

11. Hold public hearing to consider approving in concept "An Ordinance of the Board of Supervisors of the County of Santa Cruz Amending Santa Cruz County Code Chapters 13.10 and 13.20 Regarding Accessory Dwelling Units" confirm the proposal is exempt from requirements of the California Environmental Quality Act, and take related actions ()



County of Santa Cruz Board of Supervisors

Agenda Item Submittal

From: Community Development and Infrastructure - Planning

Subject: Accessory Dwelling Unit Ordinance Changes

Meeting Date: June 9, 2026

Formal Title: Hold public hearing to consider approving in concept "An Ordinance of the Board of Supervisors of the County of Santa Cruz Amending Santa Cruz County Code Chapters 13.10 and 13.20 Regarding Accessory Dwelling Units" confirm the proposal is exempt from requirements of the California Environmental Quality Act, and take related actions

Recommended Actions

1. Hold a public hearing to consider proposed ordinance amending Chapters 13.10 and 13.20 of the Santa Cruz County Code;
2. Adopt a resolution finding the proposed amendments are consistent with the General Plan and Local Coastal Program and exempt from further environmental review under the California Environmental Quality Act (CEQA), and directing staff to file the CEQA Notice of Exemption and submit the Local Coastal Program amendments to the California Coastal Commission for certification;
3. Approve in concept an "An Ordinance of the Board of Supervisors of the County of Santa Cruz Amending Santa Cruz County Code Chapters 13.10 and 13.20 Regarding Accessory Dwelling Units";
4. Direct the Clerk of the Board to publish the Notice of Proposed Ordinance Summary in a newspaper of general circulation at least five days prior to the second reading and final adoption no later than June 25, 2026, pursuant to Government Code 25124; and
5. Direct the Clerk of the Board to schedule the ordinance for second reading and final adoption on June 30, 2026.

Executive Summary

Updates to the Santa Cruz County Code (SCCC) are proposed for the purpose of aligning the accessory dwelling unit (ADU) regulations with recent updates to state law, clarifying existing ADU regulations, further streamlining ADU development in Santa Cruz County, aligning with the ADU Handbook released by the California Department of Housing and Community Development (HCD), and addressing HCD's comments. On April 28, 2026, the Planning Commission held a public hearing and recommended the Board of Supervisors (Board) adopt the updates to the SCCC modifying the accessory dwelling unit regulations. A proposed ordinance is presented for consideration by the Board.

Discussion

The County's ADU regulations have been in place for many years and were most recently updated in October 2021, in response to state laws passed in 2019 and 2020. More recently, additional state ADU laws have been enacted that require amendments to local ADU regulations. HCD developed an "ADU Handbook" that clarifies and

interprets the provisions of state ADU law and released an updated version in 2026. In addition, staff proposes updating aspects of the County's ADU regulations to clarify ordinance provisions for staff and applicants.

The intent of state ADU law is to remove barriers to ADU construction. County Code may be more lenient but may not be more restrictive than state law in terms of allowing for ADU construction. For topics that are not covered by state law, the County has flexibility as to what ADU regulations to impose. In the Coastal Zone, ADU regulations must be balanced with provisions of the California Coastal Act.

On October 23, 2024, the Planning Commission held a public hearing on this item and took action to recommend the Board adopt the proposed Ordinance amending the ADU regulations. The Board public hearing was originally scheduled for January 14, 2025, and deferred to on or before June 24, 2025, with the expectation of further aligning the County's ADU regulations with recent changes to state ADU law as interpreted in an earlier version of the ADU Handbook published in January 2025 and consultations with HCD staff.

The County is required to submit a copy of an adopted ADU ordinance to HCD for a determination as to whether the ordinance complies with state ADU law. Prior to final adoption, HCD will review and comment on draft ordinances and County staff pursued this option in an effort to ensure HCD finds the adopted ordinance in compliance with state law. Based on the consultations with HCD staff and review of the updated ADU Handbook, County staff determined additional changes to the ordinance were necessary compared to the version reviewed by the Planning Commission in October 2024. Because the changes were substantial, another public hearing before the Planning Commission was held On May 14, 2025, the Planning Commission took action to recommend the Board adopt the proposed Ordinance amending the ADU regulations.

On June 24, 2025, the Board held a public hearing and took action to adopt the proposed Ordinance amending the ADU regulations. Following the second reading of the Ordinance on August 5, 2025, the adopted Ordinance was submitted to the California Coastal Commission for certification as an amendment to the County's Local Coastal Program Implementation Plan.

Upon review of the Ordinance, Coastal Commission staff found an inconsistency between the adopted Ordinance and several existing policies in the County Local Coastal Program Land Use Plan. Because the existing policy language limiting the number of ADUs on agricultural lands was determined to be inconsistent with state ADU law and the necessary policy amendments were not included in the action the Board of Supervisor took to adopt the Ordinance, Coastal Commission staff could not recommend certification of the Ordinance to the Coastal Commission. They requested County staff withdraw the LCP Amendment submittal.

In 2025 additional new state ADU laws were enacted making it necessary to further update the County's ADU regulations. In addition, as a result of the 2025 state ADU legislation, HCD staff published an amendment to the ADU Handbook in January 2026. Also in January 2026, HCD staff held a webinar on the new state ADU laws and provided additional interpretations and clarifications of state ADU law.

The proposed ordinance includes the updates presented to the Planning Commission and Board in 2025 and further updates as a result of 2025 state ADU legislation and

guidance from HCD staff in January 2026. These updates also resolve the conflict previously identified by Coastal Commission staff. On April 22, 2026, the Planning Commission held a public hearing and recommended the Board adopt the proposed ordinance amendments. All of the updates to the County's ADU regulations are listed and described in the [April 22 Planning Commission staff report](#) and summarized below.

Cross References

Pursuant to Senate Bill (SB) 477, state laws for ADUs and Junior ADUs (JADUs) were relocated and consolidated in a different section of the Government Code. Cross references to the state law in the County Code have been updated accordingly. In addition, as a result of the Sustainability Update and Code modernization project some internal cross references within the ADU regulations to other sections of the County Code have changed and these cross references have been updated.

Use Charts 13.10.312, 13.10.352, & 13.10.372

The Use Charts would be updated to clarify permit requirements and references.

13.10.680 Tiny Homes on Wheels

The County has a separate Tiny Homes on Wheels (THOW) ordinance that contains provisions for permitting and occupancy of THOWs. While County staff, in reliance on previous guidance from HCD, incorporated THOWs as an ADU type, HCD has subsequently informed the County that a THOW cannot be used as an ADU because a THOW is not a permanent structure. In several parts of SCCC 13.10.680, references to a THOW as an ADU are deleted. Additionally, to align the THOW permit process with the permit process for other structures, the five-year permit renewal requirement for the same THOW was modified to require a new permit for moving a new THOW onto the property.

Definition of ADU 13.10.681(B)(1) & 13.10.700-A

The definition of an ADU in both sections of the County Code, the ADU regulations and the Definitions section would be updated for internal consistency. Additionally, the reference to a THOW is deleted from the definition of an ADU in the Ordinance.

Junior ADU Cooking Facilities 13.10.681(B)(2) & 13.10.700-J

The definition of a JADU in the ADU regulations and the Definitions section would be updated for internal consistency. State law provides a general definition for cooking facilities in a JADU. Updates to the County Code would provide greater consistency with state law by deleting the reference to the detailed definition of an efficiency kitchen and replacing it with the definition from state law. This would also be consistent with actual practice, which is to allow flexibility in what types of kitchen facilities are provided in a JADU. In addition, JADUs must be entirely within the existing or proposed single-family dwelling

Conversion ADU 13.10.681(B)(4)

This definition of a conversion ADU is clarified to be consistent with state ADU law by allowing additions of up to 150 square feet to accommodate ingress and egress only.

Presence of Primary Dwelling Unit 13.10.681(D)(2)

To address the situation of an unpermitted primary dwelling unit, language is added to this section allowing an unpermitted primary dwelling and the ADU/JADU to be permitted concurrently.

Number of ADUs allowed 13.10.681(D)(3)(a) & (b)

Revised language in these sections would clarify that under state law, ADU allowances are per lot, not per single-family dwelling. Revised language would provide the correct and simplified definition of multifamily dwelling for purposes of the ADU regulations. Revised language would use the term livable space, which is defined differently compared to living space and is consistent with the language in state ADU law.

The updated ADU Handbook reinterprets state ADU law regarding the number of ADUs allowed. The new interpretation of state ADU law would allow one attached or detached ADU under Government Code 66314(d)(3), and one conversion ADU, one JADU and one detached ADU up to 800 square feet with minimum 4-foot side and rear setbacks under Government Code 66323, or up to four ADUs on a lot with an existing or proposed single-family dwelling. The County's ordinance currently allows one ADU (conversion, attached, or detached) and one JADU or up to two ADUs on a lot. Revisions to the County ADU regulations would reflect this new interpretation in the current version of the ADU Handbook.

Consistent with state ADU law, the allowance for up to three ADUs under Government Code 66323 applies to lots that are zoned for residential use. In other words, the lot must have an R-type zoning designation. Under Government Code 66314(d)(3), the allowance for one ADU applies to lots with zoning designations that allow residential use. In other words, in the CA zone district for example, the County can limit the number of ADUs to one per lot. Therefore, consistent with existing General Plan/Local Coastal Plan policies, Section 13.10.681(D)(3)(a)(iii) is added which clarifies the number of ADUs allowed in CA, A, and TP zone districts and in Water Quality Constraint Areas and Water Supply Watersheds. This resolves an issue previously raised by Coastal Commission staff.

A new state law (SB 1211) changed and clarified the number of ADUs allowed on multifamily dwelling parcels. The law clarified that on parcels with proposed multifamily dwellings, up to two detached ADUs are allowed. On parcels with existing multifamily dwellings, the number of detached ADUs allowed was increased from two to not more than eight detached ADUs or not more than the existing number of multifamily units, whichever is less. Revisions to the County ADU regulations would reflect these new provisions in state law.

ADU Location 13.10.681(D)(4)(a)

The language in this section is revised to be consistent with state ADU law by clarifying JADUs must be within the walls of the primary single-family dwelling.

Access 13.10.681(D)(5)(a)

Language in this section is revised to be consistent with a new state law (SB 897) that clarifies that a JADU that does not include a separate bathroom must have a separate entrance from the main entrance to the structure, with an interior entry to the main living area.

ADU Size Measurement 13.10.681(D)(6)

A new state law SB 543 clarified that the size of an ADU is measured using the interior habitable floor area. This clarification was presumable intended to accommodate different construction types and materials that might contain overly thick exterior walls such as straw bale construction.

ADU Size 13.10.681(D)(6)(c)(ii)

According to the ADU Handbook, local agencies may utilize a percentage (50 percent) of the existing primary dwelling as a maximum unit size for attached ADUs, but only if it does not restrict an ADU's size to less than 850 square feet, or 1,000 square feet for ADUs with more than one bedroom. The existing language in the County's ADU regulations based on percentage could potentially limit the size of an ADU to less than 850 or 1,000 square feet depending on the size of the existing single-family dwelling. Revised language is proposed to refer to the larger of the percentage or the minimum square feet allowance.

Conversion ADU Setbacks 13.10.681(D)(7)(a)(i)(A) & (B)

Language is added to this section to make it more consistent with state ADU law, which requires setbacks to be sufficient for fire and safety in addition to meeting the basic setbacks that would apply to a new construction ADU.

Title 16 Setbacks 13.10.681(D)(7)(a)(ii)(D)

Based on the ADU Handbook, application of the County's environmental and resource protection setbacks (County Code Title 16) for ADUs must be based on objective standards. The County's Title 16 setbacks that would typically apply to an ADU include riparian setbacks, agricultural buffer setbacks, and a limitation on disturbed area for certain lots in Sandhills, which is habitat for several plant and insect species federally listed as endangered. These setback requirements are necessary not only for environmental and resource protection but, in the case of riparian and agricultural buffer setbacks, they provide important public health and safety protections. Riparian setbacks also provide protection from flooding and erosion impacts, and agricultural buffer setbacks provide protection from sounds, odors, dust, and hazardous chemicals associated with agricultural operations. These are examples of Title 16 setback requirements that represent objective standards and the language in the County's ADU ordinance would be revised to clarify that only the objective standards in Title 16 can be applied to ADUs.

ADU Setbacks 13.10.681(D)(7)(a)(ii)(A)

The language in this section is revised because state ADU law prohibits requiring side and rear setbacks of more than four feet.

Front Setback 13.10.681(D)(7)(a)(ii)(C)

A new state law (SB 1211) eliminates the requirement for a front setback for an ADU if it would preclude the construction of an ADU no more than 800 square feet and adheres to other setback requirements. HCD has further interpreted this to mean that jurisdictions can impose a front setback but must allow an ADU of 800 square feet or fewer in the front setback, even if the ADU would exist partially or wholly within the front setback. The County's ADU regulations would be revised to reflect this new state law.

ADU Separation 13.10.681(D)(7)(a)(iii)

Language in this section is revised to eliminate the reference to minimum 3-foot separate distance between the ADU and other structure and refer to separation requirements in the Building and Fire Codes.

Height 13.10.681(D)(7)(b)(ii)(F) & (G)

A new state law (SB 897) added new provisions related to the height of ADUs. Inside the Urban Services Line (USL) a new construction detached ADU that is within ½ mile of a major transit stop or high-quality transit corridor can be up to 18 feet with an

additional two feet allowed if the roof pitch aligns with the primary unit. A high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. Such corridors exist along Soquel Drive in the mid-county area and along Freedom Boulevard in the Watsonville area and they are mapped on the County GISWeb. The height of a detached ADU associated with a multifamily dwelling can be up to 18 feet.

Lot Coverage 13.10.681(D)(7)(c)(i)

Language in this section is revised to clarify that all ADUs, attached or detached, not exceeding 800 sq ft are exempt from lot coverage and FAR. The references to JADUs is removed because JADUs are located entirely within the existing or proposed single-family dwelling.

Parking 13.10.681(D)(7)(d)(i)

According to the ADU Handbook, state law exempts detached ADUs no more than 800 square feet from the requirement to provide one parking space. This section of the County ADU regulations would be revised to include this additional exemption. Other provisions of state ADU law require one parking space per ADU or per bedroom, whichever is less, and this is reflected in the County's ordinance.

Parking 13.10.681(D)(7)(d)(ii)(B)

The County's ordinance repeats state ADU law in that parking is allowed in setback areas unless findings are made that parking in setback areas is not feasible based upon specific site or regional topographical and/or fire and life safety conditions. This section would be revised to clarify that only objective standards can be used to make the required findings.

Parking 13.10.681(D)(7)(d)(ii)(D)

Language is added to this section clarifying that the parking exemption under certain circumstances applies to an ADU on site with an existing single-family or multi-family dwelling or to an ADU permit application submitted with an application for a single-family or multi-family dwelling.

Parking 13.10.681(D)(7)(d)(iv)

For consistency with SB 1211, a minor clarification is proposed to the replacement parking provision to make clear that uncovered surface parking does not have to be replaced when it is converted for construction of an ADU.

Existing Conditions of Approval 13.10.681(D)(8)

Language in this section is modified to clarify that ADU regulations supersede any conflicting conditions of approval related to a conversion ADU

Other Accessory Uses 13.10.681(D)(9)(a)

The language restricting the number of ADUs on a lot with farmworker housing is deleted because there is no basis in state ADU law for restricting the number of ADUs that would normally be allowed on a parcel.

Utility, Infrastructure, and Service Requirements 13.10.681(D)(10)(a)(i) & (ii)

Including the ADU size limitations in this section is not necessary because the same maximum size limitations exist in SCCC 13.10.681(D)(6) and do not change fire sprinkler requirements. A new state law (SB 897) does not allow the construction of an ADU to trigger a requirement for fire sprinklers in the existing primary dwelling.

Utility, Infrastructure, and Service Requirements 13.10.681(D)(10)(a)(iii)

Language in this section is modified to delete reference to an internal connection from the JADU to the single-family dwelling. State ADU law does not require an internal connection for the JADU to not be considered a separate or new dwelling.

Utility, Infrastructure, and Service Requirements 13.10.681(D)(10)(a)(iv)

Language in this section is modified to clarify that while JADUs may have an internal connection, attached ADUs cannot have an internal connection to the single-family dwelling because they are complete independent living facilities.

