

18.60.020 – Accessory Dwelling Units

A. Ministerial ADU Approval on Single-Family Parcels. The City shall ministerially approve the construction of accessory dwelling units (ADUs) through the issuance of a Zoning Clearance on any single-family residential parcel to create any of the following:

1. One detached ADU;
2. One attached ADU or one attached JADU, subject to the following:
 - a. The attached ADU has exterior access and is contained within the setbacks required by the zoning district of an existing or proposed Single Family Dwelling (SFD), and matches the height of the existing or proposed building or an existing accessory structure;
 - b. The attached ADU is within the Building Envelope of an existing accessory structure. Enclosed uses within the residence, such as attached garages, are considered a part of the proposed or existing single-family residence;
 - c. The JADU has exterior access and is contained within the Building Envelope of an existing or proposed Single Family Dwelling (SFD); or
 - d. If a permitted JADU does not include a separate bathroom, the permitted JADU shall include a separate entrance from the main entrance to the structure, with an interior entry to the main living area
3. One converted ADU satisfying the requirements of subsection 18.60.020.J.
4. Any combination of one detached ADU described in Subsection 1 Above, one attached JADU described in Subsection 2.c or 2.d, above, and one converted ADU described in Subsection 3 above.

B. Ministerial ADU Approval on Multi-Family and Mixed-Use Parcels. The City shall ministerially approve ADUs through the issuance of Zoning Clearance on any multi-family residential or mixed-use parcel to create any of the following:

1. Up to two detached ADUs that comply with ADU height and setback standards;
2. At least one attached ADU in a multi-family or mixed-use structure, and additional attached ADUs up to 25 percent of the number of existing dwelling units, provided that any attached ADUs are placed within areas of the structure that are not currently used as livable space, including storage rooms, boiler rooms, passageways, attics, basements, or garages; or
3. A combination of the ADUs listed in Subsections 1. and 2., above.
4. For ADUs subject to ministerial approval in one of the categories above, the following shall apply:
 - a. Legal nonconforming zoning conditions (setbacks, parcel coverage, etc.) do not need to be brought into conforming status in order to obtain the Building Permit for the ADU. In addition, illegal conditions unrelated to the construction of the ADU do not have to be corrected as a prerequisite to the construction of the ADU. Notwithstanding the foregoing, the City reserves its rights to require correction of any illegal conditions through standard code enforcement processes.

- b. All rentals of ADUs and JADUs shall be for a term longer than 30 days beginning in 2020.
- c. Proposed ADUs not falling within any of the categories listed above may potentially still be approved but shall meet the standards specified in SCCC Chapters 18.10 or 18.12 and undergo Architectural Review in compliance with Chapter 18.76.

C. Development Standards Applicable to All ADUs.

1. Parcel size: No minimum parcel size is required to construct an ADU or JADU on a single-family, multi-family, or mixed-use property.
2. Minimum floor area: 150 square feet.
3. Parking: No parking spaces are required for an ADU or JADU
4. When a garage, carport, or covered parking structure for the SFD is demolished in conjunction with the construction of an ADU or JADU or converted to an ADU or JADU, those off-street parking spaces need not be replaced.

D. Development Standards for ADUs and JADUs on Single-Family, Multi-Family, and Mixed-Use Parcels.

1. Detached ADUs.

- a. Height limit: 25 feet
- b. Maximum number of stories: 1.5.
- c. Setback, rear: 4 feet.
- d. Setback, side: 3 feet.
- e. Setback, corner side: 4 feet.
- f. Unit size maximum, parcels less than or equal to 5,500 square feet: 1,000 square feet.
- g. Unit size maximum, parcels greater than 5,500 square feet: 1,200 square feet.
- h. Detached ADUs may include a detached garage.

2. Additional development standards for detached ADUs greater than one story and 18 feet in height.

- a. Setback, rear, one-story elements: 4 feet.
- b. Setback, rear, multi-story elements: 15 feet.
- c. Maximum width for dormers: 40 percent of the subject building elevation.
- d. Egress windows: Egress windows shall face the primary residence, as opposed to the neighboring properties.

3. Attached ADUs.

- a. Height, number of stories: 25 feet and 2 stories
- b. Setbacks: Meet the setbacks for the subject zone, except as provided in paragraphs F and H.
- c. Unit size: 1,000 square feet or 50 percent of the size of the main unit (minimum of 800 square feet), whichever is less.
- d. All attached ADUs subject to ministerial approval shall be constructed within the setbacks required by the zoning district and at a maximum height of 25 feet, or within the Building

Envelope of an existing accessory structure. However, an attached ADU will still qualify as being within the “building envelope” if it includes an expansion of an existing SFD or accessory structure by up to 150 square feet for purpose of creating ingress/egress. Such an expansion may exceed the zoning requirements for the main SFD (such as parcel coverage and setbacks).

