

ORDINANCE NO. 5326**ORDINANCE AMENDING SANTA CRUZ COUNTY CODE SECTIONS 7.73.020, 12.02.020, 13.10.312, 13.10.322, 13.10.323, 13.10.332, 13.10.333, 13.10.352, 13.10.353, 13.10.362, 13.10.363, 13.10.372, 13.10.446, 13.10.552, 13.10.611, 13.10.681, 13.10.700, 14.01.107 and 17.10.020 RELATING TO ACCESSORY DWELLING UNITS**

The Board of Supervisors of Santa Cruz County hereby finds and declares the following:

WHEREAS, the County of Santa Cruz has maintained an accessory dwelling unit (ADU) ordinance since 1983; and

WHEREAS, in September 2019, the California State Legislature passed multiple bills to amend California Government Code sections 65852.2, 65852.22, 65852.26 and Health and Safety Code Section 17980.12, updating statewide ADU regulations regarding ministerial review, fees, development standards, parking requirements, Junior ADUs, multifamily dwelling ADUs, owner occupancy, short-term rentals, zoning nonconformities, code enforcement, and separate sale of ADUs; and

WHEREAS, in October 2019, Governor Newsom signed these bills into law, and they took effect on January 1, 2020; and

WHEREAS, the County wishes to amend County Code Chapters 7.73, 12.02, 13.10, 14.01 and 17.10 to comply with the State's updated ADU regulations; and

WHEREAS, County Code Chapters 7.73 and 13.10 are Local Coastal Program implementing ordinances; and

WHEREAS, on January 8, 2020, the Planning Commission of the County of Santa Cruz held a duly-noticed public hearing and adopted a Resolution by a majority vote of its full membership recommending adoption of these proposed amendments to the Santa Cruz County Code, based upon findings of consistency with the General Plan and Local Coastal Program and the Coastal Act, and exemption from the requirements of the California Environmental Quality Act pursuant to Public Resources Code section 21080.17 and Title 14, California Code of Regulations ("C.C.R"), section 15061(b)(3); and

WHEREAS, the Board of Supervisors for the County of Santa Cruz held a duly-noticed public hearing on January 28, 2020 to consider proposed amendments to the Santa Cruz County Code regarding accessory dwelling units; and

WHEREAS, the Board of Supervisors has determined that it is appropriate to add these ordinance amendments to the Santa Cruz County Code.

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz hereby ordains as follows:

SECTION I

The Santa Cruz County Code is hereby amended by changing SCCC 7.73.020(B), Individual Water Systems, Definitions to read as follows:

(B) "Dwelling unit" means a structure for human habitation providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, with the restrictions that only one kitchen or set of food preparation facilities is allowed in each dwelling unit and an interior stairway shall be provided between all stories. These restrictions shall not apply where an Accessory Dwelling Unit (ADU) or Junior Accessory Dwelling Unit (JADU) is permitted pursuant to SCCC13.10. ADUs and JADUs shall be considered as extensions of the primary dwelling unit.

SECTION II

The Santa Cruz County Code is hereby amended by changing SCCC 12.02.020(11), Residential Permit Allocation System Definitions, Exempted Permit, to read as follows:

(11) Permits for Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) as provided for in SCCC 13.10.681.

SECTION III

The Santa Cruz County Code is hereby amended by changing the "Accessory Dwelling Unit" portion of the Agricultural Uses Chart in SCCC 13.10.312 to read as follows:

USE	CA	A	AP (P Comb. ⁺)
Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU), subject to the provisions of SCCC 13.10.681			—
Inside the Coastal Zone	5	BP	—
Outside the Coastal Zone	4	BP	—

Attachment: Ordinance 7.73, 12.02, 13.10, 14.01 and 17.10 (Clean copy) (8122 : Accessory Dwelling Units: Zoning Code Update to Meet State

SECTION IV

The Santa Cruz County Code is hereby amended by changing the “Accessory Dwelling Units” portion of the Residential Uses Chart in SCCC 13.10.322 to read as follows:

USE					
Residential uses:	RA	RR	R-1	RB	RM
Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) subject to SCCC <u>13.10.681</u>	BP	BP	BP	BP	BP

SECTION V

The Santa Cruz County Code is hereby amended by changing the Residential Site and Structural Dimensions Charts in SCCC 13.10. 323(B) to read as follows:

Attachment: Ordinance 7.73, 12.02, 13.10, 14.01 and 17.10 (Clean copy) (8122 : Accessory Dwelling Units: Zoning Code Update to Meet State

**R-1 SINGLE-FAMILY RESIDENTIAL ZONE DISTRICTS
SITE AND STRUCTURAL DIMENSIONS CHART**

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET) FRONT SIDE REAR	MAXIMUM PARCEL COVERAGE ***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO *****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
	Minimum to garage/carport entrance	20 20 20						
All Districts	Parcels <60 feet wide (except for corner lots)	5&5						
	Detached Garages, inside the USL	*	*	24 and 20 exterior wall				
	Accessory Dwelling Units†	‡	‡	‡	‡	‡	N/A	N/A
	General requirements	10 0&5 10	40%	25; on beach side: 17	0.5:1	2; on beach side: 1	40	40
	Corner lots	10 0&10 10	40%	See above	0.5:1	See above	40	40
RB > or = 4,000 sq. ft.	Lots on beach side of street	10 0&5 0	40%	See above	0.5:1	See above	40	40
	Semi-detached dwellings and dwellings adjacent to pedestrian rights-of- way	10 0&5 10						
	General requirements	15 5&5 15	40%	28	0.5:1	2	35	35
	Corner lots—existing parcels	15 5&10						
R-1-3.5 to R-1-4.9 0 to <5,000 sq. ft.	—creating new parcels	15 5&15	40%	28	0.5:1	2	35	35
	Parcels >5,000 sq. ft.	20 5&8 15	40%	28	0.5:1	2	35	35
	General requirements	20 5&8 15	40%	28	0.5:1	2	50	50
	Corner lots—existing parcels	20 5&8 15						
R-1-5 to R-1-5.9 5,000 to <6,000 sq. ft.	—creating new parcels	20 5&8 15	40%	28	0.5:1	2	50	50
	Parcels 4 to <5,000 sq. ft.	20 5&8 15	40%	28	0.5:1	2	50	50