Utility, Infrastructure, and Service Requirements 13.10.681(D)(10)(a)(v)

SB 897 also prevents the construction of an ADU from triggering a change of occupancy classification unless the Building Official makes specific findings that a change of occupancy classification is necessary to address an impact on health and safety. In some cases, the construction of dwelling units on a property can trigger a change of occupancy classification under the building and fire codes, which also triggers enhanced building code requirements and additional requirements for inspections. This was seen as a potential barrier to ADU construction prompting the enactment of this particular state law. Corresponding language is added to the County's ADU regulations.

Coastal Zone Requirements 13.10.681(D)(11)

This section is added to the ordinance at the suggestion of California Coastal Commission staff. The coastal hazards language is consistent with Policy 6.2.17 in the General Plan/Local Coastal Program (LCP) which prohibits the creation of new building sites, lots, or parcels in areas subject to coastal hazards, or in the area necessary to ensure a stable building site for the minimum 100-year lifetime, or where development would require the construction of public facilities or utility transmission lines within coastal hazard areas or in the area necessary to ensure a stable building site for the minimum 100-year lifetime. The language regarding environmentally sensitive habitat areas and agricultural lands is consistent with existing policy language in the LCP that protects these areas from the impacts of new development. State ADU law does not supersede the California Coastal Act which provides the authority to apply these protective provisions of the existing LCP to ADUs.

Nonconforming Conditions 13.10.681(E)(1)

As a result of a new state law (SB 897), this subsection was clarified to add County Code violations and unpermitted structures to the list of conditions that cannot be required to be corrected as a condition of ADU or JADU approval unless they present a threat to public health and safety and are affected by the construction of the ADU.

Nonconforming Conditions 13.10.681(E)(2)

This section is an example of the interaction of state ADU law and the Coastal Act in that nothing in state ADU law shall be construed to supersede or in any way alter or lessen the effect or application of the Coastal Act that applies within the Coastal Zone of the County except that the County cannot require local public hearings for coastal development permit applications for ADUs.

Design 13.10.681(F)(1)(f)

Language in this section is modified to provide a more objective standard for fence height to screen an ADU by specifying the fence height shall be the maximum height

allowed without a permit.

Design 13.10.681(F)(3)

This section was added to clarify the allowance in state ADU law for a certain type of ADU that is not subject to architectural review and historic preservation standards.

Occupancy 13.10.681(G)(3)

Existing GP/LCP Policy BE-2.5.2 states that a property with an ADU or JADU shall not be eligible for participation in the vacation rental or hosted rental programs. Although no changes are proposed to this section reflecting existing policy, it is noteworthy that a new state law (AB 1154) enacted in 2025 prohibits rental of a JADU for a term of 30 days or less, catching state ADU law up with existing County Code.

Occupancy 13.10.681(G)(4)

A new state law (SB 976) removed the owner-occupancy requirement for ADUs. Another new state law (AB 1154) removed the owner occupancy requirements for JADUs that have separate sanitation facilities from the single-family dwelling. Therefore, appropriate qualifying language is added and references to ADUs are deleted from this section.

Application Processing 13.10.681(H)(1)(a)(i)

This section is amended to clarify the processing of applications for ADUs in the Coastal Zone. If a Coastal Development Permit (CDP) is required, the procedure for a combined building permit and CDP with no public hearing is outlined in SCCC 13.20.107. Reference to appeal requirements is removed from this section because a new state law (AB 462) removed the ability to appeal a CDP for an ADU. In addition to the required findings for the CDP, special findings are also required if the ADU is located in the Commercial Agriculture (CA), Parks and Recreation (PR), or Timber Production (TP) zone districts. The use charts for those zone districts would also be amended to clarify permit processing level and code references for ADUs and JADUs.

Ministerial Review Time 13.10.681(H)(2)

A new state law (SB 543) modified the required review times and procedures for a building permit application for an ADU, which are reflected in the language added to this section. Review times are shortened from 60 days to 15 business days.

Unpermitted ADUs 13.10.681(K)

A new state law (SB 2533) addresses ADUs constructed prior to 2020 without permits. A local agency cannot deny an application for a permit for such an ADU or JADU due to either a building or fire code violation or noncompliance with local ADU laws. However, the local agency may deny the application based on a finding that correcting the violation is necessary to correct a specific condition that would qualify as substandard pursuant to the State Health and Safety Code. This provision would not apply if the entire structure is deemed substandard.

Annual Review of Impacts 13.10.681(L)

Language in this section is modified to reflect actual practice. For many years, the General Plan Annual Report has included an analysis of the impacts of ADU construction in the County, and those reports are reviewed by both the Planning Commission and the Board. Thus far, no significant impacts have been noted on traffic, water, public views, or environmentally sensitive habitat areas. Because the General Plan Annual Report is not submitted to the Coastal Commission for review, reference to

such a review is deleted. However, pursuant to a previous Planning Commission action, language is added clarifying the scope of the analysis in the General Plan Annual Report.

Coastal Development Permit Review of ADUs 13.20.107 & 108

A new state law (AB 462) removed the ability to appeal a CDP for an ADU. Therefore, these two sections of SCCC 13.20 Coastal Zone Regulations are modified to remove references to appeals while deleting the entire section addressing appealable CDPs.

California Environmental Quality Act

Amendments to the County's ADU regulations that are consistent with state law are exempt from California Environmental Quality Act (CEQA) review per CEQA §15282(h): "adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement provisions of Sections 65852.1 and 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code." Note that Assembly Bill 477 approved by the Governor in March 2024 made organizational changes to the state ADU regulations, relocating the regulations to Government Code Sections 66310 through 66339. Further, Assembly Bill 3057, approved by the Governor in August 2024, expands this CEQA exemption to include the adoption of the ordinance regarding JADUs. A notice of exemption has been prepared (Exhibit B).

General Plan and Local Coastal Program Consistency

The ADU regulations and the proposed amendments are consistent with and implement the goals and policies of the Housing Element of the General Plan. Policies and programs in the Housing Element encourage and support the development of ADUs in accordance with state law. The proposed amendments will further align local ADU regulations with state ADU law.

The proposed amendments will require a Local Coastal Program Amendment because SCCC Chapter 13.10 is an implementing ordinance of the Santa Cruz County Local Coastal Program. After Board approval, the proposed ordinance will be reviewed at a Coastal Commission public hearing and will become active after certification by the California Coastal Commission.

State ADU law does not supersede or in any way alter or lessen the effect or application of the Coastal Act. Therefore, local agencies may enact different ADU rules in the Coastal Zone from what is required by state law if it can be demonstrated that the statewide rules will have a negative impact on application of the Coastal Act. For this reason, the existing ADU regulations include provisions to retain some off-street ADU parking in coastal access visitor hot spots, for example. In addition, state ADU law does not require the County to hold a public hearing for coastal development permit (CDP) applications for ADUs. However, SCCC 13.20 Coastal Zone Regulations includes provisions for processing CDPs for ADUs with a streamlined process that provides for public notice but no public hearing. Additionally, restrictions on ADU development in the Coastal Zone in coastal hazard areas, environmentally sensitive habitat areas, and on agricultural lands are consistent with existing policies of the LCP, which has been certified by the Coastal Commission as consistent with and adequate to carry out the Coastal Act in the County.

The County's ADU regulations have previously been found to be in conformity with and adequate to carry out the certified land use plan (LCP). Because the proposed

amendments would further align the County ADU regulations with state law and make other clarifying changes without altering or lessening the effect or application of the Coastal Act, the proposed amendments can be found to be in conformity with the certified LCP.

Financial Impact

There is no financial impact as a result of this item.

Strategic Initiatives

Equity Framework - Plans, Policies & Budgets

Operational Plan - Attainable Housing

Climate Action - Transportation

Submitted By:

Matt Machado Deputy CEO / Director of Community Development and Infrastructure

Recommended By:

Nicole D. Coburn, County Executive Officer

Artificial Intelligence Acknowledgment:

Artificial Intelligence (AI) did not significantly contribute to the development of this agenda item.

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Supervisor
duly seconded by Supervisor
the following Resolution is adopted:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ FINDING THE PROPOSED AMENDMENTS TO CHAPTER 13.10 AND 13.20 REGARDING ACCESSORY DWELLING UNITS ARE CONSISTENT WITH THE COUNTY GENERAL PLAN AND LOCAL COASTAL PROGRAM, FINDING THE PROPOSED AMENDMENTS ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, DIRECTING STAFF TO FILE A NOTICE OF EXEMPTION, AND DIRECTING STAFF TO SUBMIT THE PROPOSED LOCAL COASTAL PROGRAM AMENDMENTS TO THE CALIFORNIA COASTAL COMMISSION FOR CERTIFICATION

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

WHEREAS, in 2020 and 2021, the Santa Cruz County Code (“SCCC”) was amended to comply with State ADU regulations contained in Government Code Sections 66310 through 66339.5 and Health and Safety Code Section 17980.12; and

WHEREAS, in September 2020, the California Department of Housing and Community Development released the ADU Handbook, which was update in July 2022 and January 2025, and again in March 2026, and which interpreted and clarified the State ADU regulations; and

WHEREAS, in September 2022 Governor Newsom signed AB 2221 and SB 897, which took effect on January 1, 2023; and

WHEREAS, in October 2023 Governor Newsom signed AB 976, which took effect on January 1, 2024; and

WHEREAS, in May 2024 Governor Newsom signed SB 477, which makes organizational changes to the State ADU regulations, relocating the regulations to Government Code Sections 66310 through 66339; and

WHEREAS, in September 2024 Governor Newsom signed four more ADU bills (AB 2533, Ab 3057, SB 1211, and SB 1077), which took effect on January 1, 2025; and

WHEREAS, in June 2025 Governor Newsom signed AB 130, which took effect on July 1, 2025;

WHEREAS, in October 2025 Governor Newsom signed AB 462, which took effect on October 10, 2025;

WHEREAS, in October 2025 Governor Newsom signed three more ADU bills (AB 1154, SB 9, and SB 543), which took effect on January 1, 2026;

WHEREAS, the County wishes to amend SCCC 13.10 to comply with updated State ADU regulations, clarify existing SCCC, and further streamline the ADU permit process; and

WHEREAS, SCCC 13.10 is a Local Coastal Program implementing ordinance; and

WHEREAS, the Planning Commission held a duly noticed public hearing on April 22, 2026, and has reviewed the County's proposed SCCC amendments and finds that they are necessary to implement the State's updated ADU regulations, are consistent with all elements of the General Plan/Local Coastal Program, and comply with the California Coastal Act; and

WHEREAS, the proposed SCCC amendments are exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080.17 because they serve to implement State ADU and JADU regulations and CEQA Guidelines Section 15061(b)(3) because the amendments present no possibility of a significant impact on the environment.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors of the County of Santa Cruz hereby:

1. Incorporates the foregoing recitals as findings as though set forth within the body of this resolution.
2. Finds and determines the proposed amendments to the SCCC and Local Coastal Program implementing ordinances are consistent and compatible with and will not frustrate the objectives, policies, general land uses, and programs specified in the General Plan and Local Coastal Program.
3. Finds and determines the proposed amendments to the Local Coastal Program implementing ordinances are consistent with the Coastal Act, its goals and policies, including the protection of the overall quality of the coastal zone environment and its natural and artificial resources and the implementation of coordinated planning and development for mutually beneficial uses in the coastal zone.
4. Approves and directs staff to file the California Environmental Quality Act Notice of Exemption, attached hereto as Exhibit "A."
5. Directs staff to submit the proposed amendments to the SCCC for accessory dwelling units to the California Coastal Commission for certification, as provided in SCCC 18.60.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz,
State of California, this _____ day of _____, 2026 by the following vote:

AYES: SUPERVISORS:
NOES: SUPERVISORS:
ABSENT: SUPERVISORS:
ABSTAIN: SUPERVISORS:

Chair, Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:

Signed by:

D52DC6AA0E74498

OFFICE OF THE COUNTY COUNSEL

Exhibit A: CEQA Notice of Exemption



County of Santa Cruz

Department of Community Development and Infrastructure

701 Ocean Street, Fourth Floor, Santa Cruz, CA 95060

Planning (831) 454-2580

Public Works (831) 454-2160

sccoplanning.com

dpw.co.santa-cruz.ca.us

Matt Machado –Deputy CAO, Director of Community Development & Infrastructure

NOTICE OF EXEMPTION

To: Clerk of the Board
701 Ocean Street, Room 500
Santa Cruz, CA 95060

Project Name: Accessory Dwelling Unit Regulations Update

Project Location: Countywide

Assessor Parcel No.: N/A

Project Applicant: County of Santa Cruz Planning Department

Project Description: The project updates the Santa Cruz County Code for Accessory Dwelling Units to comply with California state laws and remove areas of confusion in the County regulations.

Agency Approving Project: County of Santa Cruz Board of Supervisors

County Contact: David Carlson

Telephone No. 831-454-3173

Date Completed: [Date]

This is to advise that the County of Santa Cruz Board of Supervisors has approved the above-described project on _____ (date) and found the project to be exempt from CEQA under the following criteria:

Exempt status: (*check one*)

- ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
- ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
- ☐ The proposed activity is exempt from CEQA as specified under CEQA Guidelines Section 15061(b)(3).
- ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.

☒ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type: Public Resources Code Section 21080.17

☐ **Categorical Exemption**

Class 1

Reasons why the project is exempt:

Local ordinances adopted to implement State ADU law are statutorily exempt from California Environmental Quality Act (CEQA) review per Public Resources Code Section 21080.17: which states that CEQA “does not apply to the adoption of an ordinance by a city or county to implement Section 65852.1 of, or Article 2 (commencing with Section 66314) or Article 3 (commencing with Section 66333) of Chapter 13 of Division 1 of Title 7 of, the Government Code.” Chapter 13, Article 2 addresses ADU approvals and Article 3 addresses JADU approvals. The amendments to the County’s ADU Ordinance implement State ADU law and therefore are exempt from CEQA.

Signature: _____ Date: _____ Title: Environmental Coordinator

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Natalie.Kirkish@santacruzcountyca.gov

County Counsel

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Natalie Kirkish

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ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ AMENDING SANTA CRUZ COUNTY CODE CHAPTERS 13.10 AND 13.20 REGARDING ACCESSORY DWELLING UNITS

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

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

WHEREAS, in 2020 and 2021, the Santa Cruz County Code (“SCCC”) was amended to comply with State ADU regulations contained in Government Code Sections 66310 through 66339.5 and Health and Safety Code Section 17980.12; and

WHEREAS, in September 2020, the California Department of Housing and Community Development released the ADU Handbook, which was updated in July 2022 and January 2025, and again in March 2026 and which interpreted and clarified the State ADU regulations; and

WHEREAS, in September 2022 Governor Newsom signed AB 2221 and SB 897, which took effect on January 1, 2023; and

WHEREAS, in October 2023 Governor Newsom signed AB 976, which took effect on January 1, 2024; and

WHEREAS, in May 2024 Governor Newsom signed SB 477, which makes organizational changes to the State ADU regulations, relocating the regulations to Government Code Sections 66310 through 66339; and

WHEREAS, in September 2024 Governor Newsom signed four more ADU bills (AB 2533, AB 3057, SB 1211, and SB 1077), which took effect on January 1, 2025; and

WHEREAS, in June 2025 Governor Newsom signed AB 130, which took effect on July 1, 2025; and

WHEREAS, in October 2025 Governor Newsom signed AB 462, which took effect on October 10, 2025; and

WHEREAS, in October 2025 Governor Newsom signed three more ADU bills (AB 1154, SB 9, and SB 543), which took effect on January 1, 2026; and

WHEREAS, the County wishes to amend SCCC 13.10 and 13.20 to comply with updated State ADU regulations, clarify existing SCCC provisions, and further streamline the ADU permit process; and

WHEREAS, the Planning Commission held a duly noticed public hearing on April 22, 2026, and recommended the Board approve the proposed amendments to SCCC 13.10 and 13.20;

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

SECTION I

The “Accessory Dwelling Unit” portion of Table 13.10.312-1 in Section 13.10.312 of the Santa Cruz County Code is hereby amended to read as follows:

13.10.312 Uses in agricultural districts.

Table 13.10.312-1: Agricultural Uses Chart

USE	PERMIT REQUIRED BY ZONE		REFERENCES AND NOTES
	CA	A	
Housing - Residential Units			
Accessory Dwelling Unit (ADU) or Junior ADU	P ^A	P	13.10.313 13.10.681 13.11.037 13.20.107 & 108 13.10.314 16.50.095

SECTION II

The “Accessory Dwelling Unit” portion of Table 13.10.352-1 in Section 13.10.352 of the Santa Cruz County Code is hereby amended to read as follows:

13.10.352 Uses in the Parks, Recreation and Open Space PR District.

Table 13.10.352-1: Parks, Recreation and Open Space PR Uses Chart

USE	Permit Required ¹	References and Notes
Residential Units		
Accessory Dwelling Unit (ADU)	P	13.10.681 13.20.107 13.10.418 13.10.354
Junior ADU	P	13.10.681

SECTION III

The “Accessory Dwelling Unit” portion of Table 13.10.372-1 in Section 13.10.372 of the Santa Cruz County Code is hereby amended to read as follows:

13.10.372 Uses in the Timber Production TP District.

Table 13.10.372-1: Timber Production TP Uses Chart

USE	Permit Required ¹	References and Notes
Residential Units		
Accessory dwelling unit (ADU) or junior accessory dwelling unit (JADU)	P ^A	13.10.681 13.20.107 13.10.374

SECTION IV

Section 13.10.680 of the Santa Cruz County Code is hereby amended to read as follows:

13.10.680 Tiny homes on wheels.

(A) Purpose. The purpose of this section is to provide for and regulate Tiny Homes on Wheels 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) “Tiny Home on Wheels” or “THOW” shall be defined per SCCC 13.10.700-T: An independent dwelling unit, maximum 400 gross square feet, excluding loft area space if that loft area space meets the requirements of California Government Code Section 18009.3(b) and Section 18033 and maximum 14 feet in width at the maximum horizontal projection. It provides complete independent living facilities for one or more persons and is built upon a single chassis and is towable by a hitch mechanism and cannot move under its own power. It may only be transported upon the public highway with a permit issued pursuant to Vehicle Code Section 35780.