- e. For the purposes of ADUs, “Building Envelope” shall mean the walls of a proposed SFD or an existing SFD or accessory structure. However, an attached ADU will still qualify as being within the “building envelope” if it includes an expansion of an existing accessory structure by up to 150 square feet for purpose of creating ingress/egress. Such an expansion may exceed the zoning requirements for the main SFD (such as parcel coverage and setbacks).

E. Development Standards for JADUs. JADUs are attached ADUs built within the building envelope of an existing or proposed structure.

1. The maximum area of a JADU is 500 square feet.
2. All JADUs must be constructed within the walls of a proposed or existing SFD. The 150-square foot “building envelope” expansion is not available for JADUs. JADUs are not permitted in accessory structures.
3. A JADU shall contain an efficiency kitchen (a cooking facility with appliances, a food preparation counter, and storage cabinets).
4. A JADU may include separate bathroom facilities or may share bathroom facilities with the main SFD. If a permitted JADU does not include a separate bathroom, the permitted JADU shall include a separate entrance from the main entrance to the structure, with an interior entry to the main living area.
5. Owner-occupancy is required in the single-family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.
6. The recordation of a deed restriction is required, which shall run with the land, shall be filed with the permitting agency, and shall include both of the following:
 - a. A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.
 - b. A restriction on the size and attributes of the JADU that conforms with this section of the Zoning Code.

F. ADUs subject to Parcel Coverage, Floor Area Ratio (FAR), and Open Space Requirements. ADUs and JADUs are subject to front setback requirements, parcel coverage, FAR, and open space requirements, but only to the extent that such requirements would still allow for:

1. A detached ADU of 800 square feet, that is at least 18 feet in height with four-foot rear yard and four-foot side yard setbacks. Setbacks and side yard setbacks to be constructed in compliance with all other applicable City development standards.
2. An attached ADU, staying within the existing Building Envelope, and constructed in compliance with all other applicable City development standards.

G. ADUs Not Meeting Ministerial Approval Standards. ADUs and JADUs not meeting ministerial approval standards under Paragraph A, are subject to Architectural Review in compliance with Chapter 18.76 and shall meet all applicable Zoning Code regulations.

H. ADUs Proposed in The Location of Existing Accessory Structures. No setbacks are required for conversions of existing structures (garages or other accessory structure) that are constructed in the same location and to the same dimensions as the existing structure.

I. ADUs on Historically Designated Properties.

1. The City is expressly allowed to regulate parking, height, setback, landscape, Architectural Review, maximum unit size, to require standards that prevent adverse impacts on any properties listed in the California Register of Historical Resources.
2. The addition of an ADU to a property listed in the California Register of Historical Resources requires a Significant Properties Alteration (SPA) Permit.

J. Standards Applicable to Converted ADUs. The following standards apply only to converted accessory dwelling units:

1. **Definition.** A converted ADU is an ADU converted from an existing primary dwelling or accessory structure, including but not limited to attached garages, storage areas, or similar uses, or an accessory structure including but not limited to a studio, pool house, or other similar structure.
2. **Limited Expansion.** Conversions may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing structure if the expansion is for the sole purpose of accommodating ingress and egress to the converted structure.
3. **Exterior Access Required.** The converted space or structure shall have exterior access.
4. **Setbacks.** An accessory dwelling unit or portion of an accessory dwelling unit located within the existing space of an existing dwelling or within an existing detached accessory structure shall not require a setback from the rear, street side, or interior side property lines.
5. **Parking.** No additional off-street parking is required for the converted accessory dwelling unit. If replacement parking is provided, the replacement spaces shall be located in any configuration on the same parcel as the accessory dwelling unit and may include but is not limited to covered spaces, uncovered spaces, or tandem spaces. Replacement parking may only occur on driveways leading to a required parking space or in rear yard on a paved surface.
6. **Unit Size Requirements.** The conversion of an existing accessory structure or a portion of the existing primary dwelling to an accessory dwelling unit is not subject to unit size requirements established in this Section. For example, if an existing 2,000 square-foot accessory structure was converted to an accessory dwelling unit, it would not be subject to the established unit size requirements.