General requirements	20	5&8	15	40%	28	0.5:1	2	60	60
Corner lots—existing parcels		5&10							
R-1-6 to R-1-9.9 to <10,000 sq. ft.	20	5&20	15	40%	28	0.5:1	2	60	60
—creating new parcels									
Parcels >4,800 to <5,999 sq. ft.	20	5&8	15	40%	28	0.5:1	2		
General requirements	20	10&10	15	40%	28	0.5:1	2	60	60
R-1-10 to R-1-15.9 10,000 to <16,000 sq. ft.	20	10&20	15	40%	28	0.5:1	2	60	60
—creating new corner lots									
General requirements	30	15&15	15	20%	28	N/A	2	90	60
R-1-16 to R-1-<1 acre 16,000 sq. ft. to <1 acre									
General requirements—1 to <5 acres	40	20&20	20	10%	28	N/A	2	100	60
RR, RA and R-1-1 >1 acre									
General requirements—5 acres or more	40	20&20	20	10%	28	N/A	2	150	100

NOTE: This chart contains the single-family residential zone district standards and some of the most commonly used exceptions. For additional exceptions relating to parcels, see SCCC 13.10.323(D). For additional exceptions relating to structures, see SCCC 13.10.323(E). Variations from maximum structural height, maximum number of stories and maximum floor area as defined by FAR may be approved with a residential development permit by the appropriate approving body for affordable housing units built on-site or off-site in accordance with Chapter 17.10 SCCC and SCCC 13.10.681 and 13.10.685.

* Site standard for the applicable zone district must be met.

** Number of stories is limited outside the urban services line by the General Plan.

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance.

**** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance.

‡ See SCCC 13.10.681(D) for standards governing ADUs.

**RM MULTIFAMILY RESIDENTIAL ZONE DISTRICTS
SITE AND STRUCTURAL DIMENSIONS CHART**

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE**	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO** *	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	Detached Garages, inside the USL	*	*	*		24 and 20 exterior wall				
	Accessory Dwelling Units†	‡	‡	‡	‡	‡	‡	‡	N/A	N/A
RM-1.5 to RM-4.9 0 to <5,000 sq. ft.	General requirements for all parcels within these zone districts	15	5&5	15	40%	28	0.5:1	Per use permit or 2	35	35
	Corner lots—existing parcels	15	5&10	15	40%	28	0.5:1		35	35
	—creating new parcels	15	5&15	15	40%	28	0.5:1		35	35
	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		35	35
RM-5 to RM-9.9 5,000 to <6,000 sq. ft.	General requirements and for parcels >6,000 sq. ft.	20	5&8	15	40%	28	0.5:1	Per use permit or 2	50	50
	Corner lots—existing parcels	20	5&10	15	40%	28	0.5:1		50	50
	—creating new parcels	20	5&10	15	40%	28	0.5:1		50	50
	Parcels >4,000 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		50	50
RM-6 to RM-9.9 6,000 to <10,000 sq. ft.	General requirements	20	5&8	15	40%	28	0.5:1	Per use permit or 2	60	60
	Corner lots—existing parcels	20	5&10	15	40%	28	0.5:1		60	60

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION —creating new parcels	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE**	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO** *	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
		20	5&20	15	40%	28	0.5:1		60	60

NOTE: This chart contains the multifamily residential zone district standards and some of the most commonly used exceptions. For additional exceptions relating to parcels, see SCCC 13.10.323(D). For additional exceptions relating to structures, see SCCC 13.10.323(E). Variations from maximum structural height, maximum number of stories and maximum floor area as defined by FAR may be approved with a residential development permit by the appropriate approving body for affordable housing units built on-site or off-site in accordance with Chapter 17.10 SCCC and SCCC 13.10.681 and 13.10.685.

* Site standard for the applicable zone district must be met.

** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance.

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance.

‡ See SCCC 13.10.681(D) for standards governing ADUs.

SECTION VI

The Santa Cruz County Code is hereby amended by changing SCCC 13.10.323(E)(1) regarding structural encroachments to read as follows:

(1) Structural Encroachments. Eaves, chimneys, bay windows (less than 60 inches in height), uncovered, unenclosed porches, decks, stairways and landings may extend into required front and rear yard by six feet; provided, that balconies, or decks must be cantilevered in order to encroach. Eaves, chimneys and uncovered, unenclosed stairways and landings may extend into required side yard three feet. Decks less than 18 inches high may be constructed to property lines. Second story rooftop decks and landings are not permitted. Structural encroachments associated with Accessory Dwelling Units must preserve minimum two-foot interior side and rear setbacks.

SECTION VII

The Santa Cruz County Code is hereby amended by changing SCCC 13.10.323(E)(6)(b)(i) regarding side and rear yards of residential accessory structures to read as follows:

(i) An accessory structure which is attached to the main building shall be considered a part thereof, and shall be required to have the same setbacks as the main structure, except that Accessory Dwelling Units must be allowed interior side and rear setbacks of 4 feet and accessory structures that are demolished/rebuilt as ADUs must be allowed the same setback as the demolished structure, subject to compliance with Title 16.