(C) General Requirements.

(1) A THOW may function as a single-family dwelling such that the total number of dwelling units on a parcel does not exceed the total number of dwelling units allowed on that parcel per provisions of state and local regulations. Only one THOW shall be allowed per parcel.

(2) THOWs shall be subject to all provisions of this code that apply to single-family dwellings in addition to the requirements of this section.

(4) THOWs shall not be used as vacation rentals.

(D) Site Requirements.

- (1) THOW Location on a Parcel.
 - (a) A THOW shall not be located in an existing driveway.
 - (b) Parking Pad.
 - (i) Bumper guards, curbs, or other installations shall be adequate to prevent movement of the THOW.
 - (ii) The wheels shall not be removed and the parking pad shall be a level surface paved with two inches of asphalt concrete over five inches of Class II base rock or equivalent permeable or nonpermeable surface so as to provide a durable, dustless surface, and shall be graded and drained so as to prevent erosion and disperse surface water.
- (2) Access.
 - (a) The THOW parking pad shall be accessible by a path of travel such that the THOW is towable onto and off the property.
- (3) Size.
 - (a) The maximum size is as required to allow for towing on public roadways, but not to exceed 400 square feet.
- (4) Development Standards.
 - (a) The maximum height of a THOW shall be as established by the California Department of Motor Vehicles for towing on public roads, but not to exceed 14 feet.
- (E) Utilities.
 - (1) Electricity. The THOW shall be connected to a source of electricity in compliance with the latest edition of the California Electrical Code and local ordinance. If not connected to the local electric utility power source, an off-grid system may be used that is designed to provide sufficient power based on the expected loads. All off-grid systems shall include solar panels and battery storage. Within the Urban and Rural Service Lines a THOW shall not rely on a generator as a primary or stand-by source of electric power. Outside the Urban and Rural Service Lines a THOW shall not rely on a generator as a primary source of electric power and may include provisions for connection to a generator and meet all requirements of the California Electrical Code and local ordinance. Outside the Urban and Rural Service Lines, the generator shall be a stationary emergency stand-by generator as defined in, and in compliance with all provisions of, SCCC 13.15, Noise Planning.
 - (2) Water and Sewer. The THOW shall be connected to the approved water source and sewage disposal facility in compliance with the latest edition of the California Plumbing Code and local ordinance.

(F) Design.

- (1) Incorporate design features and materials typically used for houses, such as siding or roofing materials, pitched roofs, eaves, and residential windows.
- (2) Windows shall be at least double pane glass and shall include exterior trim or other design features to mimic windows on a building.
- (3) The roof and exterior walls shall be fixed with no slide-outs, tip-outs, or other forms of mechanically articulating extensions that expand the interior space of the THOW.
- (4) Mechanical equipment that is not incorporated within the structure shall be screened from public view and shall not be located on the roof. Plumbing vents and low-profile exhaust fans may be located on the roof. Electrical and plumbing hook ups shall similarly be screened from public view.
- (5) Skirting. When parked on its parking pad, the THOW shall include skirting to conceal the wheels and undercarriage.
- (6) THOWs located in Wildland Urban Interface shall be designed with materials and construction methods for exterior wildfire exposure in compliance with California Building Standards Code, Part 7, California Wildland-Urban Interface Code and local ordinance.

(G) THOW Permit.

- (1) Prior to moving a THOW onto any property, a ministerial THOW building permit shall be obtained authorizing parking and occupancy of each THOW on the property pursuant to SCCC 12.01.
- (2) The THOW permit shall expire upon removal of the THOW from the property where it is permitted. A new THOW permit is required prior to moving the same THOW or a different THOW onto the property.
- (3) Inside the Coastal Zone, unless excluded, a THOW shall be required to obtain a coastal development permit pursuant to the provisions of SCCC 13.20.
- (4) The THOW shall be registered annually with the DMV and all required annual registration fees shall be paid, including the Vehicle License Fee. Failure to register and pay all DMV fees annually shall cause the THOW permit to expire.

(H) Application Processing. The following additional information shall be submitted with the required information for a building permit application for a THOW:

- (1) Certificate indicating that the THOW has been constructed in accordance with Standard No. A119.5 of the Standards of the American National Standards Institute (ANSI-A119.5 Park Model RV Standard).
- (2) Valid DMV registration for towing to parking location.

(I) Administration. The Director is responsible for administering the County's THOW regulations. As part of the administration of these regulations, the Director may:

- (1) Interpret the provisions of this section and any other THOW regulations adopted by the Board of Supervisors;
- (2) Develop forms, procedures, administrative practice guidelines, and application requirements related to siting of THOW; and
- (3) Determine the amount of and collect, as a condition of accepting any application, the fees established by resolution of the Board of Supervisors or the County Code.

SECTION V

Section 13.10.681 of the Santa Cruz County Code is hereby amended 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" or "ADU" shall be defined per SCCC 13.10.700-A: In compliance with California Government Code Section 66313, 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 on the same parcel where the single-family or multifamily dwelling is or will be situated.
- (2) "Junior Accessory Dwelling Unit" or "JADU" shall be defined per SCCC 13.10.700-J: In compliance with California Government Code Section 66313, a residential living area contained within a proposed or existing single-family residence that is no more than 500 square feet in size. JADUs shall include independent provisions for living, sleeping, eating, and cooking (cooking facility with appliances and food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU), and shared or separate sanitation facilities with the main dwelling unit.
- (3) "New Construction ADU" shall be defined per SCCC 13.10.700-N: An ADU that does not meet the definition of Conversion ADU.
- (4) "Conversion ADU" shall be defined per SCCC 13.10.700-C: 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 can include demolition and rebuilding of a structure with the same footprint and building envelope. Conversion ADUs can also include additions of up to 150 square feet limited to

accommodating ingress and egress. Any conversion that exceeds this limit shall be considered a New Construction ADU for the purpose of this section.

If converting an existing accessory structure, applicants 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 in some combination with the primary dwelling on the property.

(6) “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 parcel.

(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. The parcel must allow residential land use either by zoning or General Plan designation.

(2) Presence of Primary Dwelling Unit. A permitted primary dwelling unit must exist or be proposed for construction concurrently with the proposed ADU or JADU. A final inspection pursuant to SCCC 12.01.090 shall not be issued for the ADU prior to a final inspection for the primary dwelling unit. In the case of an unpermitted primary dwelling unit, the primary dwelling unit and the ADU or JADU must be permitted concurrently.

(a) Exception. An ADU may be constructed prior to a primary dwelling in the case of rebuilding after a disaster. The location for the development envelope for the future primary dwelling must be indicated on the plans submitted for the ADU.

(3) Number of ADUs Allowed.

(a) Single-Family Dwellings. On parcels with existing or proposed single-family dwellings: one ADU, one JADU, one conversion ADU, and one detached ADU not more than 800 square feet with minimum 4-foot side and rear setbacks and height limit provided by California Government Code Section 66321(b)(4)(A) through (C) are allowed per lot.

(i) Dwellings that share walls but are located on separate parcels with separate building footprints (such as townhomes or halfplexes) are considered single-family dwellings for the purpose of determining the number of ADUs allowed.

- (ii) Properties with dwelling groups (multiple single-family dwellings) are allowed the number of ADUs allowed by SCCC 13.10.681(D)(3)(a) per lot. An existing dwelling in a dwelling group may be relabeled as an ADU if it meets ADU use and development standards.
 - (iii). On parcels with existing or proposed single family dwellings in the Commercial Agriculture (CA), Agriculture (A), and Timber Production (TP) zone districts, and on parcels located in Water Quality Constraint Areas and Water Supply Watersheds not in residential zone districts, one ADU per lot is allowed in addition to a JADU within the existing or proposed single family dwelling.
- (b) Multifamily Dwellings. On parcels with existing or proposed multifamily dwellings, defined as two or more attached dwellings on a single lot, the following are allowed:
 - (i) On parcels with proposed multifamily dwelling structures, up to two detached ADUs, which may be attached to each other.
 - (ii) On parcels with existing multifamily dwellings, not more than eight detached ADUs, which may be attached to each other, or not more than the number of existing units on the parcel, whichever is less.
 - (iii) Conversion ADUs associated with up to 25 percent of existing multifamily units. Conversion ADUs in existing multifamily developments must be converted from areas not used as livable 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. Conversion ADUs cannot be proposed simultaneously with new development.
- (c) Nonconforming Land Uses. Regardless of existing dwelling conformity with land use and density requirements for a parcel's zone district or General Plan designation, permitted single-family dwellings shall be subject to subsection (D)(3)(a) of this section and permitted multifamily dwellings shall be subject to subsection (D)(3)(b) of this section.
- (4) ADU Location on a Parcel.
 - (a) ADUs may be attached or detached from the primary dwelling unit. JADUs must be constructed within the walls of the proposed or existing single-family residence.
 - (b) ADUs and JADUs shall be subject to the setback requirements in subsection (D)(7)(a) of this section.
- (5) Access. The ADU or JADU shall have an exterior entrance that is independent of the existing primary dwelling. A JADU may also be internally connected to the primary dwelling.

- (a) If a JADU does not include a separate bathroom, the JADU shall include a separate entrance from the main entrance to the structure, with an interior entry to the main living area.
- (6) Unit Size. The interior habitable floor area as defined in SCCC 13.10.700-H 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: No maximum size.
 - (ii) New Construction ADU, Attached:

850 square feet (studio or one bedroom), 1,000 square feet (two or more bedrooms), or, if there is an existing primary dwelling, 50 percent of existing primary dwelling habitable square footage, whichever is larger.
 - (iii) New Construction ADU, Detached:
 - A. Parcel size less than one acre: 850 square feet (studio or one bedroom), 1,000 square feet (two or more bedrooms).
 - B. Parcel size greater than or equal to one acre: 1,200 square feet.
 - (iv) Regardless of subsections (D)(6)(c)(i) through (iii) of this section, an ADU of at least 800 square feet with minimum 4-foot side and rear setbacks and height limit provided by California Government Code Section 66321(b)(4)(A) through (C) shall be allowed.
- (7) Development Standards. All objective 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 objective provisions shall apply to ADUs:
 - (a) Setbacks.
 - (i) Conversion ADUs.
 - A. Additions up to 150 square feet shall meet setback requirements for New Construction ADUs and for fire and safety.
 - B. Existing structures with nonconforming setbacks can be demolished and rebuilt with the same setbacks, except where larger

setbacks are required pursuant to SCCC 7.92 (Fire Code) or SCCC 12.10 (Building Regulations).

(ii) New Construction ADUs. ADUs shall comply with front setbacks for the applicable zone district. Minimum side and rear setbacks shall be four feet or the setback for the applicable zone district, whichever is less, including on double frontage lots and corner lots, with the following exceptions:

A. Setbacks shall be sufficient for fire safety in conformance with SCCC 7.92 (Fire Code) and SCCC 12.10 (Building Regulations).

B. ADUs located in the Seascape Beach Estates Combining District shall meet the setback requirements in SCCC 13.10.436.

C. A front setback shall not be imposed if it would preclude construction of an ADU no more than 800 square feet and height limit provided by California Government Code Section 66321(b)(4)(A) through (C) and adheres to 4-foot minimum rear and side setbacks and other setback requirements in this section.

D. ADUs shall be subject to all objective standards in SCCC Title 16 (Environmental and Resource Protection). Outside the Coastal Zone this requirement shall not preclude construction of an ADU no more than 800 square feet and height limit provided by California Government Code Section 66321(b)(4)(A) through (C) which adheres to 4-foot minimum rear and side setbacks and other setback requirements in this section.

(iii) Minimum separation distance between ADUs and other structures shall comply with the Santa Cruz County Building and Fire Codes.

(b) Height.

(i) Conversion ADUs. Additions up to 150 square feet shall meet height standards 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, new construction detached ADUs shall be a maximum of 16 feet. This exception does not apply in the Seascape Beach Estates Combining District (see SCCC 13.10.436).

B. Inside the urban services line, ADUs that are built above detached garages shall be a maximum of 20 feet at exterior wall and 24 feet at roof peak. This exception does not apply in the

Pleasure Point or Seascape Beach Estates Combining Zone Districts.

C. 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.

D. Building height up to five feet in excess of an applicable zoning standard, but in no case exceeding 28 feet, may be allowed subject to design review findings (SCCC 18.10.230(A)(2)), development permit findings (SCCC 18.10.230), and 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.

F. Notwithstanding SCCC 13.10.681(D)(7)(b)(ii)A, inside the urban services line, the height of a new construction detached ADU that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor shall be a maximum of 18 feet. An additional two feet in height is allowed to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

G. Inside the urban services line, the height of a detached ADU on a lot with an existing or proposed multifamily, multistory dwelling shall be a maximum of 18 feet.

(c) Lot Coverage and Floor Area Ratio (FAR).

(i) Parcels with ADUs shall meet lot coverage and FAR standards for the applicable zone district, except that ADU square footage up to 800 square feet, whether attached or detached, may be excluded from FAR and lot coverage calculations for both existing and new parcels.

(ii) ADUs and JADUs shall not be counted in large dwelling unit calculations per SCCC 13.10.324.

(d) Parking.

(i) JADUs, Conversion ADUs, and detached new construction ADUs not exceeding 800 square feet with minimum four-foot side and rear setbacks and meeting height standards provided by California Government Code Section 66321(b)(4)(A) through (C): no required off-street parking.

(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 would violate objective standards related to specific site or regional topographical and/or fire and life safety conditions.

C. If the primary dwelling unit has less than the required parking per SCCC 13.16.050, one new parking space must be provided for the ADU but parking for the primary dwelling may remain nonconforming.

D. No additional parking for an ADU shall be required if the ADU is located within one-half mile walking distance of any public transit stop, within a designated historic district, or within one block of a dedicated parking space reserved for a publicly available car share vehicle. This exemption also applies to an ADU permit application submitted with an application for a single-family or multi-family dwelling on the same lot.

(iii) 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.

(iv) Replacement Parking. When a garage, carport, covered parking structure, or uncovered surface parking is demolished or converted for construction of an ADU, no replacement parking is required.

(v) Special Coastal Zone Parking Requirements. One parking space is required for New Construction ADUs, with no exceptions, and replacement parking is required when existing parking is demolished or converted for construction of an ADU in the following Coastal Zone areas:

A. Live Oak Designated Area (LODA) as defined in SCCC 13.10.694(C).

B. Sea Cliff/Aptos/La Selva Designated Area (SALSDA) as defined in SCCC 13.10.694(C).

C. Davenport/Swanton Designated Area (DASDA) as defined in SCCC 13.10.694(C).

D. Opal Cliff Drive between 41st Avenue and the City of Capitola.

(8) Existing Conditions of Approval. Proposed additions of not more than 150 square feet associated with Conversion ADUs shall comply with any existing development permit conditions of approval, except that State ADU law and SCCC 13.10.681 supersede conflicting conditions from a prior approval.

