



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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December 21, 2017

AGENDA: January 10, 2018

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: REPORT AND RECOMMENDATION REGARDING ACCESSORY DWELLING UNIT (ADU) ORDINANCE AMENDMENTS REFLECTING DIRECTION OF BOARD OF SUPERVISORS

The Planning Commission held a public hearing and recommended that the Board approve amendments to the ADU ordinance at its meeting of October 25, 2017. Just after the hearing, Planning Staff received comments from Coastal Commission staff that indicated the need for two additional changes to the version of the ordinance that had been recommended. These changes involve correcting language that stated coastal permits are not required for conversion ADUs, when in fact a coastal permit may be required in some cases, and raising the level of approval that is required for an ADU on CA zoned land in the Coastal Zone from Level 4 to Level 5. Shortly before the Board of Supervisors hearing on December 5th, staff received written comments from Coastal Commission staff indicating their support for the revised ordinance being considered by the Board. During the December 5th Hearing, the Board also added direction to remove language allowing a property to have both an ADU and a Vacation Rental Permit for the primary home. Lastly, staff has added clarifications to the footnotes on the site dimensions chart and elsewhere in the code to clearly state that the ADU standards supersede the standards for the Pleasure Point Combining Zone district in cases where the ADU is above a garage, in compliance with state law.

When substantive changes are made to an ordinance after the Planning Commission has made a recommendation, a report and new recommendation are required before the Board can take a final action. The proposed amendments to the ordinance since it was previously reviewed by the Commission are shown in double underline and double strikeout.

There are two versions of the ordinance at this time, one for the area inside the Coastal Zone, and another for the area outside the Coastal Zone, due to the fact that the Coastal Commission has not taken action to approve the amendments to the County's Local Coastal Land Use Plan that were adopted by the Board last February and have been in effect outside the Coastal Zone since that time. This means that the ordinance proposed for the area inside the Coastal Zone includes changes to a few sections that are not shown in the ordinance outside the Coastal Zone, because those sections were amended last year, and for this same reason, the underline/strikeout versions of the ordinances differ. The clean versions of the ordinance contain

identical language and following final adoption by the Board and approval by the Coastal Commission, there will be a single set of regulations in effect throughout the County.

CHANGES TO ORDINANCE

- The ordinance that was recommended by the Planning Commission must be amended to ensure that the County's regulations comply with the Coastal Act regarding when ADUs are exempt or excluded from the requirement for a Coastal Development Permit (CDP). The prior version of the ordinance incorrectly asserted that a conversion ADU would never be subject to a CDP, when in fact an ADU might not be eligible for the residential exclusion under County Code Section 13.20.071 if it is located on a beach, within sensitive habitat areas, in a visual resource areas, or other sensitive areas defined in the Code. The required corrections are shown in the strikeout and underline in Exhibits C and D.
- ADUs are currently allowed on CA land outside the Coastal Zone. The previously recommended version of the ADU ordinance extended this to allow ADUs on CA parcels located inside the Coastal Zone as well, with a Level 4 permit, which includes public notice of the application but no public hearing. This is now recommended to be modified to a Level 5 approval, which does require a public hearing. The Level 5 permit requires findings to ensure that the ADU is compatible with the use of the parcel for commercial agriculture, is ancillary to the agricultural use of the parcel, and is sited to avoid or minimize encroachment on farmable area (County Code 13.10.314 (A)). The modifications are shown in the strikeout and underline in Exhibits C and D.
- At the Board hearing on December 5, 2017, the Board directed staff to return to the Planning Commission for report and recommendation, and also directed that the County Code be amended to state that parcels with ADUs are not eligible for the Vacation Rental program. The revised ordinance therefore prohibits this going forward, and requires applicants for new ADU permits to relinquish any existing Vacation Rental permit on the parcel. Where there are properties that currently have both a Vacation Rental Permit and a legal ADU, the proposed ordinance will allow the situation to continue and the Vacation Rental permit to be renewed (see section 13.10.694 Vacation Rentals). When the VR permit lapses or expires, either through non-renewal on the part of the applicant, transfer of the property, or revocation by the County, a new VR permit would not be issued. See SCCC section 13.10.694 in Exhibits C and D.
- Lastly, changes to the ordinance were made to implement the Planning Commission's direction regarding the height standards for ADUs. These are changes to the version the Commission previously reviewed, and are consistent with the Commission's recommendation on October 25th regarding the change from average height to exterior wall height as a tool for mitigating the height impacts of an ADU. Additional clarifications were added in portions of the code referring to the Pleasure Point Combining Zone district to implement this same change.

CEQA ANALYSIS

The CEQA exemption prepared for these ordinance amendments was prepared in consultation with the County's Environmental Coordinator, and utilizes the statutory exemption for ordinances that flow from State Government Code Sections 65852.1 and 65852.2, and the categorical exemption for minor alterations to land use limitations which applies to the minor site standard adjustments that were made to accommodate the regulatory changes that were dictated by state law, such as the reduction in heights of garages, the minor increase in FAR and Lot Coverage on small parcels, and the requirements for parking within established parking districts.

