for meeting the requirements of the Fire Code.

Do I need to live on the property?

Yes. At the time of application for a new or legalized ADU, the County will confirm that you have filed a Homeowner's Tax exemption or can otherwise prove the property is your primary residence. Once an ADU is in place, there is a process to apply for a one-year exception to allow rental of both units at the discretion of the Planning Director.

I would like to rent out my ADU as long-term housing. What do I need to do to become a landlord?

Chapter 8 of the ADU Financing Guide contains a list of resources for understanding your legal responsibilities to a paying tenant, as well as guidance on selecting tenants and maintaining a rental unit.

Can I rent out my ADU as a vacation rental on a short term basis? (less than 30 days)

No. An ADU cannot be used as any type of short term rental or vacation rental, and an ADU cannot be located on a property with an active Vacation Rental Permit. Any existing Vacation Rental Permit must be forfeited before a permit can be issued to construct an ADU.

Can I build two ADUs?

No. Only one ADU is permitted per qualified parcel.

Can I have an interior door between my home and an attached ADU?

The current building code standards can allow a door directly between two dwelling units. The door will be subject to higher standards by the Building code in order to meet fire and sound attenuation requirements, but you can have a door connecting your home and your ADU. Contact the Building Counter for specific information on the standards that will apply (email PLNBuildingInfo@santacruzcounty.us or call 831-454-2260 during regular business hours).

Will my Property Taxes increase?

Yes, slightly. The base value of the property is not reassessed, and any tax advantages that exist, for example, from longtime ownership with no reassessment, will not be affected. Constructing an ADU will incrementally increase the value of your property, and the tax on that amount of increase is added to the tax that was assessed before the improvement. Property Tax implications are discussed in greater detail in Section 7 of the ADU Financing Guide.



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Urban and Regional Planners