(9) Other Accessory Uses.

(a) 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, Infrastructure, and Service Requirements.

(a) Life Safety. All requirements of the respective service agencies shall be satisfied, and all ADUs shall comply with all applicable provisions of SCCC 7.92 (Fire Code) and SCCC 12.10 (Building Regulations).

(i) Fire sprinklers shall not be required for an ADU or JADU where they are not also required for the primary dwelling.

(ii) The construction of an ADU shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

(iii) For the purposes of any fire or life protection ordinance or regulation, a JADU shall not be considered a separate or new dwelling unit.

(iv) JADUs that do not have an internal connection to the primary dwelling and ADUs shall maintain a separate street address from the primary dwelling unit.

(v) Change of Occupancy Classification. The construction of an ADU shall not constitute a "Group R" occupancy change under SCCC 12.10 (Building Regulations) unless the Building Official or Fire Code Official makes a written finding based on substantial evidence in the record that the ADU could have a specific, adverse impact on health and safety. This paragraph shall not be interpreted to prevent the Building Official from changing the occupancy code of a space that was nonhabitable space or was only permitted for nonresidential use and was subsequently converted for residential use pursuant to this Section.

(b) Utility Connections and Fees.

(i) JADUs and Conversion ADUs: new utility connection or capacity charges may only be charged for Conversion ADUs and JADUs built concurrently with a primary dwelling.

(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 on-site 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.

(c) Public Improvements. Frontage improvements and other public right-of-way work cannot be required as a condition of approval for an ADU or JADU, unless required per SCCC 7.92 (Fire Code) or SCCC 12.10 (Building Regulations) or to correct illegal right-of-way encroachments.

(11) Coastal Zone Requirements.

(a) Coastal Hazards Areas. New construction ADUs and conversion ADUs shall not be located within Coastal Hazards Areas, including areas seaward of and on/adjacent to coastal bluffs, except for blufftop properties where the proposed new building site for an ADU meets the minimum setback required by SCCC 16.10.070(H)(7)(a) through (d); specifically, that the building site meets the 100-year stability setback contained in 16.10.070(H)(1)(a) or the 25-foot setback contained in 16.10.070(H)(1)(a), whichever is greater, and the long-term stability and safety of the development does not depend on or require existing or proposed shoreline protection structures.

(i) JADUs. JADUs may be allowed in Coastal Hazards Areas if the proposed JADU meets all other requirements of this section.

(b) Environmentally Sensitive Habitat Areas. New construction ADUs shall not be located in environmentally sensitive habitat areas, as defined in SCCC 13.20.040, or their buffers. Conversion ADUs may be allowed in environmentally sensitive habitat areas if the building envelope and footprint of the converted existing structure does not increase. JADUs are allowed within an existing structure sited within an environmentally sensitive habitat area.

(c) Agricultural Lands. In addition to all other LCP agricultural protection provisions (e.g., SCCC 13.10.313, 13.10.314, 16.50, etc.), impacts to agricultural lands on parcels designated and/or zoned for commercial and non-commercial agricultural use shall be minimized by clustering new construction ADUs and conversion ADUs as close to the existing primary dwelling on the site as is feasible, avoiding the development of new impervious surfaces by utilizing existing road surfaces on the site, and siting on the least agriculturally productive portions of the site.

(E) Nonconforming Conditions.

(1) Outside the Coastal Zone, correction of existing nonconforming zoning conditions, County Code violations, or unpermitted structures cannot be required as a condition of ADU or JADU approval unless the corrections are required to address a threat to public health and safety and are affected by the construction of the ADU.

(2) Within the Coastal Zone, corrections shall be required in accordance with SCCC 13.20.170(C) unless the scope of development is limited to the ADU itself and all unpermitted development meets requisite coastal resource protection requirements (e.g., ESHA, wetland, and geologic hazard setbacks and associated requirements) and satisfies the Coastal Development Permit Findings set forth in SCCC 13.20.110.

(F) Design.

(1) Architectural Design. Exterior design of ADUs and JADUs that are visible from a road or other public area shall include three or more of the following elements:

(a) Roof pitch matching dominant roof slope of the primary dwelling(s). Dominant roof slope is the slope shared by the largest portion of the roof.

(b) Roof material matching primary dwelling(s).

(c) Primary siding material or color matching primary dwelling(s).

(d) Window and door trim matching primary dwelling(s).

(e) Porch, bay window, or other facade articulation to break up flat wall planes.

(f) Fencing or landscaping to buffer the view of the ADU or JADU from a road or other public area. Fencing shall be the maximum fence height without a permit subject to SCCC 13.10.525, Regulations for fences and retaining walls within required yards.

(2) Historic Preservation. ADUs and JADUs on properties in the L (Historic Landmark) Combining District that do not involve demolition, relocation, or alterations to the exterior of historic buildings shall meet the provisions of SCCC 16.42.060(D) to be reviewed ministerially. ADUs and JADUs that exceed these provisions shall be subject to discretionary review per SCCC 16.42.060.

(3) Exception. Outside the Coastal Zone, conversion ADUs and detached new construction ADUs that do not exceed four-foot side and rear yard setbacks, do not exceed a total floor area of 800 square feet, and meets the height limitations in California Government Code Section 66321(b)(4)(A) through (C) are exempt from architectural design and historic preservation standards.

(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 66341 are met.
- (3) **Short-Term Rental Use.** In no case shall a short-term rental use of 30 days or less 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 that have shared sanitation facilities with the existing structure:
 - (a) Unless owned by a government agency, land trust, or public or nonprofit housing organization, the property owner or relative of 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 or JADU. If the JADU is newly constructed on a parcel within a subdivision, then the purchaser or relative of the purchaser of said property shall permanently reside in either the main dwelling or the JADU, shall be required to submit a property tax exemption prior to occupancy of the JADU, and shall be subject to the deed restriction noted in subsection (G)(4)(b) of this section.
 - (i) **Exception.** Temporary rental of both a primary dwelling unit and a JADU may be authorized by the Director of the Community Development and Infrastructure Department in the case of sudden and unexpected changes in life circumstances. Property owners may be authorized to rent both the primary dwelling and the JADU if the property owner or relative of 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 Director of the Community Development and Infrastructure Department in their sole discretion based on reasonable evidence. Evidence shall be submitted to the Community Development and Infrastructure 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 Director of the Community Development and Infrastructure Department.
 - (b) **Deed Restriction.** Prior to the issuance of a building permit, the property owner shall provide to the Community Development and Infrastructure 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 containing the following provisions:

- (i) For a JADU that has shared sanitation facilities with the existing structure, the declaration shall provide that the property owner or relative of the property owner permanently resides in either the primary dwelling or the JADU, as evidenced by a homeowner's property tax exemption on the parcel or by other satisfactory documentation of owner residence. If the property is owned by a government agency, land trust, or public or nonprofit housing organization that is providing housing for special populations, the declaration of restrictions shall indicate that any subsequent nonpublic owner shall abide by the terms of this subsection.
- (ii) The declaration shall be binding on all successors in interest.
- (iii) The declaration shall provide 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 unauthorized occupancy or, in the alternative, for the recovery of the reasonable value of the unauthorized occupancy.
- (iv) The declaration shall provide a restriction on the size and attributes of the JADU that conforms with this section.
- (v) The declaration shall provide 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.

(1) Ministerial Review. Pursuant to California Government Code Sections 66317 and 66335, 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.

(i) Inside the coastal zone, the following discretionary review requirements apply:

A. ADUs and JADUs that do not meet the standard for exemption or exclusion under SCCC 13.20.061 or 13.20.071, respectively, require issuance of a combined coastal development permit (CDP) and building permit, with noticing requirements per SCCC 13.20.107, and subject to findings per SCCC 13.20.110.

B. ADUs and JADUs located in the Commercial Agricultural (CA) zone district shall be subject to additional findings per SCCC 13.10.314(B).

C. ADUs in the Parks and Recreation (PR) zone district shall be subject to special conditions per SCCC 13.10.354(B). JADU applications in the PR zone district shall be reviewed ministerially.

D. ADUs and JADUs in the Timber Production (TP) zone district shall be subject to special findings per SCCC 13.10.374(A).

E. The CDP shall be processed concurrent with the building permit application and is subject to the same process and review times in SCCC 13.10.681(H)(2).

(ii) ADU and JADU applications that do not meet the development standards contained in this section may require a variance (per SCCC 13.10.230), minor exception (per SCCC 13.10.235), or other discretionary approval.

(2) Ministerial Review Time. ADU and JADU applications that are subject to ministerial review must be approved, or a notice of deficiency sent, within 15 business days of receipt of a building permit application. Such applications resubmitted in response to a notice of deficiency must be approved or a notice of deficiency sent, within 15 business days. The subsequent notice of deficiency shall not include any item that was not included in the original notice of deficiency. The application shall either be approved or denied within 60 days of receiving a complete application with all deficiencies remedied. Appeals of a notice of deficiency or denial of the application shall be to the Planning Commission pursuant to SCCC 18.10.310 and 18.10.330 and the Planning Commission shall take final action on the appeal no later than 60 business days after receipt of the applicant's written appeal by the Department.

(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 as a ministerially allowable use/development, unless the application meets one of the exceptions in subsection (H)(1)(a) of this section.

(3) Fees. Prior to the issuance of a building permit for the ADU, the applicant shall pay to the County of Santa Cruz fees in accordance with the Community Development and Infrastructure 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 a JADU or 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.

(4) Declarations of Restriction for Nonhabitable Structures. A recorded declaration of restriction limiting an existing accessory structure to nonhabitable use must be rescinded to allow ADUs in these structures.

(I) Permit Allocations. Each ADU and JADU is exempt from the residential permit allocation system of SCCC 12.02.

(J) Code Enforcement Amnesty. Per California Health and Safety 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 who receives a notice to correct violations or abate nuisances related to any building standard may submit a letter to the County of Santa Cruz Community Development and Infrastructure 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 address an imminent hazard or dangerous condition.

(3) The County of Santa Cruz shall grant a delay in enforcement if the Community Development and Infrastructure Department Code Enforcement Division, in consultation with the Building Official, determines that correcting the violation is not necessary to protect health and safety. The provisions of SCCC 12.01.070 shall not apply to ADUs for which this delay has been granted.

(K) Unpermitted ADUs.

(1) Notwithstanding any other law, and except as otherwise provided in SCCC 13.10.681(K)(2), a permit for an unpermitted ADU or unpermitted JADU that was constructed before January 1, 2020, shall not be denied due to either of the following:

(a) The ADU or JADU is in violation of building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code (Enforcement of Building and Fire Codes).

(b) The ADU does not comply with State or local ADU or JADU laws.

(2) Notwithstanding SCCC 13.10.681(K)(1), a permit for an ADU subject to SCCC 13.10.681(K)(1) may be denied if the local agency makes a finding that correcting the violation is necessary to comply with the standards specified in Section 17920.3 of the Health and Safety Code.

(3) This section shall not apply to a building that is deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.

(L) 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 ADU ordinance. The annual analysis shall include the number of ADUs constructed, the size of ADUs and the parking required, and the impacts such construction has created in each planning area, with particular attention to the environmental impacts, the increase in density and population, and the cumulative impacts. JADUs are not required to be accounted for and reported upon in this annual review. 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.

SECTION VI

The definition of "Accessory dwelling unit" in Section 13.10.700-A is hereby amended to read as follows:

13.10.700-A "A" definitions.

"Accessory dwelling unit" or "ADU" means, in compliance with California Government Code Section 66313, 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 on the same parcel where the single-family or multifamily dwelling is or will be situated. See also "junior accessory dwelling unit," "conversion ADU," and "new construction ADU."

SECTION VII

The definition of "Junior accessory dwelling unit" in Section 13.10.700-J is hereby amended to read as follows:

13.10.700-J "J" definitions.

"Junior accessory dwelling unit" or "JADU" means, in compliance with California Government Code Section 66313, 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 (cooking facility with appliances and food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU), and shared or separate sanitation facilities with the main dwelling unit. See also "Accessory dwelling unit."

SECTION VIII

The definition of "New construction ADU" in Section 13.10.700-N is hereby amended to read as follows:

13.10.700-N “N” definitions.

“New construction ADU” means any ADU that does not meet the definition of conversion ADU.

SECTION IX

Section 13.20.107 of the Santa Cruz County Code is hereby amended to read as follows:

13.20.107 Coastal development permit review of accessory dwelling units.

Proposed accessory dwelling units located within the Coastal Zone that are subject to ministerial review and that do not qualify for a coastal development permit exclusion or exemption shall require a coastal development permit, requiring no public hearing, processed concurrently with a building permit, subject to the following noticing requirements:

(A) Noticing. Within 10 calendar days of accepting an application for a coastal development permit for a proposed accessory dwelling unit, the County shall provide, by first class mail, a notice of pending permit decision action. This notice shall be provided to all persons who have requested to be on the mailing list for that development project or for coastal decisions within the local jurisdiction, to all property owners and occupants within 100 feet (not including roads) of the perimeter of the parcel on which the development is proposed, and to the Coastal Commission. The notice shall contain the following information:

- (1) A statement that the development is within the Coastal Zone;
- (2) The date of filing of the application and the name of the applicant;
- (3) The number assigned to the application;
- (4) A description of the development and its proposed location;
- (5) The general procedure of the County concerning the submission of public comments either in writing or orally prior to the local decision; and
- (6) A statement establishing a public comment period of at least 15 working days to allow for the submission of comments by mail which will be considered prior to the local decision.

SECTION X

Section 13.20.108 of the Santa Cruz County Code is hereby deleted in its entirety.

SECTION XI

The proposed County Code amendments set forth above are exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15282(h): “adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement provisions of Sections 65852.1 and 65852.2 (now Sections 66310 through 66339) of the Government Code as set forth in Section 21080.17 of the Public Resources Code.” Note that Assembly Bill 477 approved by the Governor in March 2024 made

organizational changes to the state ADU regulations, relocating the regulations to Government Code Sections 66310 through 66339. Further, Assembly Bill 3057, approved by the Governor in August 2024, expands this CEQA exemption to include the adoption of the ordinance regarding JADUs.

SECTION XII

The Board of Supervisors further finds and determines in its reasonable discretion on the basis of the entire record before it that the proposed amendments to SCCC 13.10 and 13.20 are consistent and compatible with and will not frustrate the objectives, policies, general land uses, and programs specified in the General Plan and Local Coastal Program.

SECTION XIII

Should any section, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

SECTION XIV

This ordinance shall take effect upon final certification by the California Coastal Commission.

PASSED AND ADOPTED this _____ day of _____ 2026, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: Supervisors
NOES: Supervisors
ABSENT: Supervisors
ABSTAIN: Supervisors

Chairperson of the Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:

Signed by:

D52DC6AA0E74498

Office of the County Counsel

Certificate Of Completion

Envelope Id: 9D142E46-1C37-8C98-8256-4D41326B47EC
 Subject: Complete with Docusign: Ordinance Chapters 13.10 and 13.20.pdf
 Source Envelope:
 Document Pages: 22
 Certificate Pages: 4
 AutoNav: Enabled
 Envelopeld Stamping: Enabled
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 David Carlson
 701 Ocean Street
 Santa Cruz, CA 95060
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Natalie Kirkish
 Natalie.Kirkish@santacruzcountyca.gov
 County Counsel
 Security Level: Email, Account Authentication (None)

Signature

Signed by:

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In Person Signer Events

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Editor Delivery Events

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Agent Delivery Events

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Intermediary Delivery Events

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Timestamp

Witness Events

Signature

Timestamp

Notary Events

Signature

Timestamp

Envelope Summary Events

Status

Timestamps

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Completed	Security Checked	6/4/2026 6:18:30 PM

Payment Events

Status

Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, County of Santa Cruz (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact County of Santa Cruz:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: nada.algharib@santacruzcounty.us

To advise County of Santa Cruz of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at nada.algharib@santacruzcounty.us and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from County of Santa Cruz

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with County of Santa Cruz

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify County of Santa Cruz as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County of Santa Cruz during the course of your relationship with County of Santa Cruz.

