



## ACCESSORY DWELLING UNIT ORDINANCE SUMMARY

Effective January 1, 2020

### Processing + Land Use Development Standards

Ministerial land use approval for ADUs will be issued within 60-days of a **complete** Administrative Permit Review application determination. A Notice of Completeness shall be provided within 30 days of application submittal.

	JADU <sup>1</sup>	SINGLE – FAMILY ADU			MULTIFAMILY ADU	
ADU Type	 <b>Conversion JADU<sup>2</sup></b> [interior conversion of some portion of a single-family dwelling]	 <b>Conversion ADU<sup>2</sup></b> [interior conversion of existing habitable or non-habitable area within a single-family dwelling, or conversion of a legally built detached accessory structure or accessory building.]	 <b>Detached ADU</b> [new construction]	 <b>Attached ADU</b> [addition/new construction]	 <b>Conversion ADU</b> [interior conversion of existing non-habitable are of multifamily building]	 <b>Detached ADU</b> [new construction]
Zoning	Allowed on all lots zoned for <u>residential uses</u>					
Number of Permitted Units	1 (Can be on same lot as an ADU)	1 (Can be on same lot as a JADU)			At least one and no more than 25% of the existing unit count in multifamily building <sup>3,4</sup>	2 <sup>4</sup>
Minimum Size	150 SF or the size necessary to accommodate an efficiency unit as defined by Health and Safety Code Section 17958.1					
Lot Coverage	N/A	As Zoned. See Section 17.04.030 <sup>12</sup>	As Zoned. See Section 17.04.030 <sup>12</sup>	As Zoned. See Section 17.04.030 <sup>12</sup>	N/A	As Zoned. See Section 17.04.030 <sup>12</sup>
Maximum Size	500 SF	1,000 SF <sup>5</sup> <b>OR</b> No more than 50% of the floor area of an existing or proposed primary dwelling unit	1,000 SF <sup>5</sup>	1,000 SF <sup>5</sup> <b>OR</b> No more than 50% of the floor area of an existing or proposed primary dwelling unit	1,000 SF <sup>5</sup>	1,000 SF <sup>5</sup>
Maximum Height	As Zoned. See Section 17.04.030	As Zoned. See Section 17.04.030	16 feet	As Zoned. See Section 17.04.030	As Zoned. See Section 17.04.030	18 feet
Front Setback	As Zoned. See Section 17.04.030	As Zoned. See Section 17.04.030	As Zoned. See Section 17.04.030		As Zoned. See Section 17.04.030	As Zoned. See Section 17.04.030
Side Setback	As Zoned. See Section 17.04.030	As Zoned. See Section 17.04.030	4 feet		As Zoned. See Section 17.04.030	4 feet
Rear Setback	As Zoned. See Section 17.04.030	As Zoned. See Section 17.04.030	4 feet		As Zoned. See Section 17.04.030	4 feet
Setback Between Structures	N/A	N/A	6 feet	N/A	N/A	6 feet
Entrance(s)	Exterior entrance required. <sup>6</sup>	Exterior entrance required.			Independent entrance required. <sup>7</sup>	
Kitchen	Efficiency kitchen required. <sup>8</sup>	Efficiency kitchen required at minimum. <sup>8</sup>				
Parking Requirements	N/A	One parking space required for an ADU with one or more bedrooms <sup>11</sup>				
Deed Restrictions	The owner of the property must record a deed restriction to include the requirements listed in Government Section 65852.2 and 658582.22.	The owner of the property must record a deed restriction with San Benito County that restricts the sale of the ADU from the existing dwelling unit(s) and prohibits Short Term Rentals.				
Owner Occupancy	Required	Not required for ADUs permitted between January 1, 2020 and January 1, 2025.				
Short Term Rentals	Prohibited					
Impact Fees	None	ADUs less than or equal to 749 SF – None <sup>10</sup> ADUs equal to or greater than 750 SF – Impact fees collected must be proportional to square footage of existing dwelling unit(s) <sup>10</sup>				
Utility Fees and Connections	No separate utility connection required between ADU or JADU <sup>9</sup>		Separate utility connection required for all ADUs that are not the result of existing space.			

See reverse side for notes.

N/A = Not Applicable  
SF = Square Feet

- <sup>1</sup> Junior ADU (JADU) is a small dwelling unit created from some portion of a single-family dwelling. These units can have their own bathroom facilities or share with the single-family dwelling.
- <sup>2</sup> Conversions do not allow modifications to building footprint / dimensions of legally built structures or buildings, except where sufficient egress and ingress requires modifications – in which case, an expansion of up to 150 square feet is allowed for JADUs and legally built accessory buildings and structures.
- <sup>3</sup> When calculating, round down to the nearest integer.
- <sup>4</sup> An existing multifamily dwelling may have both conversion ADUs and detached ADUs in accordance with this chart.
- <sup>5</sup> For an ADU with only one bedroom, the maximum unit size shall be 850 SF.
- <sup>6</sup> Interior entrance between primary unit and JADU also required for units with shared bathroom facilities. A JADU may add an 150 SF addition to the dwelling unit to provide ingress and egress (only).
- <sup>7</sup> Exterior entrance not required, but independent entrance (e.g. off hallway, stairwell or other common space) is required.
- <sup>8</sup> An efficiency kitchen includes 1) a sink; 2) a cooking facility with appliances; 3) food preparation counter; and 4) storage cabinets.
- <sup>9</sup> A separate utility connection may be installed if desired. A connection fee in the amount of the cost of installation of the meter shall be required. Contact the Engineering Department at 831-636-4340 for the most current water meter connection fee.
- <sup>10</sup> Square footage measurements will be rounded to the nearest square foot
- <sup>11</sup> Parking shall not be required for any ADU which is created within the existing primary dwelling unit. Replacement parking is not required for any ADUs that are created through the conversion of a garage, carport, or covered parking structure.
- <sup>12</sup> Except where necessary to allow a minimum 800 SF ADU