SECTION VIII

The Santa Cruz County Code is hereby amended by changing the “Key” and “Residential” portions of the Commercial Uses Chart in SCCC 13.10.332(B) to read as follows:

KEY:

- A = Use must be ancillary and incidental to a principal permitted use on the site
- P = Principal permitted use (see subsection (A) of this section); no use approval necessary if P appears alone
- BP = Building Permit Only
- 1 = Approval Level I (administrative)
- 2 = Approval Level II (administrative, plans required)
- 3 = Approval Level III (administrative, field visit required)

KEY:

- 4 = Approval Level IV (administrative, public notice required)
- 5 = Approval Level V (public hearing by Zoning Administrator required)
- 6 = Approval Level VI (public hearing by Planning Commission required)
- 7 = Approval Level VII (public hearing by Planning Commission and Board of Supervisors required)

- = Use not allowed in this zone district
- * = Level IV for projects of less than 5,000 square feet
 Level V for projects of 5,000 to 20,000 square feet
 Level VI for projects of 20,000 square feet and larger

USE	PA	VA	CT	C-1	C-2	C-4
Residential uses, such as:						
Dwelling units, single-family and multifamily, up to 50% (67% if project is 100% affordable) of the floor area of the entire development, developed according to development standards of urban high residential						
1—4 units	5	—	5	5	—	—
5—19 units	6	—	6	6	—	—
20+ units	7	—	7	7	—	—
Accessory Dwelling Units (ADUs), subject to SCCC 13.10.681	BP	-	-	BP	BP	-
Junior Accessory Dwelling Units (JADUs) in single-family dwellings, subject to SCCC 13.10.681	BP	-	-	BP	BP	-
Child care homes, large family (must be in conjunction with residential use) (see SCCC 13.10.686 and 13.10.700-C definition)	5	—	—	5	5	—
Child care homes, small family (must be in conjunction with residential use) (see SCCC 13.10.700-C definition)	P	—	—	P	P	—
Convalescent hospitals	4/5/6*	—	—	—	—	—
Hosted rentals, subject to SCCC 13.16.690	1P	1P	1P	1P	1P	1P
Nursing homes (see SCCC 13.10.700-N definition)	4/5/6*	—	—	—	—	—
Residential care homes serving 6 or fewer residents (see SCCC 13.10.700-R definition)	P	P	P	P	P	P

SECTION IX

The Santa Cruz County Code is hereby amended by changing SCCC 13.10.333(A), Development standards for commercial districts: Site and Structural Dimensions, to read as follows:

(A) Site and Structural Dimensions. The following minimum parcel size, frontage, yard dimensions, and building height limits shall apply within all commercial zone districts, except as noted elsewhere in this section or in the general exceptions as noted in SCCC 13.10.510, et seq.

COMMERCIAL SITE AND STRUCTURAL DIMENSIONS CHART^{1,2,4}

District Designation	Minimum Site Area per Parcel (net developable square feet)	Minimum Parcel Frontage (feet)	Minimum Yards (feet)			Maximum Building Height Limit (feet) ³
			Front	Side	Rear	
PA	10,000	60	10	Interior: 0 Street: 10	10	3 stories, but not to exceed 35 feet
VA	10,000	60	10	10	10	3 stories, but not to exceed 35 feet
CT	10,000	60	10	0	0	3 stories, but not to exceed 35 feet
C-1	10,000	60	10	0	0	3 stories, but not to exceed 35 feet
C-2	10,000	60	10	0	0	3 stories, but not to exceed 35 feet
C-4	10,000	60	10	0	0	3 stories, but not to exceed 35 feet

Footnotes:

- (1) See also general site standards exceptions in SCCC 13.10.510, 13.10.520 and 13.10.521.
- (2) Subject to exceptions as provided in subsections (B) and (C) of this section.
- (3) See also Chapter 12.28 SCCC, Solar Access Protection; subject to solar access requirements in SCCC 13.11.072.
- (4) See also Accessory Dwelling Unit site development standards in SCCC 13.10.681. Where there are conflicts between commercial site and structural dimensions chart and 13.10.681, SCCC 13.10.681 shall take precedence.

SECTION X

The Santa Cruz County Code is hereby amended by changing SCCC 13.10.333(B), Development standards for commercial districts: Yards, Exceptions, subsection (2) to read as follows:

- (2) See SCCC 13.10.681(D) regarding setback requirements for Accessory Dwelling Units.

SECTION XI

The Santa Cruz County Code is hereby amended by changing SCCC 13.10.333(D), Development standards for commercial districts: Other Regulations to read as follows:

(D) Other Regulations. Other development standards applicable to commercial zone districts are contained in the following sections of this code:

	SCCC
Accessory Dwelling Units	13.10.681
Agricultural buffers/setbacks	16.50.095
Design review	13.11.010, et seq.
Fences	13.10.525
General site standards	13.10.510, et seq.
Minimum parcel sizes	13.10.510(g)
Parking	13.10.550, et seq.
Signs	13.10.580, et seq.
Trip reduction requirements (development projects for 50 or more employees)	5.52
Use of nondevelopable land	13.10.671
Use of urban open space land	13.10.672

SECTION XII

The Santa Cruz County Code is hereby amended by changing the “Residential” portion of the Parks, Recreation and Open Space PR District Uses Chart in SCCC 13.10.352(B) to read as follows:

Residential uses , permanent, such as:	PR
Child care homes, large family (must be in conjunction with residential use) (see SCCC 13.10.686 and SCCC 13.10.700-C definition)	5
Child care homes, small family (must be in conjunction with residential use) (see SCCC 13.10.700-C definition)	P
Hosted rentals, subject to SCCC 13.10.690	1P
One single-family dwelling, subject to the park site review process pursuant to SCCC 15.01	3
One single-family dwelling on property designated urban open space, subject to SCCC 13.10.672 and the park site review process pursuant to SCCC 15.01	5
Accessory Dwelling Units (ADUs), subject to SCCC 13.10.681	3
Junior Accessory Dwelling Units (JADUs), subject to SCCC 13.10.681	BP

- Dwelling units, associated with an open space or private recreational facility for the owner or lessee of the land or for staff, a caretaker, watchman, or manager of the property, pursuant to SCCC 13.10.353(B) 5A
- Dwelling units for State or County park operating personnel, pursuant to SCCC 13.10.353(B) 5A
- Expansion of dwelling units in organized camps and recreational facilities up to a cumulative total of an additional 500 square feet per dwelling unit 3

SECTION XIII

The Santa Cruz County Code is hereby amended by changing SCCC 13.10.353(A), Development standards for Parks, Recreation and Open Space PR District, to read as follows:

(A) Site and Structural Dimensions. The following site width, frontage, yard dimensions, and building height limit shall apply within the PR District.