13.10.312 Uses in agricultural districts.

Table 13.10.312-1: Agricultural Uses Chart

USE	PERMIT REQUIRED BY ZONE		REFERENCES AND NOTES
	CA	A	
Housing - Residential Units			
Accessory Dwelling Unit (ADU) or Junior ADU located within 100 feet of the primary dwelling	P ^A	P	13.10.313 13.10.681 13.11.037 13.20.107 & 108 <u>13.10.314</u> 16.50.095

13.10.352 Uses in the Parks, Recreation and Open Space PR District.

Table 13.10.352-1: Parks, Recreation and Open Space PR Uses Chart

USE	Permit Required ¹	References and Notes
Residential Units		
Accessory Dwelling Unit (ADU)	P/ MUP	P outside coastal zone; MUP inside coastal zone. 13.10.681 <u>13.20.107</u> <u>13.10.418</u> <u>13.10.354</u>
Junior ADU	P	13.10.681

13.10.372 Uses in the Timber Production TP District.

Table 13.10.372-1: Timber Production TP Uses Chart

USE	Permit Required ¹	References and Notes
Residential Units		
Accessory dwelling unit (ADU s) or junior accessory dwelling units (JADU s)	P ^A / MUP ^A	13.10.681 <u>13.20.107</u> <u>13.10.374</u>

13.10.680 Tiny homes on wheels.

(A) Purpose. The purpose of this section is to provide for and regulate Tiny Homes on Wheels 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) “Tiny Home on Wheels” or “THOW” shall be defined per SCCC 13.10.700-T: An independent dwelling unit, maximum 400 gross square feet, excluding loft area space if that loft area space meets the requirements of California Government Code Section 18009.3(b) and Section 18033 and maximum 14 feet in width at the maximum horizontal projection. It provides complete independent living facilities for one or more persons and is built upon a single chassis and is towable by a hitch mechanism and cannot move under its own power. It may only be transported upon the public highway with a permit issued pursuant to Vehicle Code Section 35780.

(C) General Requirements.

(1) A THOW may function as a single-family dwelling ~~as the primary unit or in place of an accessory dwelling unit (ADU)~~ such that the total number of dwelling units on a parcel does not exceed the total number of dwelling units allowed on that parcel per provisions of state and local regulations. Only one THOW shall be allowed per parcel.

(2) THOWs ~~that function as the primary unit~~ shall be subject to all provisions of this code that apply to single-family dwellings in addition to the requirements of this section.

~~(3) THOWs that function as an ADU shall be subject to all provisions of SCCC 13.10.681 as they apply to new construction ADUs in addition to the requirements in this section.~~

(4) THOWs shall not be used as vacation rentals.

(D) Site Requirements.

(1) THOW Location on a Parcel.

~~(a) The THOW as an ADU shall be detached from the primary dwelling unit.~~

~~(b)~~ A THOW shall not be located in an existing driveway.

~~(e)~~ Parking Pad.

(i) Bumper guards, curbs, or other installations shall be adequate to prevent movement of the THOW.

(ii) The wheels shall not be removed and the parking pad shall be a level surface paved with two inches of asphalt concrete over five inches of Class II base rock or equivalent permeable or nonpermeable surface so as to provide a durable, dustless surface, and shall be graded and drained so as to prevent erosion and disperse surface water.

(2) Access.

(a) The THOW parking pad shall be accessible by a path of travel such that the THOW is towable onto and off the property.

(3) Size.

(a) The maximum size is as required to allow for towing on public roadways, but not to exceed 400 square feet.

(4) Development Standards.

(a) ~~Meet all development standards in SCCC 13.10.681 and t~~The maximum height of a THOW shall be as established by the California Department of Motor Vehicles for towing on public roads, but not to exceed 14 feet.

(E) Utilities.

(1) Electricity. The THOW shall be connected to a source of electricity in compliance with the latest edition of the California Electrical Code and local ordinance. If not connected to the local electric utility power source, an off-grid system may be used that is designed to provide sufficient power based on the expected loads. All off-grid systems shall include solar panels and battery storage. Within the Urban and Rural Service Lines a THOW shall not rely on a generator as a primary or stand-by source of electric power. Outside the Urban and Rural Service Lines a THOW shall not rely on a generator as a primary source of electric power and may include provisions for connection to a generator and meet all requirements of the California Electrical Code and local ordinance. Outside the Urban and Rural Service Lines, the generator shall be a stationary emergency stand-by generator as defined in, and in compliance with all provisions of, ~~Chapter SCCC 13.15-SCCC~~, Noise Planning.

(2) Water and Sewer. The THOW shall be connected to the approved water source and sewage disposal facility in compliance with the latest edition of the California Plumbing Code and local ordinance.

(F) Design.

(1) Incorporate design features and materials typically used for houses, such as siding or roofing materials, pitched roofs, eaves, and residential windows.

(2) Windows shall be at least double pane glass and shall include exterior trim or other design features to mimic windows on a building.

(3) The roof and exterior walls shall be fixed with no slide-outs, tip-outs, or other forms of mechanically articulating extensions that expand the interior space of the THOW.

(4) Mechanical equipment that is not incorporated within the structure shall be screened from public view and shall not be located on the roof. Plumbing vents and low-profile exhaust fans may be located on the roof. Electrical, and plumbing hook ups shall similarly be screened from public view.

(5) Skirting. When parked on its parking pad, the THOW shall include skirting to conceal the wheels and undercarriage.

(6) THOWs located in Wildland Urban Interface shall be designed with materials and construction methods for exterior wildfire exposure in compliance with Section R337 of the California Residential CodeCalifornia Building Standards Code, Part 7, California Wildland-Urban Interface Code and local ordinance.

~~(G) — Occupancy. A THOW that functions as an ADU may be excepted from the sales restrictions of SCCC 13.10.681(G)(2) in that the THOW may be conveyed separately from the primary residence.~~

(HG) THOW Permit.

(1) Prior to moving a THOW onto any property, a ministerial THOW building permit shall be obtained authorizing parking and occupancy of each THOW on the property pursuant to Chapter SCCC 12.01-SCCC.

(2) The THOW permit shall expire upon removal of the THOW from the property where it is permitted. A new THOW permit is required prior to moving the same THOW or a different THOW onto the property.

~~(3) — On the property where it is permitted, the THOW permit shall be subject to renewal every five years or when the THOW is conveyed to a new owner, whichever occurs first. The permit renewal process may include a site inspection by County staff.~~

(43) Inside the Coastal Zone, unless excluded, a THOW ~~that functions as a primary unit~~ shall be required to obtain a coastal development permit pursuant to the provisions of Chapter SCCC 13.20-SCCC.

~~(5) — Inside the Coastal Zone, a THOW that functions as an ADU that does not meet the standard for exemption or exclusion under SCCC 13.20.050 or 13.20.051 requires issuance of a coastal development permit (CDP) with noticing and appeal requirements per SCCC 13.20.107 and 13.20.108, and subject to findings per SCCC 13.20.110. CDPs for THOWs located in the Commercial Agricultural (CA) zone district, the Parks and Recreation (PR) zone district, and the Timber Production (TP) zone district shall be subject to additional permit processes and findings applicable to those zone districts.~~

(64) The THOW shall be registered annually with the DMV and all required annual registration fees shall be paid, including the Vehicle License Fee. Failure to register and pay all DMV fees annually shall cause the THOW permit to expire.

(HI) Application Processing. The following additional information shall be submitted with the required information for a building permit application for a THOW:

(1) Certificate indicating that the THOW has been constructed in accordance with Standard No. A119.5 of the Standards of the American National Standards Institute (ANSI-A119.5 Park Model RV Standard).

(2) Valid DMV registration for towing to parking location.

(F) Administration. The Director is responsible for administering the County's THOW regulations. As part of the administration of these regulations, the Director may:

- (1) Interpret the provisions of this section and any other THOW regulations adopted by the Board of Supervisors;
- (2) Develop forms, procedures, administrative practice guidelines, and application requirements related to siting of THOW; and
- (3) Determine the amount of and collect, as a condition of accepting any application, including an application for permit renewal, the fees established by resolution of the Board of Supervisors or the County Code. ~~Such fees shall include, but are not limited to, a THOW monitoring fee and a THOW permit renewal fee.~~

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" or "ADU" shall be defined per SCCC 13.10.700-A: In compliance with California Government Code Section ~~65852.2~~66313, 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 on the same parcel where the single-family or multifamily dwelling is or will be situated. ~~A tiny home on wheels may be used as an ADU.~~

(2) "Junior Accessory Dwelling Unit" "JADU" shall be defined per SCCC 13.10.700-J: In compliance with California Government Code Section ~~65852.2~~66313, 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~~cooking facility with appliances and food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU), and shared or separate sanitation facilities with the main dwelling unit.

(3) "New Construction ADU" shall be defined per SCCC 13.10.700-N: An ADU that does not meet the definition of Conversion ADU. ~~A tiny home on wheels may be used as a new construction ADU.~~

(4) "Conversion ADU" shall be defined per SCCC 13.10.700-C: 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 can include demolition and rebuilding of a structure with the same footprint and building envelope.

Conversion ADUs can also include additions of up to 150 square feet limited to accommodating ingress and egress. Any conversion that exceeds this limit shall be considered a New Construction ADU for the purposes of this section.

If converting an existing accessory structure, applicants 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 in some combination with the primary dwelling on the property.

(6) “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 parcel.

(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. The parcel must allow residential land use either by zoning or General Plan designation.

(2) Presence of Primary Dwelling Unit. A permitted primary dwelling unit must exist or be proposed for construction concurrently with the proposed ADU or JADU. A final inspection pursuant to SCCC 12.01.090 shall not be issued for the ADU prior to a final inspection for the primary dwelling unit. In the case of an unpermitted primary dwelling unit, the primary dwelling unit and the ADU or JADU must be permitted concurrently.

(a) Exception. An ADU may be constructed prior to a primary dwelling in the case of rebuilding after a disaster. The location for the development envelope for the future primary dwelling must be indicated on the plans submitted for the ADU.

(3) Number of ADUs Allowed.

(a) Single-Family Dwellings. On parcels with existing or proposed single-family dwellings: one ADU, ~~and one JADU~~, one conversion ADU, and one detached ADU not more than 800 square feet with minimum 4-foot side and rear setbacks and height limit provided by California Government Code Section 66321(b)(4)(A) through (C) are allowed per ~~lotsingle-family dwelling~~.

(i) Dwellings that share walls but are located on separate parcels with separate building footprints (such as townhomes or halfplexes) are considered single-family dwellings for the purposes of determining the number of ADUs allowed.

(ii) Properties with dwelling groups (multiple single-family dwellings) are allowed ~~one ADU and one JADU~~ the number of ADUs allowed by SCCC 13.10.681(D)(3)(a) per lot. ~~single family dwelling if the dwelling group is conforming with maximum density for the zone district.~~ An existing dwelling in a dwelling group may be relabeled as an ADU if it meets ADU use and development standards. ~~If the dwelling group is nonconforming with maximum density for the zone district, see SCCC 13.10.261(B)(3).~~

(iii). On parcels with existing or proposed single family dwellings in the Commercial Agriculture (CA), Agriculture (A), and Timber Production (TP) zone districts, and on parcels located in Water Quality Constraint Areas and Water Supply Watersheds not in residential zone districts, one ADU per lot is allowed in addition to a JADU within the existing or proposed single family dwelling.

(b) Multifamily Dwellings. On parcels with existing or proposed ~~attached~~ multifamily dwellings, ~~such as apartments, condominiums, or a combination of single and multifamily dwellings, defined as two or more attached dwellings on a single lot,~~ the following are allowed:

(i) On parcels with proposed multifamily dwelling structures, ~~Up to~~ two detached ADUs, which may be attached to each other; ~~and,~~

(ii) On parcels with existing multifamily dwellings, not more than eight detached ADUs, which may be attached to each other, or not more than the number of existing units on the parcel, whichever is less.

~~(iii)~~ Conversion ADUs associated with up to 25 percent of existing multifamily units. Conversion ADUs in existing multifamily developments must be converted from areas not ~~previously~~ used as living/livable 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. Conversion ADUs cannot be proposed simultaneously with new development.

(c) Nonconforming Land Uses. Regardless of existing dwelling conformity with land use and density requirements for a parcel's zone district or General Plan designation, permitted single-family dwellings shall be subject to subsection (D)(3)(a) of this section and permitted multifamily dwellings shall be subject to subsection (D)(3)(b) of this section.

(4) ADU Location on a Parcel.

(a) ADUs may be attached or detached from the primary dwelling unit. JADUs must be ~~attached~~ constructed within the walls of the proposed or existing single-family residence.

(b) ADUs and JADUs shall be subject to the setback requirements in subsection (D)(7)(a) of this section.

(5) Access. The ADU or JADU shall have an exterior entrance that is independent of the existing primary dwelling. A JADU may also be internally connected to the primary dwelling.

(a) If a JADU does not include a separate bathroom, the JADU shall include a separate entrance from the main entrance to the structure, with an interior entry to the main living area.

(6) Unit Size. The interior habitable floor area as defined in SCCC 13.10.700-H 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: No maximum size.

(ii) New Construction ADU, Attached:

~~A. Parcel size less than one acre: 850 square feet (studio or one bedroom), 1,000 square feet (two or more bedrooms), or, if there is an existing primary dwelling, 50 percent of existing primary dwelling habitable square footage, whichever is smaller~~larger.

~~B. Parcel size greater than or equal to one acre and where there is an existing primary dwelling: 50 percent of primary dwelling habitable square footage.~~

(iii) New Construction ADU, Detached:

A. Parcel size less than one acre: 850 square feet (studio or one bedroom), 1,000 square feet (two or more bedrooms).

B. Parcel size greater than or equal to one acre: 1,200 square feet.

(iv) Regardless of subsections (D)(6)(c)(i) through (iii) of this section, an ADU of at least 800 square feet with minimum 4-foot side and rear setbacks and height limit provided by California Government Code Section 66321(b)(4)(A) through (C) shall be allowed.

(7) Development Standards. All objective 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 objective provisions shall apply to ADUs:

(a) Setbacks.

(i) ~~JADUs and~~ Conversion ADUs.

A. Additions up to 150 square feet shall meet setback requirements for New Construction ADUs and for fire and safety.

B. Existing structures with nonconforming setbacks can be demolished and rebuilt with the same setbacks, except where larger setbacks are required pursuant to ~~Chapter SCCC 7.92 SCCC (Fire Code)~~ or, Chapter SCCC 12.10 SCCC (Building Regulations), ~~or SCCC Title 16 (Environmental and Resource Protection)~~.

(ii) New Construction ADUs. ADUs shall comply with front setbacks for the applicable zone district. Minimum side and rear setbacks shall be four feet or the setback for the applicable zone district, whichever is less, including on double frontage lots and corner lots, with the following exceptions:

~~A. — An eight-foot rear yard setback is required for any portion of an ADU that is more than 16 feet tall. Stairways may encroach into the rear yard setback if stairway windows are minimum 52 inches from floor level.~~

~~B.A.~~ Setbacks shall be sufficient for fire safety in conformance with ~~Chapter SCCC 7.92 SCCC (Fire Code)~~ and ~~Chapter SCCC 12.10 SCCC (Building Regulations)~~.

~~C. — ADUs shall be subject to environmental buffers and constraints identified per all objective standards contained in SCCC Title 16 (Environmental and Resource Protection), including but not limited to riparian corridors, geologic hazards, sensitive habitats, and agricultural buffers.~~

~~D. — On parcels zoned or designated agricultural, a detached ADU shall be located within 100 feet of the primary dwelling on the property unless additional distance is required to meet the minimum agricultural buffer setback standards in SCCC 16.50.095.~~

~~E.B.~~ ADUs located in the Seascape Beach Estates Combining District shall meet the setback requirements in SCCC 13.10.436.

C. A front setback shall not be imposed if it would preclude construction of an ADU no more than 800 square feet and height limit provided by California Government Code Section

66321(b)(4)(A) through (C) and adheres to 4-foot minimum rear and side setbacks and other setback requirements in this section.

D. ADUs shall be subject to all objective standards in SCCC Title 16 (Environmental and Resource Protection). Outside the Coastal Zone this requirement shall not preclude construction of an ADU no more than 800 square feet and height limit provided by California Government Code Section 66321(b)(4)(A) through (C) which adheres to 4-foot minimum rear and side setbacks and other setback requirements in this section.