PR SITE AND STRUCTURAL DIMENSIONS CHART

District	Minimum Site Area (net developable acres)	Minimum Site Width (feet)	Minimum Site Frontage (feet)	Yards (Front, Side and Rear) (feet)	Maximum Height (feet)
PR	20	100	60	all yards 30	28

Footnote:

(1) For single-family dwellings and accessory structures, the district development standards shall be the same as those contained in SCCC 13.10.323 pertaining to residential districts and shall further be based on the size of the parcel for purposes of applying SCCC 13.10.323(B). Accessory Dwelling Units shall be subject to the site and structural dimensions in SCCC 13.10.681.

SECTION XIV

The Santa Cruz County Code is hereby amended by changing the “Residential” portion of the PF Uses Chart in SCCC 13.10.362(B) to read as follows:

PF USES CHART

USE	APPROVAL LEVEL
Residential Uses	
One single family dwelling	3
Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs), subject to SCCC 13.10.681	BP
Affordable rental housing (see 13.10.365)	
2-4 units	5

PF USES CHART

USE	APPROVAL LEVEL
5 or more units	6
Child care homes, large family (must be in conjunction with residential use) (see SCCC 13.10.686 and 13.10.700-C definition)	5
Child care homes, small family (must be in conjunction with residential use) (see SCCC 13.10.700-C definition)	P
School Employee Housing (see 13.10.365)	
2-4 units	5
5 or more units	6
Temporary mobile home or manufactured housing for caretaker, manager or staff, for a period of not more than 3 years	5A
Other residential uses pursuant to a master use permit	5/6/7A

SECTION XV

The Santa Cruz County Code is hereby amended by adding SCCC 13.10.363(B)(4), Development standards for public facilities districts, Yards-Exceptions, Accessory Dwelling Units, to read as follows:

(4) Accessory Dwelling Units shall be subject to the site and structural dimensions in SCCC 13.10.681. Where there are conflicts between this section and SCCC 13.10.681, SCCC 13.10.681 shall take precedence.

SECTION XVI

The Santa Cruz County Code is hereby amended by changing SCCC 13.10.363(C), Development standards for public facilities districts, Other Regulations, to read as follows:

(C) Other Regulations. Other development standards applicable to the Public and Community Facilities Zone District are contained in the following sections of this code:

	SCCC
Accessory Dwelling Units	13.10.681

	SCCC
Agricultural buffers/setbacks	16.50.095
Design review	13.11.010, et seq.
Fences	13.10.525
General site standards	13.10.510, et seq.
Minimum parcel sizes	13.10.510(G)
Parking	13.10.550, et seq.
Signs	13.10.580, et seq.
Trip reduction requirements (development projects for 50 or more employees)	5.52
Use of nondevelopable land	13.10.671
Use of urban open space land	13.10.672

SECTION XVII

The Santa Cruz County Code is hereby amended by changing the “Accessory Structures” and “Residential” portions of the TP Uses Chart in SCCC 13.10.372(B) to read as follows:

USE	PERMIT REQUIRED
Accessory structures, habitable (not including ADUs), when incidental to a residential use (subject to SCCC 13.10.611, 13.10.322(B), and 13.10.373). See ADUs under “Residential” below.	BP/5**
Accessory structures, nonhabitable, when incidental to a residential use (subject to SCCC 13.10.611, 13.10.322(B) and 13.10.373)	BP/5**
Accessory structures, nonhabitable, when incidental to timber production or agricultural use, subject only to the provisions of SCCC 16.22.060	BP Only

USE	PERMIT REQUIRED
Residential: one single-family dwelling per existing parcel of record	3
Dwelling groups of single-family dwelling (subject to the density and other requirements in SCCC 13.10.373, 13.10.374, and 13.10.375)	5 (2 dwelling units) 7 (more than 2 dwelling units)
Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) subject to SCCC 13.10.681	2A
Child care homes, large family (must be in conjunction with residential use) (see SCCC 13.10.686 and SCCC 13.10.700-C definition)	5
Child care homes, small family (must be in conjunction with residential use) (see SCCC 13.10.700-C definition)	P

USE	PERMIT REQUIRED
Mobile home, temporary, for not more than five years for a caretaker or watchman in isolated areas on a minimum of 10 acres	5
Hosted rentals, subject to SCCC <u>13.10.690</u>	1P

SECTION XVIII

The Santa Cruz County Code is hereby amended to change the introduction to SCCC 13.10.446 (Residential development standards in the Pleasure Point Community Design PP Combining District) to read as follows:

In addition to the residential site standards found in SCCC 13.10.323(B), the following standards and incentives apply to residential development in the Pleasure Point Community Design PP Combining District. Where there are differences between this section and SCCC 13.10.323(B), the provisions of this section shall apply. Where there are differences between this section and SCCC 13.10.681(D) regarding Accessory Dwelling Units (ADUs), the provisions of SCCC 13.10.681(D) shall apply, including a height provision specific to the PP Combining District for ADUs above garages.

SECTION XIX

The Santa Cruz County Code is hereby amended to such that SCCC 13.10.552(A)(7), Schedule of off-street parking space requirements, Residential Uses, Accessory Dwelling Units shall be revised, as follows:

- (7) Accessory Dwelling Units. One parking space is required for each accessory dwelling unit unless the ADU is exempted under SCCC 13.10.681(D)(7)(d).

SECTION XX

The Santa Cruz County Code is hereby amended by changing SCCC 13.10.681 to read as follows:

13.10.681 Accessory Dwelling units.

- (A) Purpose. The purpose of this section is to provide for and regulate Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) in order to provide needed housing for County residents and to further the housing goals of the Housing Element of the County General Plan.
- (B) Definitions. For the purposes of this section, terms shall be defined as follows:
 - (1) "Accessory Dwelling Unit" (ADU) shall be defined per 13.10.700-A: In compliance with California Government Code Section 65852.2, an attached or detached

residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of *Kitchen*), and sanitation.

(2) “Junior Accessory Dwelling Unit” (JADU) shall be defined per 13.10.700-J: In compliance with California Government Code Section 65852.22, a residential living area contained within a proposed or existing single-family residence that is no more than 500 square feet in size. JADUs can include additions to an existing structure of no more than 150 square feet. JADUs shall include independent provisions for living, sleeping, eating, and cooking (area meeting the definition of *Efficiency Kitchen* but not a standard *Kitchen*), and shared or separate sanitation facilities with the main dwelling unit.

(3) “New Construction ADU” shall mean an ADU that does not meet the definition of conversion ADU.

(4) “Conversion ADU” shall mean 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. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in SCCC 13.10.700-R, with the exception that Conversion ADUs can include additions of no more than 150 square feet. Any conversion that exceeds these limits shall be considered a New Construction ADU for the purposes of this section.

If converting an existing accessory structure, applicant must be able to show that the structure was erected with all required permits, or that the structure is legal nonconforming. Structures that were built without benefit of permits are not eligible for conversion under this section and must be processed as a new construction ADU.

(5) “Attached,” in reference to ADUs throughout the Santa Cruz County Code, shall mean sharing any part of a wall, ceiling or floor with the primary dwelling on the property, with the ADU located above, below, beside, or a combination, the primary dwelling on the property.

(5) “Detached,” in reference to ADUs throughout the Santa Cruz County Code, shall mean any ADU that does not meet the definition of “Attached.”

(C) Accessory Use. ADUs and JADUs are accessory uses to the primary residential dwelling and shall not be considered in calculation of residential density for a lot.

(D) Site Requirements. Before a permit for an ADU or JADU can be granted, the following requirements shall be met:

(1) Zoning and General Plan.

(a) The ADU shall be located on a parcel allowing residential or mixed uses either by zoning or General Plan designation.

(b) The JADU shall be located on a parcel allowing single-family residential use either by zoning or General Plan designation.

(2) Presence of Primary Dwelling Unit. A primary dwelling unit must exist or be proposed for construction concurrently with the proposed ADU or JADU.

- (3) Number of ADUs Allowed.
- (a) Single-family dwellings. On lots with existing or proposed detached or semi-detached single-family dwellings, including dwelling groups, the following are allowed:
- (i) Up to one ADU and one JADU per single family dwelling.
- (b) Multifamily dwellings. On lots with existing or proposed attached multifamily developments such as apartments, condominiums and townhomes, the following are allowed:
- (i) Up to two detached ADUs; and
- (ii) Conversion ADUs associated with up to 25% of multifamily units. Conversion ADUs in multifamily developments must be converted from areas not previously used as living space including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.
- (4) ADU Location on a Parcel.
- (a) ADUs may be attached or detached from the primary dwelling unit. JADUs must be attached.
- (b) ADUs and JADUs shall be subject to the setback requirements in SCCC 13.10.681(D)(7)(a) except where larger setbacks are required due to environmental buffers and constraints identified per SCCC Title 16, including but not limited to riparian corridors, geologic hazards, sensitive habitats, and agricultural buffers.
- (c) On land zoned or designated agricultural, accessory dwelling units must meet the buffering requirements of SCCC 16.50.095(F). A detached ADU shall be located within 100 feet of the main dwelling on the property, unless another location is approved by the Agricultural Policy Advisory Commission that will meet the on-site and off-site buffering requirements and will meet the goal of preserving agricultural land as determined by the Agricultural Policy Advisory Commission, if applicable.
- (5) Access.
- (a) The ADU or JADU shall have an exterior entrance that is independent of the existing single-family dwelling.
- (b) Inside the urban services line, no ADU or JADU shall be accessed by a separate driveway or right-of-way, unless access via a second driveway would result in a superior site plan in terms of safety and protection of environmental resources, and is approved by the Public Works Director or designee.
- (6) Unit Size. The total gross floor area as defined in SCCC 13.10.700-F of the habitable portion of an ADU shall be as follows.
- (a) Minimum unit size, JADU or ADU: 150 square feet (“efficiency unit” per California Health and Safety Code section 17958.1)

- (b) Maximum unit size, JADU: 500 square feet
- (c) Maximum unit size, ADU:
 - (i) Conversion ADU: 50% of primary dwelling size
 - (ii) New Construction ADU, Attached:
 - A. Parcel size < 1 acre: 850 sf (studio or 1 bedroom), 1000 sf (>1 bedroom), or 50% of primary dwelling size, whichever is smaller
 - B. Parcel size \geq 1 acre: 50% of primary dwelling size
 - (iii) New Construction ADU, Detached:
 - A. Parcel size < 1 acre: 850 sf (studio or 1 bedroom), 1000 sf (>1 bedroom)
 - B. Parcel size \geq 1 acre: 1,200 sf
 - (iv) Regardless of subsections i-iii of this section and other site standards, an ADU must be allowed to be at least 800 square feet. This rule shall not apply within the Seascape Beach Estates Combining Zone District.

(7) Development Standards. All development standards for the applicable zone district shall be satisfied and the development shall be consistent with all County policies and ordinances, except that regardless of any other zone district standards, the following provisions shall apply to ADUs:

- (a) Setbacks.
 - (i) JADUs and Conversion ADUs. Setbacks shall be sufficient for fire safety in conformance with the Building Code (SCCC 13.10) and Fire Code (SCCC 7.92). Additions up to 150 square feet shall meet setback requirements for New Construction ADUs.
 - (ii) New Construction ADUs. ADUs shall comply with front and street side setbacks for the applicable zone district. Maximum interior side and rear setbacks shall be 4 feet or the setback for the applicable zone district, whichever is less, with the following exceptions.
 - A. ADUs that are created in the same location as an existing structure being demolished or rebuilt may have the same setbacks as the existing or demolished structure.
 - B. ADUs located in the Seascape Beach Estates (SBE) Combining District shall meet the setback requirements in SCCC 13.10.436.
 - C. ADUs may be subject to environmental buffers and constraints identified per SCCC Title 16.
- (b) Height.