(iii) Minimum separation distance between ADUs and other structures shall ~~be three feet~~ comply with the Santa Cruz County Building and Fire Codes.

(b) Height.

(i) ~~JADUs and~~ Conversion ADUs. Additions up to 150 square feet shall meet height standards 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, new construction detached ADUs shall be a maximum of 16 feet. This exception does not apply in the Seascape Beach Estates Combining District (see SCCC 13.10.436).

B. Inside the urban services line, ADUs that are built above detached garages shall be a maximum of 20 feet at exterior wall and 24 feet at roof peak. This exception does not apply in the Pleasure Point or Seascape Beach Estates Combining Zone Districts.

C. 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.

D. Building height up to five feet in excess of an applicable zoning standard, but in no case exceeding 28 feet, may be allowed subject to design review findings (SCCC 18.10.230(A)(2)), development permit findings (SCCC 18.10.230), and 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.

F. Notwithstanding SCCC 13.10.681(D)(7)(b)(ii)A, inside the urban services line, the height of a new construction detached ADU that is within one-half of one mile walking distance of a

major transit stop or a high-quality transit corridor shall be a maximum of 18 feet. An additional two feet in height is allowed to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

G. Inside the urban services line, the height of a detached ADU on a lot with an existing or proposed multifamily, multistory dwelling shall be a maximum of 18 feet.

(c) Lot Coverage and Floor Area Ratio (FAR).

(i) Parcels with ADUs ~~and JADUs~~ shall meet lot coverage and FAR standards for the applicable zone district, except that ~~JADU and/or~~ ADU square footage up to 800 square feet, whether attached or detached, may be excluded from FAR and lot coverage calculations for both existing and new parcels.

(ii) ADUs and JADUs shall not be counted in large dwelling unit calculations per ~~SCCC 13.10.325~~ SCCC 13.10.324.

(d) Parking.

(i) JADUs, ~~and~~ Conversion ADUs, and detached new construction ADUs not exceeding 800 square feet with minimum four-foot side and rear setbacks and meeting height standards provided by California Government Code Section 66321(b)(4)(A) through (C): no required off-street parking ~~for the JADU and/or Conversion ADU~~.

(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~~ would violate objective standards related to specific site or regional topographical and/or fire and life safety conditions.

C. If the primary dwelling unit has less than the required parking per SCCC 13.16.050, one new parking space must be provided for the ADU but parking for the primary dwelling may remain nonconforming.

D. No additional parking for an ADU shall be required if the ADU is located within one-half mile walking distance of any public transit stop, within a designated historic district, or within one block of a dedicated parking space reserved for a publicly available car share vehicle. This exemption also applies to an ADU

permit application submitted with an application for a single-family or multi-family dwelling on the same lot.

(iii) 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.

(iv) Replacement Parking. When a garage, carport, covered parking structure, or uncovered surface parking is demolished or converted for construction of an ADU ~~or JADU~~, no replacement parking is required ~~for the primary dwelling unit.~~

(v) Special Coastal Zone Parking Requirements. ~~In the following coastal zone locations, o~~One parking space is required for New Construction ADUs, with no exceptions, and replacement parking is required when existing parking is demolished or converted for construction of an ADU in the following Coastal Zone areas:

A. Live Oak Designated Area (LODA) as defined in SCCC 13.10.694(C).

B. Sea Cliff/Aptos/La Selva Designated Area (SALSDA) as defined in SCCC 13.10.694(C).

C. Davenport/Swanton Designated Area (DASDA) as defined in SCCC 13.10.694(C).

D. Opal Cliff Drive between 41st Avenue and the City of Capitola.

(8) Existing Conditions of Approval. Proposed additions of not more than 150 square feet associated with Conversion ADUs shall comply with any existing development permit conditions of approval, ~~that are not otherwise superseded by provisions of SCCC 13.10.681, except that State ADU law and SCCC 13.10.681 supersede conflicting conditions from a prior 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, Infrastructure, and Service Requirements.

(a) Life Safety. All requirements of the respective service agencies shall be satisfied, and all ADUs shall comply with all applicable provisions of ~~Chapter~~

SCCC 7.92 ~~SCCC~~ (Fire Code) and ~~Chapter SCCC~~ 12.10 ~~SCCC~~ (Building Regulations).

(i) Fire sprinklers shall not be required for an ADU or JADU where they are not also required for the primary dwelling. ~~except sprinklers are required for detached ADUs larger than 1,200 square feet and ADUs that constitute or are part of an addition to the primary dwelling equal to more than 50 percent of the existing primary dwelling square footage per California Residential Code Section R313.2.~~

(ii) The construction of an ADU shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

(iii) For the purposes of any fire or life protection ordinance or regulation, a JADU shall not be considered a separate or new dwelling unit ~~if an internal connection to the primary dwelling unit is maintained.~~

~~(iiiiv)~~ ~~ADUs and~~ JADUs that do not have an internal connection to the primary dwelling and ADUs shall maintain a separate street address from the primary dwelling unit.

(v-) Change of Occupancy Classification. The construction of an ADU shall not constitute a "Group R" occupancy change under SCCC Chapter 12.10 (Building Regulations) unless the Building Official or Fire Code Official makes a written finding based on substantial evidence in the record that the ADU could have a specific, adverse impact on health and safety. This paragraph shall not be interpreted to prevent the Building Official from changing the occupancy code of a space that was nonhabitable space or was only permitted for nonresidential use and was subsequently converted for residential use pursuant to this Section.

(b) Utility Connections and Fees.

(i) JADUs and Conversion ADUs: new utility connection or capacity charges may only be charged for Conversion ADUs and JADUs built concurrently with a primary dwelling.

(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 on-site 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.

(c) Public Improvements. Frontage improvements and other public right-of-way work cannot be required as a condition of approval for an ADU or JADU, unless required per ~~Chapter-SCCC~~ 7.92 ~~SCCC~~ (Fire Code) or ~~Chapter-SCCC~~ 12.10 ~~SCCC~~ (Building Regulations) or to correct illegal right-of-way encroachments.

(11) Coastal Zone Requirements.

(a) Coastal Hazards Areas. New construction ADUs and conversion ADUs shall not be located within Coastal Hazards Areas, including areas seaward of and on/adjacent to coastal bluffs, except for blufftop properties where the proposed new building site for an ADU meets the minimum setback required by SCCC 16.10.070(H)(7)(a) through (d); specifically, that the building site meets the 100-year stability setback contained in 16.10.070(H)(1)(a) or the 25-foot setback contained in 16.10.070(H)(1)(a), whichever is greater, and the long-term stability and safety of the development does not depend on or require existing or proposed shoreline protection structures.

(i) JADUs. JADUs may be allowed in Coastal Hazards Areas if the proposed JADU meets all other requirements of this section.

(b) Environmentally Sensitive Habitat Areas. New construction ADUs shall not be located in environmentally sensitive habitat areas, as defined in SCCC 13.20.040, or their buffers. Conversion ADUs may be allowed in environmentally sensitive habitat areas if the building envelope and footprint of the converted existing structure does not increase. JADUs are allowed within an existing structure sited within an environmentally sensitive habitat area.

(c) Agricultural Lands. In addition to all other LCP agricultural protection provisions (e.g., SCCC 13.10.313, 13.10.314, 16.50, etc.), impacts to agricultural lands on parcels designated and/or zoned for commercial and non-commercial agricultural use shall be minimized by clustering new construction ADUs and conversion ADUs as close to the existing primary dwelling on the site as is feasible, avoiding the development of new impervious surfaces by utilizing existing road surfaces on the site, and siting on the least agriculturally productive portions of the site.

(E) Nonconforming Conditions.

(1) Outside the Coastal Zone, ~~E~~correction of existing nonconforming zoning conditions, ~~County Code violations, or unpermitted structures~~ cannot be required as a condition of ADU or JADU approval unless the corrections are required to address a threat to public health and safety and are affected by the construction of the ADU.

(2) Within the Coastal Zone, corrections shall be required in accordance with SCCC 13.20.170(C) unless the scope of development is limited to the ADU itself and all unpermitted development meets requisite coastal resource protection requirements (e.g., ESHA, wetland, and geologic hazard setbacks and associated requirements) and satisfies the Coastal Development Permit Findings set forth in SCCC 13.20.110.

(F) Design.

(1) Architectural Design. Exterior design of ADUs and JADUs that are visible from a road or other public area shall include three or more of the following elements:

- (a) Roof pitch matching dominant roof slope of the primary dwelling(s). Dominant roof slope is the slope shared by the largest portion of the roof.
- (b) Roof material matching primary dwelling(s).
- (c) Primary siding material or color matching primary dwelling(s).
- (d) Window and door trim matching primary dwelling(s).
- (e) Porch, bay window, or other facade articulation to break up flat wall planes.
- (f) Fencing or landscaping to buffer the view of the ADU or JADU from a road or other public area. Fencing shall be the maximum fence height without a permit subject to SCCC 13.10.525, Regulations for fences and retaining walls within required yards. ~~Landscaping shall be subject to Chapter 13.13 SCCC, Water Conservation—Water Efficient Landscaping.~~

(2) Historic Preservation. ADUs and JADUs on properties in the L (Historic Landmark) Combining District that do not involve demolition, relocation, or alterations to the exterior of historic buildings shall meet the provisions of SCCC 16.42.060(D) to be reviewed ministerially. ADUs and JADUs that exceed these provisions shall be subject to discretionary review per SCCC 16.42.060.

(3) Exception. Outside the Coastal Zone, conversion ADUs and detached new construction ADUs that do not exceed four-foot side and rear yard setbacks, do not exceed a total floor area of 800 square feet, and meets the height limitations in California Government Code Section 66321(b)(4)(A) through (C) are exempt from architectural design and historic preservation standards.

(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 ~~65852.2666341~~ are met.

(3) Short-Term Rental Use. In no case shall a short-term rental use of ~~less than~~ 30 days or less 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 that have shared sanitation facilities with the existing structure 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 or relative of 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 ~~ADU or~~ JADU is newly constructed on a parcel within a subdivision, then the purchaser or relative of the purchaser of said property shall permanently reside in either the main dwelling or the ~~ADU or~~ JADU, shall be required to submit a property tax exemption prior to occupancy of the ~~ADU or~~ JADU, and shall be subject to the deed restriction noted in subsection (G) ~~(5)(4)(b)~~ 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 of the Community Development and Infrastructure Department 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 or relative of 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 of the Community Development and Infrastructure Department in their sole discretion based on reasonable evidence. Evidence shall be submitted to the ~~Planning~~ Community Development and Infrastructure 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 of the Community Development and Infrastructure Department.

(b) Deed Restriction. Prior to the issuance of a building permit, the property owner shall provide to the Community Development and Infrastructure 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 containing the following provisions:

- (i) For a JADU that has shared sanitation facilities with the existing structure, ~~The~~ the declaration shall provide that the property owner or relative of the property owner permanently resides in either the primary dwelling or the JADU, as evidenced by a homeowner's property tax exemption on the parcel or by other satisfactory documentation of owner residence. If the property is owned by a government agency, land trust, or public or nonprofit housing organization that is providing housing for special populations, the declaration of restrictions shall indicate that any subsequent nonpublic owner shall abide by the terms of this subsection.
- (ii) The declaration shall be binding on all successors in interest.
- (iii) The declaration shall provide 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 unauthorized occupancy or, in the alternative, for the recovery of the reasonable value of the unauthorized occupancy.
- (iv) The declaration shall provide a restriction on the size and attributes of the ~~ADU or~~ JADU that conforms with this section.
- (v) ~~JADUs only:~~ The declaration shall provide 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.

(1) Ministerial Review. Pursuant to California Government Code Sections ~~65852.266317~~ and 66335, 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.

(i) Inside the coastal zone, the following discretionary review requirements apply:

A. ADUs and JADUs that do not meet the standard for exemption or exclusion under SCCC ~~13.20.050~~ 13.20.061 or ~~13.20.051~~ 13.20.071, respectively, require issuance of a combined coastal development permit (CDP) and building permit, with noticing ~~and appeal~~ requirements per SCCC 13.20.107 ~~and 13.20.108~~, and subject to findings per SCCC 13.20.110.

B. CDPs for ADUs and JADUs located in the Commercial Agricultural (CA) zone district shall be subject to additional findings per SCCC 13.10.314 ~~(A) and (B)~~.

BC. ADUs ~~applications in the coastal zone~~ in the Parks and Recreation (PR) zone district shall be ~~processed per SCCC 13.10.352(B)~~, subject to special ~~findings conditions~~ per SCCC 13.10.354(B). JADU applications in the PR zone district shall be reviewed ministerially.

CD. ADUs and JADUs ~~applications in the coastal zone~~ in the Timber Production (TP) zone district shall be ~~processed per SCCC 13.10.372(B)~~, with subject to special findings per SCCC 13.10.3754(A).

E. The CDP shall be processed concurrent with the building permit application and is subject to the same process and review times in SCCC 13.10.681(H)(2).

(ii) ADU and JADU applications that do not meet the development standards contained in this section may require a variance (per SCCC 13.10.230), minor exception (per SCCC 13.10.235), or other discretionary approval.

(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~~15 business 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~~15 business days. The subsequent notice of deficiency shall not include any item that was not included in the original notice of deficiency. The application shall either be approved or denied within 60 days of receiving a complete application with all deficiencies remedied. Appeals of a notice of deficiency or denial of the application shall be to the Planning Commission pursuant to SCCC 18.10.310 and 18.10.330 and the Planning Commission shall take final action on the appeal no later than 60 business days after receipt of the applicant's written appeal by the Department.

(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 as a ministerially allowable use/development, unless the application meets one of the exceptions in subsection (H)(1)(a) of this section.

(3) Fees. Prior to the issuance of a building permit for the ADU, the applicant shall pay to the County of Santa Cruz fees in accordance with the Community Development and Infrastructure 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 a JADU or 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.

(4) Declarations of Restriction for Nonhabitable Structures. A recorded declaration of restriction limiting an existing accessory structure to nonhabitable use must be rescinded to allow ADUs ~~or JADUs~~ in these structures.

(I) Permit Allocations. Each ADU and JADU is exempt from the residential permit allocation system of ~~Chapter SCCC 12.02-SCCC~~.

(J) Code Enforcement Amnesty. Per California ~~Government Code~~ Health and Safety 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 who receives a notice to correct violations or abate nuisances related to any building standard may submit a letter to the County of Santa Cruz Community Development and Infrastructure 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 address an imminent hazard or dangerous condition.

(3) The County of Santa Cruz shall grant a delay in enforcement if the Community Development and Infrastructure Planning Department Code Enforcement Division, in consultation with the Building Official, determines that correcting the violation is not necessary to protect health and safety. The provisions of SCCC 12.01.070 shall not apply to ADUs for which this delay has been granted.

(K) Unpermitted ADUs.

(1) Notwithstanding any other law, and except as otherwise provided in SCCC 13.10.681(K)(2), a permit for an unpermitted ADU or unpermitted JADU that was constructed before January 1, 2020, shall not be denied due to either of the following:

(a) The ADU or JADU is in violation of building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code (Enforcement of Building and Fire Codes).

(b) The ADU does not comply with State or local ADU or JADU laws.

(2) Notwithstanding SCCC 13.10.681(K)(1), a permit for an ADU subject to SCCC 13.10.681(K)(1) may be denied if the local agency makes a finding that correcting the violation is necessary to comply with the standards specified in Section 17920.3 of the Health and Safety Code.

(3) This section shall not apply to a building that is deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.

~~(KL)~~ 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 ADU ordinance. The annual analysis shall include the number of ADUs constructed, the size of ADUs and the parking required, and the impacts such construction has created in each planning area, with particular attention to the environmental impacts, the increase in density and population, and the cumulative impacts ~~within the coastal zone~~. JADUs are not required to be accounted for and reported upon in this annual review. 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.~~

13.10.700-A "A" definitions.

"Accessory dwelling unit" or "ADU" means, in compliance with California Government Code Section ~~65852.266313~~, 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 on the same parcel where the single-family or multifamily dwelling is or will be situated. See also "junior accessory dwelling unit," "conversion ADU," and "new construction ADU."

13.10.700-J "J" definitions.

“Junior accessory dwelling unit” or “JADU” means, in compliance with California Government Code Section ~~65852.22~~66313, 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~~ cooking facility with appliances and food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU), and shared or separate sanitation facilities with the main dwelling unit. See also “Accessory dwelling unit.”

13.10.700-N “N” definitions.