- (i) JADUs and Conversion ADUs. Additions up to 150 square feet shall meet height requirements for New Construction ADUs.
- (ii) New Construction ADUs. Height is subject to the applicable zone district height standard with the following exceptions.
 - A. Inside the urban services line except for in the Seascape Beach Estates Combining Zone District, new construction detached ADUs shall be maximum 16 feet.
 - B. Any new construction ADU or portion of a new construction ADU that exceeds FAR or lot coverage standards per 13.10.681(D)(6)(c)(iv) shall be maximum 16 feet except that ADUs above garages shall be subject to the height standards in subsections (C) and (D) of this section.
 - C. Inside the urban services line except for in the Pleasure Point and Seascape Beach Estates Combining Zone Districts, ADUs that are built above detached garages shall be a maximum 20 feet at exterior wall and 24 feet at roof peak.
 - D. Inside the Pleasure Point Combining Zone District, ADUs that are built above attached and detached garages shall be maximum 18 feet at exterior wall and 22 feet at roof peak.
 - E. Building height up to 5 feet in excess of an applicable zoning standard, but in no case exceeding 28 feet, may be allowed subject to design review and to the coastal view protection standards of SCCC 13.20.130(B)(7) (if located in the Coastal Zone), and subject to approval by the Zoning Administrator following a public hearing.
- (c) Lot Coverage and Floor Area Ratio (FAR).
 - (i) JADUs and Conversion ADUs: additions up to 150 square feet shall meet lot coverage and FAR requirements for New Construction ADUs.
 - (ii) New Construction ADUs: Lot coverage and FAR is the standard for the applicable zone district with the following exceptions.
 - A. Where ADUs are developed on parcels 6,000 square feet or smaller an additional two percent (2%) Lot Coverage and two percent (2%) FAR shall be available by right, including within the Pleasure Point (-PP) Combining Zone District but excluding within the Seascape Beach Estates (-SBE) Combining Zone District.
 - B. An ADU of up to 800 square feet shall be allowed per SCCC 13.10.681(D)(6)(c)(iv), regardless of lot coverage and FAR.
- (d) Parking.
 - (i) JADUs and Conversion ADUs: no required off-street parking for the ADU. Covered parking structures converted to ADUs may require replacement parking per 13.10.681(D)(7)(d)(v).

- (ii) New Construction ADUs: one off-street parking space per ADU.
 - A. ADU parking can be provided as double or triple tandem parking.
 - B. ADU parking may be located within setback areas unless findings are made that parking in setback areas is not feasible based upon specific site or regional topographical or fire and life safety conditions.
 - C. If the primary dwelling unit has less than the required parking per SCCC 13.10.552, one new parking space must be provided for the ADU but parking for the primary dwelling may remain nonconforming.
- (iii) New Construction ADUs: exceptions to off-street parking requirements. No parking shall be required for the ADU under these circumstances:
 - A. The ADU is located within one-half mile walking distance of any public transit stop and is not located in the Live Oak, Seacliff/Aptos, or Davenport/Swanton Designated Areas.
 - B. The ADU is located within a designated architecturally and historically significant historic district.
 - C. There is a dedicated parking space reserved for a publicly available car share vehicle located within one block of the ADU. Applicants shall be required to show the location of the dedicated parking space and confirm the vehicle's availability to future ADU residents.
- (iv) Parking Permits. Where parking permits are required for on-street parking during any part of the year, permits shall be offered to the occupants of the ADU and/or JADU.
- (v) Replacement Parking. Outside the Coastal Zone, when a garage, carport, or covered parking structure is demolished or converted for construction of an ADU, no replacement parking is required for the primary dwelling unit. Inside the Coastal Zone, replacement parking is required.
- (8) Existing Conditions of Approval. Proposed additions associated with Conversion ADUs shall comply with any existing development permit conditions of approval.
- (9) Other Accessory Uses.
 - (a) One ADU may be associated with a single-family dwelling unit on a parcel that also has farmworker housing as defined in SCCC 13.10.631.
 - (b) Non-ADU habitable and nonhabitable accessory structures may be allowed subject to all applicable requirements of the underlying zone district and SCCC 13.10.611.

(10) Utility and Service Requirements. All requirements of the respective service agencies shall be satisfied, and all ADUs shall comply with all applicable provisions of SCCC 12.10, Building Code, and SCCC 7.92, Fire Code, except for the following specific exceptions for ADUs:

(a) Life Safety.

- (i) Fire sprinklers shall not be required for the ADU where they are not also required for the primary dwelling.
- (ii) For the purposes of any fire or life protection ordinance or regulation, a JADU shall not be considered a separate or new dwelling unit.

(b) Utility Connections and Fees.

- (i) JADUs and Conversion ADUs: new utility connection or capacity charges shall not be required.
- (ii) New Construction ADUs: A local agency, special district, or water corporation may require a new or separate utility connection directly between the ADU and the utility, subject to a connection fee or capacity charge proportionate to the burden of the ADU on the water or sewer system, based upon either the square footage of the ADU or its drainage fixture unit values as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials.
- (iii) The sewage disposal system and water supply for the parcel shall comply with all applicable requirements of the Environmental Health Officer.

A. As part of the application to create an ADU connected to an onsite water treatment system, a percolation test must be completed within the last five years or if the percolation test has been recertified, within the last 10 years.

(E) Nonconforming conditions. Correction of existing nonconforming zoning conditions cannot be required as a condition of ADU approval.

(F) Design. The design, materials and color of the new construction ADU shall be compatible with that of the main dwelling.

(G) Occupancy. The following occupancy standards shall be applied to every ADU and JADU and shall be conditions for any approval under this section:

(1) Occupancy Restrictions. The maximum occupancy of an ADU or JADU may not exceed that allowed by the State Uniform Housing Code, or other applicable State law.

(2) Sale. ADUs and JADUs shall not be sold separately from the primary residence with the following exception.

(a) An ADU can be sold or conveyed separately from the primary residence to a qualified buyer if the property was built or developed by a qualified nonprofit

corporation and all provisions of California Government Code Section 65852.26 are met.

(3) Short-Term Rental Use. In no case shall a short-term rental use of less than 30 days be permitted in an ADU or JADU. A property with an ADU or JADU shall not be eligible for participation in the vacation rental or hosted rental programs.

(4) Owner Residency. The following requirements apply to all JADUs and apply to all ADUs except those permitted between January 1, 2020 and January 1, 2025.