“New construction ADU” means any ADU that does not meet the definition of conversion ADU. ~~A tiny home on wheels may be used as a new construction ADU.~~

13.20.107 Coastal development permit review of accessory dwelling units (nonappealable).

~~Any p~~Proposed accessory dwelling units located within the Coastal Zone ~~but located outside of the appealable area, as described in SCCC 13.20.040, that are subject to ministerial review and~~ that ~~does~~ not qualify for a coastal development permit exclusion or exemption shall require a coastal development permit, requiring no public hearing, processed concurrently with a building permit, subject to the following noticing requirements:

(A) Noticing. Within 10 calendar days of accepting an application for a ~~nonappealable~~ coastal development permit for a proposed accessory dwelling unit, the County shall provide, by first class mail, a notice of pending permit decision action. This notice shall be provided to all persons who have requested to be on the mailing list for that development project or for coastal decisions within the local jurisdiction, to all property owners and occupants within 100 feet (not including roads) of the perimeter of the parcel on which the development is proposed, and to the Coastal Commission. The notice shall contain the following information:

- (1) A statement that the development is within the Coastal Zone;
- (2) The date of filing of the application and the name of the applicant;
- (3) The number assigned to the application;
- (4) A description of the development and its proposed location;
- (5) The general procedure of the County concerning the submission of public comments either in writing or orally prior to the local decision; and
- (6) A statement establishing a public comment period of at least 15 working days to allow for the submission of comments by mail which will be considered prior to the local decision.

~~**13.20.108 Coastal development permit review of accessory dwelling units (appealable).**
All proposed accessory dwelling units located within the Coastal Zone and located within an appealable area as described in SCCC 13.20.040, or otherwise appealable, shall require a coastal development permit, requiring no public hearing unless considered exempt or excluded from the~~

requirement pursuant to ~~SCCC 13.20.061 et seq.~~, processed concurrently with a building permit, subject to the following noticing requirements:

~~(A) Within 10 calendar days of accepting an application for an appealable coastal development permit, the County shall provide notice by first class mail of pending application for appealable development. This notice shall be provided to each applicant, to all persons who have requested to be on the mailing list for that development project or for coastal decisions within the local jurisdiction, to all property owners and occupants within 100 feet (not including roads) of the perimeter of the parcel on which the development is proposed and to the Coastal Commission. The notice shall contain the following information:~~

- ~~(1) Statement that the development is within the Coastal Zone;~~
- ~~(2) The date of filing of the application and the name of the applicant;~~
- ~~(3) The number assigned to the application;~~
- ~~(4) A description of the development and its proposed location;~~
- ~~(5) A brief description of the general procedure concerning the conduct of County actions; and~~
- ~~(6) The procedures for Coastal Commission appeals.~~

~~(B) Notice After Final Local Decision. Within seven calendar days of approval of the coastal development and building permit, the County shall notify by first class mail the Coastal Commission and any persons who specifically requested notice of its action. Such notice shall include written findings, conditions of approval, if any, and the procedures for appeal of the local approval decision to the Coastal Commission.~~

~~(C) The County shall include a notice on the coastal development and building permit that indicates that the permits will not become effective until the end of the Coastal Commission appeal period or until the Coastal Commission has completed action on an appeal of the County's approval of the permit.~~

**PUBLIC NOTICE
PROPOSED ORDINANCE
(SUMMARY)**

Board of Supervisors Information (for Clerk Use only):

Approved in Concept: Click or tap to enter a date.

AMS Item: Click or tap here to enter text.

Scheduled for Second Reading & Final Adoption: Click or tap to enter a date.

Ordinance Title:

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY
OF SANTA CRUZ AMENDING CHAPTERS 13.10 AND 13.20 OF THE
SANTA CRUZ COUNTY CODE REGARDING ACCESSORY DWELLING
UNITS**

Ordinance Summary:

This proposed ordinance would amend Santa Cruz County Code Chapters 13.10 and 13.20 for the purpose of aligning the accessory dwelling unit (ADU) regulations with recent updates to state law, clarifying existing ADU regulations, further streamlining ADU development in Santa Cruz County, aligning with the ADU Handbook released by the California Department of Housing and Community Development (HCD), and addressing HCD's comments.

The full text of this ordinance is available for public review at the Office of the Clerk of the Board, Room 520, Governmental Center Building, 701 Ocean Street, 5th Floor, Santa Cruz, California 95060; and on the Internet at:

<https://santacruzcountyca.primegov.com/public/portal>

For Clerk Use Only:

By: Click or tap here to enter text.

Dated: Click or tap to enter a date.

BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 2026-02

On the motion of Commissioner Nickell
duly seconded by Commissioner Pavonetti
the following Resolution is adopted:

**RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY
OF SANTA CRUZ RECOMMENDING ADOPTION OF PROPOSED
AMENDMENTS TO THE SANTA CRUZ COUNTY CODE CHAPTERS
13.10 AND 13.20 REGARDING ACCESSORY DWELLING UNITS, AND
RECOMMENDING THE FILING OF A CEQA NOTICE OF EXEMPTION**

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

WHEREAS, in 2020 and 2021, the Santa Cruz County Code (“County Code” or “SCCC”) was amended to comply with state ADU regulations contained in California Government Code Sections 66310 through 66339 (formerly Government Code Sections 65852.2, 65852.22, 65852.23, 65852.150) and Health and Safety Code Section 17980.12; and

WHEREAS, in September 2020, the California Department of Housing and Community Development released the ADU Handbook, which was updated in July 2022, January 2025, and again in January 2026 and which provided interpretations and clarifications to the state ADU regulations; and

WHEREAS, in September 2022 Governor Newsom signed AB 2221 and SB 897, which took effect on January 1, 2023;

WHEREAS, in October 2023 Governor Newsom signed AB 976, which took effect on January 1, 2024;

WHEREAS, in May 2024 Governor Newsom signed SB 477, which makes organizational changes to the state ADU regulations, relocating the regulations to Government Code Sections 66310 through 66339;

WHEREAS, in September 2024 Governor Newsom signed four more ADU bills (AB 2533, AB 3057, SB 1211, and SB 1077), which took effect on January 1, 2025;

WHEREAS, in June 2025 Governor Newsom signed AB 130, which took effect on July 1, 2025;

WHEREAS, in October 2025 Governor Newsom signed AB 462, which took effect on October 10, 2025;

WHEREAS, in October 2025 Governor Newsom signed three more ADU bills (AB 1154, SB 9, and SB 543), which took effect on January 1, 2026;

WHEREAS, the County wishes to amend SCCC 13.10 and 13.20 to comply with the ADU Handbook and updated state ADU regulations, and resolve points of confusion in the existing County Code; and

WHEREAS, SCCC 13.10 and 13.20 are Local Coastal Program implementing ordinances; and

WHEREAS, the Planning Commission held a duly noticed public hearing on April 22, 2026, and has reviewed the County's proposed County Code amendments and finds that they are necessary to implement the State's updated ADU regulations, are consistent with all elements of the General Plan/Local Coastal Program, and comply with the California Coastal Act; and

WHEREAS, the proposed County Code amendments are exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080.17 because they serve to implement state ADU and JADU regulations and CEQA Guidelines Section 15061(b)(3) because the amendments present no possibility of a significant impact on the environment;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the Board of Supervisors confirm that a Notice of Exemption is appropriate under CEQA.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors adopt the proposed amendments to the Santa Cruz County Code Chapters 13.10 and 13.20 as presented on this date.

BE IT FURTHER RESOLVED that the Planning Commission finds the proposed amendments are internally consistent with the Santa Cruz County General Plan/Local Coastal Program.

BE IT FURTHER RESOLVED that the Planning Commission finds that the proposed Ordinance, if adopted, would constitute part of the County's Local Coastal Implementation Plan and is consistent with the California Coastal Act, and recommends that the Board of Supervisors direct staff to submit the local coastal implementing ordinance to the California Coastal Commission for certification.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 22nd day of April, 2026 by the following vote:

AYES: COMMISSIONERS: Pavonetti, Nickell, Barton, Jimenez, Shepherd
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:

Signed by:
Trina Barton
09E728E08E5A453...
Chairperson

ATTEST: Sheila McDaneil
BZF7A99D43A942E...
Secretary

APPROVED AS TO FORM:

Signed by:
Natalie Kirkish
D52DC6AA0E74498...
OFFICE OF THE COUNTY COUNSEL

cc: County Counsel
Community Development and Infrastructure Department

Certificate Of Completion

Envelope Id: 73821BC9-1033-8B61-82DF-93685F90AD6A
 Subject: Complete with Docusign: 2-PC ADU Resolution.pdf
 Source Envelope:
 Document Pages: 3
 Certificate Pages: 5
 AutoNav: Enabled
 Envelopeld Stamping: Enabled
 Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed
 Envelope Originator:
 Riley Rhodes
 701 Ocean Street
 Santa Cruz, CA 95060
 Riley.Rhodes@santacruzcountyca.gov
 IP Address: 63.194.190.227

Record Tracking

Status: Original
 5/15/2026 10:56:11 AM
 Security Appliance Status: Connected
 Holder: Riley Rhodes
 Riley.Rhodes@santacruzcountyca.gov
 Pool: FedRamp
 Location: DocuSign

Signer Events

Riley Rhodes
 Riley.Rhodes@santacruzcountyca.gov
 Security Level: Email, Account Authentication
 (None)

Signature

Completed
 Using IP Address: 63.194.190.227

Timestamp

Sent: 5/15/2026 11:00:22 AM
 Viewed: 5/15/2026 11:00:30 AM
 Signed: 5/15/2026 11:01:59 AM

Electronic Record and Signature Disclosure:
 Accepted: 5/22/2025 4:43:48 PM
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Sheila McDaneil
 Sheila.McDaniel@santacruzcountyca.gov
 Principal Planner
 Security Level: Email, Account Authentication
 (None)

Signed by:

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 Signature Adoption: Pre-selected Style
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Electronic Record and Signature Disclosure:
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Trina Barton
 Trina.Barton@santacruzcountyca.gov
 Security Level: Email, Account Authentication
 (None)

Signed by:

 09E728E08E5A453...
 Signature Adoption: Pre-selected Style
 Using IP Address: 63.194.190.226

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Electronic Record and Signature Disclosure:
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In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events	Status	Timestamp
David Carlson David.Carlson@santacruzcountyca.gov Resource Planner County of Santa Cruz Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Accepted: 3/25/2022 10:55:52 AM ID: 53863c02-e62a-4553-bd07-f0a97e788231	COPIED	Sent: 5/15/2026 11:51:36 AM
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Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	5/15/2026 11:00:22 AM
Certified Delivered	Security Checked	5/15/2026 11:50:49 AM
Signing Complete	Security Checked	5/15/2026 11:51:35 AM
Completed	Security Checked	5/15/2026 11:51:36 AM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, County of Santa Cruz (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact County of Santa Cruz:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: nada.algharib@santacruzcounty.us

To advise County of Santa Cruz of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at nada.algharib@santacruzcounty.us and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

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Community Development and Infrastructure

Accessory Dwelling Unit (ADU) Ordinance Amendments

Board of Supervisors June 9, 2026

Presentation Outline

- Background
- State ADU Law
- Local Ordinance
Amendments
- Recommended
Actions



2020–2021 Last Comprehensive Update

- HCD found updates consistent with State ADU law

2024 Update

- New state laws, ADU Handbook, HCD technical review
Public hearings

2025 Local Ordinance Amendments Approved

- Submitted to HCD + California Coastal Commission

2026 Update

- Comprehensive update for consistency with State ADU law changes + ADU Handbook updates

Government Code 66323 ADUs

- State mandated ADUs
- Subject to standards in GC 66323
- Not subject to any additional local objective standards
- Restricted to residential zone districts

Government Code 66314 ADUs

- May designate areas where ADUs are permitted
- GC 66314 establishes some state-mandated standards
- May impose local objective standards

Accessory Dwelling Unit

- Tiny Home on Wheels not an ADU, remove from definitions

Junior Accessory Dwelling Unit

- Located entirely within SFD, remove reference to additions
- Update cooking facility language to match state ADU law
- Clarify requirements for separate entrance and interior access



Number of ADUs Allowed Single Family Dwellings

- Government Code 66314 ADUs
 - **One:** conversion, attached, or detached
 - Objective standards apply
- Government Code 66323 ADUs
 - **Three:** conversion, JADU, and detached (800 sq ft)
 - No objective standards
 - Not allowed in CA, PR, TP zones

Number of ADUs Allowed Multifamily Dwellings

- Existing Multifamily Dwellings
 - Up to eight detached ADUs
 - 25% Conversion ADUs
- Proposed Multifamily Dwellings
 - Two detached ADUs

Development Standards Amendments

SCCC 13.10.681(D)(7)

- Add reference to objective standards
- Additional height exceptions
- Clarify parking exemptions
- Clarify application of existing Conditions of Approval
- Update utility, infrastructure, and service requirements
- Coastal Zone Requirements



Update Owner Residency Requirement

- Permanently removed the owner-occupancy requirement for ADUs
- Owner-occupancy required for JADUs with shared bathroom

Update Reference to Short-Term Rental Use

- Prohibited for 30 days or less in ADUs and JADUs
- Prohibited on a property with an ADU

Application Processing Amendments

SCCC 13.10.681(H)

Clarify the ADU Permit Process Inside the Coastal Zone

- Concurrent building permit and Coastal Development Permit (CDP) with no public hearing
- **Not appealable**
- Special findings in Commercial Agriculture (CA), Parks and Recreation (PR), or Timber Production (TP) zone districts
- Clarify Use Charts for ADUs in CA, PR, and TP zone districts

Application Review Time

- **Shortened review times to 15 business days**
- 60 days to issue permit or resolve appeal

Permit Requirements for J/ADUs constructed prior to 2020 without permits

- A building or fire code violation or noncompliance with local ADU laws cannot be the basis for denial
- Correct conditions that would qualify as substandard pursuant to the State Health and Safety Code
- Does not apply if the entire structure is substandard

Summary of Recommended Actions

1. Hold a public hearing;
2. Adopt a resolution finding the proposed amendments are consistent with the General Plan and Local Coastal Program and exempt from further review under the California Environmental Quality Act (CEQA), and directing staff to submit the amendments to the California Coastal Commission for certification;
3. Approve Ordinance in concept;
4. Direct the Clerk of the Board to publish the Notice of Proposed Ordinance Summary; and
5. Direct the Clerk of the Board to schedule the ordinance for second reading and final adoption on June 30, 2026.

Juliette Rezzato

From: James Lloyd <james@calhdf.org>
Sent: Monday, June 8, 2026 3:04 PM
To: First District; Kimberly De Serpa; Justin Cummings; Felipe Hernandez; Fifth District; Board Of Supervisors
Cc: PLN Policy Staff; County Counsel; David Carlson; COB Staff
Subject: public comment re item 11 for the 6/9/26 Board of Supervisors meeting
Attachments: Santa Cruz County - ADU Ordinance Comment - 8 Jun 2026.pdf

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Dear Santa Cruz County Board of Supervisors and staff,

The California Housing Defense Fund ("CalHDF") submits the attached public comment regarding the proposed amendments to the County's accessory dwelling unit (ADU) ordinance, calendared as agenda item 11 for the June 9, 2026 Board of Supervisors meeting.

Sincerely,

James M. Lloyd
Director of Planning and Investigations
California Housing Defense Fund
james@calhdf.org
CalHDF is grant & donation funded
Donate today - <https://calhdf.org/donate/>



Jun 8, 2026

County of Santa Cruz
701 Ocean St., 4th Floor
Santa Cruz, CA 95060

By Email: first.district@santacruzcountyca.gov; Kimberly.DeSerpa@santacruzcountyca.gov;
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Fifth.District@santacruzcountyca.gov; BoardOfSupervisors@santacruzcountyca.gov

CC: plnpolicystaff@santacruzcountyca.gov; CountyCounsel@santacruzcountyca.gov;
David.Carlson@santacruzcountyca.gov; COBStaff@santacruzcountyca.gov

Re: Proposed ADU Ordinance

Dear Santa Cruz County Board of Supervisors and staff,

The California Housing Defense Fund (“CalHDF”) submits this letter regarding the proposed amendments to the County’s accessory dwelling unit (“ADU”) ordinance, calendared as agenda item 11 for the June 9, 2026 Board of Supervisors meeting.

CalHDF appreciates that the County is amending its ADU ordinance to keep pace with change in state law.