(a) Unless owned by a government agency, land trust, or public or nonprofit housing organization, the property owner shall permanently reside, as evidenced by a homeowner's property tax exemption, or by other satisfactory documentation of residence, on the parcel in either the primary dwelling unit, ADU or JADU. If the accessory dwelling unit is newly constructed on a parcel within a subdivision, then the purchaser of said property shall permanently reside in either the main dwelling or the accessory dwelling unit, shall be required to submit a property tax exemption prior to occupancy of the accessory dwelling unit, and shall be subject to the deed restriction noted in subsection (G)(5) of this section.

(i) Exception. Temporary rental of both a primary dwelling unit and an ADU or JADU may be authorized by the Planning Director in the case of sudden and unexpected changes in life circumstances. Property owners may be authorized to rent both the primary dwelling and the ADU or JADU if the property owner is unable to continue to occupy the property temporarily by reason of illness or absence from the area for other than vacation purposes as determined by the Planning Director in his/her sole discretion based on reasonable evidence. Evidence shall be submitted to the Planning Department in writing, and requests for extension of the absence shall also require evidence in writing. The authorization to rent both units shall be limited to one year and may be extended at the discretion of the Planning Director.

(b) Deed Restriction. Prior to the issuance of a building permit, the property owner shall provide to the Planning Department proof of recordation of a declaration of restrictions containing reference to the deed under which the property was acquired by the present owner and stating the following:

(i) The property owner shall permanently reside, as evidenced by a homeowner's property tax exemption on the parcel or by other satisfactory documentation of owner residence, in either the primary dwelling or the ADU or JADU, unless owned by a government agency, land trust, or public or nonprofit housing organization that is providing housing for special populations, in which case the declaration of restrictions shall indicate that any subsequent nonpublic owner shall abide by the terms of this subsection.

(ii) The declaration is binding upon all successors in interest.

(iii) The declaration shall include a provision for the recovery by the County of reasonable attorney's fees and costs in bringing legal action to

enforce the declaration together with recovery of any rents collected during any occupancy not authorized by the terms of the agreement or, in the alternative, for the recovery of the reasonable value of the unauthorized occupancy.

(iv) A restriction on the size and attributes of the ADU or JADU that conforms with this section.

(v) JADUs only: A prohibition on the sale of the JADU separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.

(H) Application Processing. All ADUs and JADUs shall be processed in accordance with this section and the requirements of Government Code Sections 65852.2 and 65852.22 and, for those ADUs located in the Coastal Zone, the processing requirements of SCCC 13.20.107 and 13.20.108. JADUs located in the Coastal Zone that constitute an intensification of use as defined in 13.20.040 shall also be subject to SCCC 13.20.107 and 13.20.108 in the same manner that a single-family dwelling remodel or addition is evaluated.

(1) Ministerial review requirement. Pursuant to Government Code Section 65852.2, applications for ADUs and JADUs shall be approved or denied ministerially with a building permit, and no public notice or hearing shall be required, with the following exceptions.

(a) Exceptions to ministerial review requirement (discretionary review may be required).

(i) Inside the Coastal Zone, ADUs and JADUs that do not meet the standard for exemption or exclusion under SCCC 13.20.050 require issuance of a combined coastal development and building permit, subject to the noticing requirements in SCCC 13.20.107 (properties in the Coastal Zone nonappealable area) and the noticing and appeal requirements in SCCC 13.20.108 (properties in the Coastal Zone appealable area).

(ii) ADU and JADU applications requiring a variance shall be processed per SCCC 13.10.230.

(iii) ADU and JADU applications in the Commercial Agricultural (CA) zone district shall be processed per SCCC 13.10.312, with special findings per 13.10.314(A) and (B) and subject to discretionary review by the Agricultural Policy Advisory Commission prior to building permit approval.

(iv) ADU applications in the Parks and Recreation (PR) zone district shall be processed per SCCC 13.10.352(B) and subject to special findings per 13.10.355. JADU applications in the PR zone district shall be reviewed ministerially.

(v) ADU and JADU applications in the Timber Production (TP) zone district shall be processed per SCCC 13.10.372(B), with special findings per 13.10.375(A).

(2) Ministerial review time. ADU and JADU applications that are subject to ministerial review must be approved, or a notice of deficiency sent, within 60 days of receipt of a completed building permit application. Such applications resubmitted in response to a notice of deficiency must be approved or a notice of deficiency sent, within 60 days.

(a) Exception to ministerial review time. When a permit application to create an ADU or JADU is submitted along with a permit application for a new primary dwelling, the permit application for the ADU or JADU shall not be subject to a 60-day approval period but shall instead be subject to the approval period for the primary dwelling. If the new primary dwelling application requires discretionary review, the application for the ADU or JADU shall still be considered ministerially unless the application meets one of the exceptions in SCCC 13.10.681(H)(1)(a).

(3) Fees. Prior to the issuance of a building permit for the ADU, the applicant shall pay to the County of Santa Cruz capital improvement fees in accordance with the Planning Department's fee schedule as may be amended from time to time, and any other applicable fees.

(a) The County of Santa Cruz and any other local agency, special district or water corporation shall not impose any impact fee upon the development of an ADU less than 750 square feet.

(b) Impact fees charged for ADUs greater than or equal to 750 square feet shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(c) For the purposes of this section, "impact fee" includes "fees" as defined in California Government Code Section 66000(b) and fees specified in California Government Code Section 66477. Impact fees do not include utility connection fees or capacity charges.

(I) Permit Allocations. Each accessory dwelling unit is exempt from the residential permit allocation system of SCCC 12.02.

(J) Code Enforcement Amnesty. Per California Government Code Section 17980.12, the following amnesty provisions are available until January 1, 2030, for ADUs and JADUs that were built before January 1, 2020.

(1) A notice to correct a violation of any provision of any building standard for an ADU or JADU shall include in that notice a statement that the owner of the unit has a right to request a delay in enforcement.

(2) The owner of an eligible ADU or JADU that receives a notice to correct violations or abate nuisances related to any building standard may submit a letter to the County of Santa Cruz Planning Department, Code Enforcement Division, requesting that enforcement of the violation be delayed for up to five years on the basis that correcting the violation is not necessary to protect health and safety.