However, the proposed ordinance has many areas where it does not comply with state law, and the County must make these changes before passing the ordinance.

Background

The law gives local governments authority to enact zoning ordinances that implement a variety of development standards on ADUs. (Gov. Code, § 66314.) The standards in these local ordinances are limited by state law so as not to overly restrict ADU development. (See *id.*) Separately from local ADU ordinances, Government Code section 66323 establishes a narrower set of ADU types that local governments have a ministerial duty to approve. “Notwithstanding Sections 66314 to 66322 ... a local agency shall ministerially approve” these types of ADUs. (*Id.* at subd. (a).) This means that ADUs that satisfy the minimal requirements of section 66323 must be approved regardless of any contrary provisions of the local ADU ordinance. (*Ibid.*) Local governments may not impose their own standards on such ADUs. (Gov. Code, § 66323, subd. (b) [“A local agency shall not impose any objective development or

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hi@calhdf.org

design standard that is not authorized by this section upon any accessory dwelling unit that meets the requirements of any of paragraphs (1) to (4), inclusive, of subdivision (a).”].)

In addition, ADUs that qualify for the protections of Government Code section 66323, like other ADUs, must be processed by local governments within 60 days of a complete permit application submittal. (Gov. Code, § 66317, subd. (a).)

State law also prohibits creating regulations on ADU development not explicitly allowed by state law. Government Code Section 66315 states, “No additional standards, other than those provided in Section 66314, shall be used or imposed, including an owner-occupant requirement, except that a local agency may require that the property may be used for rentals of terms 30 days or longer.”

Impermissible Size Limits

Code section 13.10.681(D)(6)(c)(iii) limits new construction, detached ADUs to 1,200 square feet in size, or 850 to 1000 square feet in size (for studio/one and two bedroom units, respectively), depending on parcel size.

However, pursuant to Government Code section 66323, subdivision (a)(4), a multifamily dwelling may have up to eight detached ADUs without size restriction. This is because Government Code section 66323 does not contain a size restriction for ADUs developed on multifamily parcels and Government Code section 66323, subdivision (b) forbids the application of any development standard not contained in that section of law.

The County must therefore amend its ordinance to eliminate this size restriction for ADUs developed on multifamily parcels pursuant to Government Code section 66323, subdivision (a)(4),

Unlawful Setback Requirements

Code sections 13.10.681(D)(4)(b) and (D)(7)(a)(ii) require new construction ADUs to comply with the front setback requirements of the underlying zoning district. Code section (D)(7)(a)(ii)(C) relaxes this requirement only if it would preclude development of an 800 square foot ADU. Code section 13.10.681(D)(7)(a)(ii)(D) requires all ADUs to be subject to environmental standards in the County code, which includes buffers and setbacks, again with an exception for up to one 800 square foot ADU.

However, Government Code section 66323, subdivision (a) does not permit any application of front setback requirements or environmental buffers/setbacks to ADUs that qualify for its protections. Government Code section 66323, subdivision (b) specifically forbids the imposition of any local design or development regulations other than what is specifically required by that section of law. Because the County may not impose any design or

development regulations on section 66323 ADU, it also may not force an applicant to place an ADU in the backyard.

Additionally, Government Code section 66323, subdivision (a)(4) allows a multifamily property to develop up to eight detached ADUs. These ADUs can be developed without size limit, and therefore the County's exception for 800 square foot ADUs in the front setback (or environmental buffer) places an illegal size and location limit on such ADUs.

Furthermore, cities may impose only "objective standards" on ADUs. (Gov. Code, § 66314, subd. (b)(1); see also Gov. Code, § 66315 [stating local jurisdictions may only impose standards authorized by section 66314].) "Objective standards" are "standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal." (Gov. Code, § 66313, subd. (i).) HCD's [ADU Handbook](#) (see pages 10, 13, 35, and 43) confirms that, pursuant to state law, only objective standards may be imposed on ADUs. A rule that forbids ADUs in the front setback unless the requirement "preclude[s] construction of an ADU no more than 800 square feet" is not an objective standard. The applicant cannot know ex ante and with certainty under what circumstances the County will judge it necessary to permit an ADU in the front setback or environmental buffer area. If the County wishes to impose such a rule on any ADUs – not just section 66323 ADUs – it must provide explicit, objective standards governing when ADUs are prohibited. As written, the rule is unenforceable.

There are many policy reasons for ADUs to be located in the front setback. For instance, a homeowner may prefer to preserve a private backyard space while redeveloping the less useful front yard. While children may play in the backyard, the front yard is closer to the street and less safe for a variety of activities. The County therefore must allow front yard ADUs that comply with the standards in Government Code section 66323, subdivision (a) both on single family and on multifamily properties.

HCD has issued guidance (the March 2026 HCD ADU [Handbook](#), page 16) affirming the duty of local agencies to allow ADUs protected by Government Code section 66323 in the front setback under all circumstances. From page 16 of the January 2025 HCD ADU Handbook (emphasis added): "66323 Units do not have to comply with lot coverage, **front setbacks**, and design standards."

See pages 16-19 of the HCD's March 2026 ADU Handbook for further information on section 66323 ADUs. For instance, from page 19 of the [Handbook](#), (emphasis added):

A local agency may not impose development or design standards, including both local standards and standards found in State ADU Law, on 66323 Units that are not specifically listed in Government Code section 66323. (Gov. Code, § 66323, subds. (a),

(b.) This includes, but is not limited to, parking, height, setbacks, or other zoning provisions (e.g., lot size, open space, floor area ratio, etc.)

The County must amend this section of code to allow section 66323 ADUs in the front setback under all circumstances. The County must also exempt section 66323 ADUs from environmental buffer requirements.

Impermissible Underlying Standards

Code section 13.10.681(D)(7) imposes all underlying zoning standards other than certain specified exceptions.

However, Government Code section 66323, subdivision (b) forbids the application of local standards on section 66323 ADUs. This means the County cannot apply the underlying standards from its zoning districts on 66323 ADUs.

See pages 16-19 of the HCD's March 2026 ADU Handbook for further information on section 66323 ADUs. For instance, from page 19 of the [Handbook](#), (emphasis added):

A local agency may not impose development or design standards, including both local standards and standards found in State ADU Law, on 66323 Units that are not specifically listed in Government Code section 66323. (Gov. Code, § 66323, subds. (a), (b).) This includes, but is not limited to, parking, height, setbacks, or other zoning provisions (e.g., lot size, open space, floor area ratio, etc.)

The County must amend its ADU ordinance to exempt section 66323 ADUs from underlying standards.

Impermissible Floor Area Ratio (FAR) and Lot Coverage Restrictions

Code section 13.10.681(D)(7)(c)(i) requires ADUs to comply with FAR and lot coverage standards in the underlying district, except for an allowance of up to 800 square feet. However, this is plainly impermissible for certain ADUs subject to the protections of Government Code section 66323.

For instance, state law does not allow a size limit on a conversion ADU eligible for the protections of Section 66323, subdivision (a)(1). For a single-family dwelling that has already maximized a lot's FAR, this County code requirement would forbid the conversion of a 1000-square foot garage to an ADU, as this would exceed the 800 square foot allowance and the County code exempts 225 square feet of garage space from floor area calculations. (Santa Cruz County Code, § 13.10.700-F.)

Additionally, Government Code section 66323, subdivision (a)(4) allows a multifamily property to develop up to eight detached ADUs. These ADUs can be developed without size limit, and therefore the County's exception to FAR and lot coverage only for 800 square foot ADUs places an illegal size limit on such ADUs.

See pages 16-19 of the HCD's March 2026 ADU Handbook for further information on section 66323 ADUs. For instance, from page 19 of the [Handbook](#), (emphasis added):

A local agency may not impose development or design standards, including both local standards and standards found in State ADU Law, on 66323 Units that are not specifically listed in Government Code section 66323. (Gov. Code, § 66323, subds. (a), (b).) This includes, but is not limited to, parking, height, setbacks, or other zoning provisions (e.g., lot size, open space, floor area ratio, etc.)

The County must exempt all section 66323 units from underlying zoning standards, including FAR and lot coverage.

Impermissible Parking Requirements

Code section 13.10.681(D)(7)(d)(ii) requires parking for new construction, off-street ADUs, less certain exceptions. However, as discussed above, Government Code section 66323 mandates that the County approve a specific class of ADUs subject only to specified height and setback requirements, notwithstanding any local code requirements to the contrary. This means that the County cannot subject such new construction ADUs (developed pursuant to Gov. Code, § 66323, subds. (a)(2) or (a)(4)) to parking requirements.

See pages 16-19 of the HCD's March 2026 ADU Handbook for further information on section 66323 ADUs. For instance, from page 19 of the [Handbook](#), (emphasis added):

A local agency may not impose development or design standards, including both local standards and standards found in State ADU Law, on 66323 Units that are not specifically listed in Government Code section 66323. (Gov. Code, § 66323, subds. (a), (b).) This includes, but is not limited to, **parking**, height, setbacks, or other zoning provisions (e.g., lot size, open space, floor area ratio, etc.)

The County must exempt section 66323 ADUs from parking requirements.

Illegal Design Requirements

Code section 13.10.681(F) requires ADUs to adhere to various design and historic preservation requirements, with an exception for 800 square foot ADUs with four foot side and rear setbacks.

However, the County may only require such design requirements for ADUs that don't qualify for the protections of Government Code section 66323. As discussed above, Government Code section 66323 mandates that the County approve a specific class of ADUs subject only to specified height and setback requirements, notwithstanding any local code requirements to the contrary. SB 1211 made this even more explicit: Gov. Code, § 66323, subdivision (b): "A local agency shall not impose any objective development or design standard that is not authorized by this section upon any accessory dwelling unit that meets the requirements of any of paragraphs (1) to (4), inclusive, of subdivision (a)."

While the 800 square foot exception would cover ADUs developed pursuant to Government Code section 66323, subdivision (a)(2), there are still section 66323 ADUs that can be developed pursuant to section 66323, subdivisions (a)(1), (a)(3), and (a)(4). For instance, a multifamily property is entitled to develop up to eight detached ADUs without size restriction pursuant to Government Code section 66323, subdivision (a)(4), and the County may not subject such ADUs to design or historic preservation requirements.

See pages 16-19 of the HCD's March 2026 ADU Handbook for further information on section 66323 ADUs. For instance, from page 19 of the [Handbook](#), (emphasis added):

A local agency may not impose development or **design standards**, including both local standards and standards found in State ADU Law, on 66323 Units that are not specifically listed in Government Code section 66323. (Gov. Code, § 66323, subds. (a), (b).) This includes, but is not limited to, parking, height, setbacks, or other zoning provisions (e.g., lot size, open space, floor area ratio, etc.

The County must exempt section 66323 ADUs from design and historic preservation requirements.

Housing Element Conflicts

CalHDF would like to remind the County that it has committed to encouraging the development in the County's Housing Element:

Policy H-1.4 Accessory Dwelling Units. In single-family zones, encourage and support developers to include accessory dwelling units (ADUs) in their projects, in accordance with state law and County Code. In multi-family zones, encourage and support development of multi-family housing at the minimum density level or higher, and allow ADUs in accordance with state law, encouraged as an addition after the project achieves the minimum density standard for the site. Encourage ADUs within SB 9 and SB 10 projects.

Program H-4F Continue to support housing access and affordability for local seniors by: Encourage developers to design multi-generational housing projects such as townhomes or subdivisions with ADUs, or other designs conducive to multi-generational living, so extended families can live together comfortably.

The County is planning on 478 ADUs during the Housing Element planning period, with 110 of those counting towards the County's low-income share of its Regional Housing Needs Allocation. The proposed ordinance fails to comply with the County's basic commitment to "allow ADUs in accordance with state law." Given the County's reliance on ADUs for low income housing production, proceeding with the current ordinance risks throwing the County out of compliance with housing element law.



We appreciate that the County is updating its ADU ordinance to keep pace with changes in state law. However, the County must address the issues highlighted in this comment later in order to comply with state ADU law and fulfill its Housing Element commitments.

CalHDF is a 501(c)(3) non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dylan Casey", with a large, stylized flourish extending to the right.

Dylan Casey
CalHDF Executive Director

A handwritten signature in black ink, appearing to read "James M. Lloyd", with a large, stylized flourish extending to the right.

James M. Lloyd
CalHDF Director of Planning and Investigations



June 9, 2026

To: Santa Cruz County Board of Supervisors

Re: Agenda Items #9, #10, and #11 — June 9, 2026 Board Meeting

Dear Supervisors,

Santa Cruz YIMBY advocates for abundant housing at all levels of affordability to meet the needs of Santa Cruz County. We write to express our views on three items on your June 9 agenda.

Re: Agenda Item #9 — Housing Element Rezone Program: Coastal Modifications (Batch B)

Santa Cruz YIMBY supports acceptance of the CCC's modifications to the LCP for Batch B, and we are encouraged by the progress at 7th and Brommer, where Community HousingWorks has secured over \$46 million in state disaster-relief funds with permits underway.

We ask two questions for the record. First, the Housing Element Sites Inventory credits the two parcels (APNs 026-261-13 and 026-261-16) with 95 lower-income homes, but the CCC modification caps the housing footprint at 3.5 contiguous acres including open space, parking, and paths. Has the County confirmed that 3.5 acres is sufficient to deliver all 95 homes?

Second, the modification's rezoning trigger would revert unbuilt portions of the site to C-2-D upon coastal development permit approval. Could this downzoning affect the County's ability to count these parcels at their current Housing Element capacity, and has staff reviewed this with HCD?

We raise these as questions, not objections, in the interest of keeping all 95 lower-income homes on a firm path to delivery.

Re: Agenda Item #10 — 2026 Annual Code Update

Santa Cruz YIMBY strongly supports the proposed zoning map amendments adding the ministerial combining district ("-Min") overlay to APNs 026-261-17, 029-071-13, and 030-121-34.

These three parcels are small and adjacent to sites that already carry the “-Min” designation as part of the County’s Housing Element rezone program. Leaving them out would create artificial inconsistencies in the middle of otherwise ministerially-zoned affordable housing sites — complicating project review and potentially slowing the delivery of homes the County has already committed to in its Housing Element. Adding the “-Min” overlay now is exactly the kind of quiet, practical fix that makes housing production easier without changing any underlying policy.

We urge the Board to approve these zoning map amendments as recommended by staff.

Re: Agenda Item #11 — Accessory Dwelling Unit Ordinance Changes

Santa Cruz YIMBY supports the County’s effort to update its ADU ordinance to align with recent changes in state law, and we appreciate the work staff has put into this update. However, we share concerns raised in the comment letter submitted by the California Housing Defense Fund (CalHDF) and urge the Board to direct staff to address those issues prior to or concurrent with second reading on June 30.

At the core of CalHDF's concerns is a problem we also identified: the ordinance repeatedly keys exemptions from local development standards to Government Code Section 66321 criteria, but is silent on Section 66323, which independently requires ministerial approval of a broader class of ADUs — including conversion ADUs, certain detached ADUs, and ADUs on multifamily parcels — free from any local size, setback, FAR, parking, and design standards not specifically authorized by that section. We urge staff to explicitly incorporate Section 66323 as the exemption criteria for this class of ADUs before second reading.

We also flag three additional issues:

- The proposed ordinance removes the option for Tiny Homes on Wheels to function as ADUs. We are not aware of a basis in state ADU law for this restriction, and we ask staff to confirm that this removal is consistent with state law before final adoption. We also question the public purpose of limiting THOW units to primary units only.
- The ordinance limits parcels in Commercial Agriculture, Agriculture, and Timber Production zone districts to one ADU per lot even where a single-family dwelling is present — a restriction that may not be permissible under state law. State law allows all of the types of ADUs the county permits in other residential districts on land zoned to allow single

family housing; HCD guidelines agree that land that permits single family housing is subject to ADU law, even if other types of development are allowed on the site.

- The redefinition of multifamily dwellings in the ordinance warrants scrutiny to confirm it does not inadvertently narrow the class of properties entitled to the expanded ADU allowances established by SB 1211 or ADU law. Specifically, multiple detached houses on a single lot remain entitled to the multifamily provisions of state ADU law because the site is a multifamily site, despite the units themselves being detached.

We urge the Board to direct staff to address these issues before second reading.

Thank you for the opportunity to comment.

Sincerely,

Rafa Sonnenfeld

Janine Roeth

Volunteer Leads, Santa Cruz YIMBY