(3) The County of Santa Cruz shall grant a delay in enforcement if the Planning Department Code Enforcement Division, in consultation with the Building Official, determines that correcting the violation is not necessary to protect health and safety.

(K) Annual Review of Impacts. As part of the County's annual review of the General Plan and County growth management system, the County shall include a section analyzing the impacts of the accessory dwelling unit ordinance. The annual analysis shall include the number of accessory dwelling units constructed and the impacts such construction has created in each planning area, with particular attention to the cumulative impacts within the Coastal Zone. The cumulative impact issue areas to be covered include, but are not limited to, traffic, water supply (including the City of Santa Cruz water supply from Laguna, Majors, and Reggiardo Creeks, and the Davenport water supply from Mill and San Vicente Creeks), public views, and environmentally sensitive habitat areas. The preliminary report shall be sent to the Executive Director of the Coastal Commission for review and comment 14 days prior to submittal to the Board of Supervisors, on an annual basis.

If the Executive Director determines that specific enumerated cumulative impacts are quantifiably threatening to specific coastal resources that are under the authority of the Coastal Commission, the Executive Director shall inform the County in writing. Within 60 days of receipt of the Executive Director's written notice of a threat to coastal resources the County shall cease accepting applications for coastal development permits under this section in the planning area(s) in which the threat of coastal resources has been identified, pending review and approval by the Coastal Commission of the County's proposed method(s) of protecting the threatened resource.

SECTION XXI

The Santa Cruz County Code is hereby amended to add the following to SCCC 13.10.700-A:

"Accessory Dwelling Unit" (ADU) means, in compliance with California Government Code Section 65852.2, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of "Kitchen"), and sanitation. See also *Junior Accessory Dwelling Unit*, *Conversion ADU* and *New Construction ADU*.

SECTION XXII

The Santa Cruz County Code is hereby amended such that SCCC 13.10.700-D, definition of "Dwelling unit" shall be revised, as follows:

"Dwelling unit" means a structure for human habitation providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, with the following restrictions: one *Kitchen* is allowed in each dwelling unit; interior connection shall be maintained throughout the home; and an interior stairway shall be provided between all stories. Dwelling units may include up to one additional *Efficiency Kitchen* in addition to one *Kitchen*. If a dwelling unit includes a *Junior Accessory Dwelling Unit (JADU)*, then an additional *Efficiency Kitchen* outside the JADU is not allowed.

SECTION XXIII

The Santa Cruz County Code is hereby amended such that SCCC 13.10.700-J, definition of “Junior Accessory Dwelling Unit” shall be added:

“Junior Accessory Dwelling Unit” (JADU) means, in compliance with California Government Code Section 65852.22, a residential living area contained within a proposed or existing single-family residence that is no more than 500 square feet in size. JADUs can include additions to an existing structure of no more than 150 square feet. JADUs shall include independent provisions for living, sleeping, eating, and cooking (area meeting the definition of *Efficiency Kitchen* but not a standard *Kitchen*), and shared or separate sanitation facilities with the main dwelling unit. See also *Accessory Dwelling Unit*.

SECTION XXIV

The Santa Cruz County Code is hereby amended such that SCCC 13.10.700-K, definition of “Kitchen” shall be revised, as follows:

“Kitchen” means any room or portion of a room used or intended or designed to be used for cooking and/or the preparation of food and containing all of the following: a sink having a drain outlet larger than one and one-half inches in diameter, a refrigerator larger than two and one-half cubic feet, a permanent cooking appliance typically including a full-size gas or 220-volt electric range/oven with a range/hood ventilation system, and space for food preparation and storage. See also *Efficiency Kitchen*.

SECTION XXV

The Santa Cruz County Code is hereby amended such that SCCC 13.10.700-L, definition of “Limited Food Preparation Area” shall be renamed “Efficiency Kitchen” and moved to SCCC 13.10.700-E and shall read as follows:

“Efficiency Kitchen” means limited kitchen facilities including a sink, a refrigerator, small electric kitchen appliances that do not require electrical service greater than 120 volt, an appropriately sized food preparation counter, and storage cabinets. Full-sized electric, gas, or propane cooking appliances are not allowed in an Efficiency Kitchen.

SECTION XXVI

The Santa Cruz County Code is hereby amended such that SCCC 14.01.107(D), Subdivision Regulations Applicability, Financing or leasing of Accessory Dwelling Units shall be revised, as follows:

(D) Financing or leasing of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) pursuant to the provisions of SCCC 13.10.681. Separate sale or transfer of such dwelling units is prohibited except as detailed in SCCC 13.10.681(G)(2)(a).

SECTION XXVII

The Santa Cruz County Code is hereby amended such that SCCC 17.10.020, Affordable Housing Regulations, Definitions, shall be revised as follows:

“Rental residential project” means any residential project that creates new dwelling units that cannot be sold individually, including Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) except as detailed in SCCC 13.10.681(G)(2)(a).

SECTION XXVIII

These ordinance amendments are exempt from the California Environmental Quality Act (“CEQA”) pursuant to Public Resources Code section 21080.17 as they serve to implement State ADU regulations and, per CEQA Guidelines section 15061(b)(3), the amendments present no possibility of a significant impact on the environment.

SECTION XXIX

Effective Date. This ordinance shall take effect outside the Coastal Zone 30 days after adoption by the Board of Supervisors, and inside the Coastal Zone upon final certification by the California Coastal Commission.

PASSED AND ADOPTED this 28th day of January 2020, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES:	SUPERVISORS	Leopold, Friend, Coonerty, McPherson, Caput
NOES:	SUPERVISORS	None
ABSENT:	SUPERVISORS	None
ABSTAIN:	SUPERVISORS	None

GREG CAPUT

CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: **SUSAN GALLOWAY**

Clerk of the Board

Attachment: Ordinance 7.73, 12.02, 13.10, 14.01 and 17.10 (Clean copy) (8122 : Accessory Dwelling Units: Zoning Code Update to Meet State

APPROVED AS TO FORM:


Office of the County Counsel

Attachment: Ordinance 7.73, 12.02, 13.10, 14.01 and 17.10 (Clean copy) (8122 : Accessory Dwelling Units: Zoning Code Update to Meet State