NEXT STEPS

On December 5th, the Board continued its public hearing on the ADU ordinance to January 23, 2018, and directed staff to return to the Planning Commission for review and recommendation of the proposed amendments in the interim. Following final action by the Board, the ordinance and the previously adopted LCP amendments will be submitted to the Coastal Commission, with the goal of being considered on the March 2018 Coastal Commission agenda.

RECOMMENDATION

It is therefore RECOMMENDED that the Planning Commission:

- 1) Review and discuss the proposed ordinances as presented in this report; and
- 2) Recommend approval to the Board of Supervisors of the ADU regulations as presented in Exhibits B and C by adopting the Resolution included as Exhibit A;

Exhibits:

- A. Resolution recommending approval to the Board of Supervisors
- B. Clean version of the proposed Coastal ADU ordinance
- C. Proposed Coastal Strikeout/underline ADU Ordinance
- D. Clean version of the proposed Non Coastal ADU ordinance
- E. Proposed Non Coastal Strikeout/underline ADU Ordinance
- F. CEQA Notice of Exemption
- G. Board Memo for December 5, 2017 Public Hearing

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

RESOLUTION NO. _____

On the motion of Commissioner:
Duly seconded by Commissioner:
The following Resolution is adopted:

**PLANNING COMMISSION RESOLUTION RECOMMENDING ADOPTION OF
PROPOSED AMENDMENTS TO THE SANTA CRUZ COUNTY GENERAL
PLAN AND TO SANTA CRUZ COUNTY CODE SECTIONS 12.02.020 13.10.312,
13.10.314, 13.10.322, 13.10.323, 13.10.418, 13.10.446, 13.10.554, 13.10.611, 13.10.681,
13.10.694, 13.10.700, 13.20.061, 13.20.107, 13.20.108, AND 18.10.104 REGARDING
ACCESSORY DWELLING UNITS AND RELATED CEQA FINDINGS**

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

WHEREAS, the California State Legislature has approved amendments to the California Government Code which provide the enabling legislation for the local regulation of accessory dwelling units; and

WHEREAS, such amendments were signed into law by Governor Brown and took effect on January 1, 2017 and January 1, 2018; and

WHEREAS, the amendments to the State law require the County to make amendments to the County Zoning Code as well as to the General Plan in order to comply; and

WHEREAS, the Planning Commission finds that the proposed ordinance and General Plan amendments satisfy the requirements of the state law; and

WHEREAS, the Planning Commission finds that the proposed amendments comply with the California Coastal Act; and

WHEREAS, the proposed substantive amendments implement Government Code Section 65852.2 and are therefore statutorily exempt from CEQA pursuant to Section 21080.17 of the Public Resources Code; and

WHEREAS, the Planning Commission finds that the proposed amendments to site standards are necessary to fully and equitably implement the requirements of the state law; and

WHEREAS, the Planning Commission has reviewed the ordinance as referred by the Board of Supervisors for report and recommendation.

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; and

BE IT FURTHER RESOLVED that the Planning Commission recommends that the proposed amendments to the Accessory Dwelling Unit regulations of the County Code as presented on this date, be adopted by the Board of Supervisors.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 10th day of January, 2018 by the following vote:

AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSENT: COMMISSIONERS
ABSTAIN: COMMISSIONERS

Chairperson

ATTEST: _____
Secretary

APPROVED AS TO FORM:



COUNTY COUNSEL

cc: County Counsel
Planning Department

ORDINANCE AMENDING SANTA CRUZ COUNTY CODE SECTIONS 12.02.020 13.10.312, 13.10.314, 13.10.322, 13.10.323, 13.10.418, 13.10.446, 13.10.552 13.10.554, 13.10.611, 13.10.681, 13.10.700, 13.20.061, 13.20.107, 13.20.108, and 18.10.104 OF THE SANTA CRUZ COUNTY CODE RELATING TO ACCESSORY DWELLING UNITS

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Santa Cruz County Code is hereby amended by changing Section 12.02. 020(11) to read as follows:

(11) Permits for accessory dwelling units as provided for in SCC13.10.681.

SECTION II

The Santa Cruz County Code is hereby amended by changing the entry for “second unit” in Section 13.10. 312(B) Uses Chart to read as follows:

USE	CA	A	AP
Accessory Dwelling Unit, subject to the provisions of SCCC 13.10.681			-
Outside the Coastal Zone	4	BP	-
Inside the Coastal Zone	5	BP	-

SECTION III

The Santa Cruz County Code is hereby amended by changing Section 13.10.314 (B) to read as follows:

(B) Residential Uses in the Coastal Zone. For parcels within the CA Commercial Agricultural and AP Agricultural Preserve Zone Districts in the Coastal Zone, the following special findings shall be made in addition to those required by Chapter 18.10 SCCC and subsection (A) of this section in order to approve any discretionary residential use including a single-family residence, an accessory dwelling unit, a permanent caretaker’s residence, or habitable accessory structure. These findings shall be based upon a review and determination by the Agricultural Policy Advisory Commission.

SECTION IV

The Santa Cruz County Code is hereby amended by changing the entry for “second unit” in Section 13.10. 322(B) Uses Chart to read as follows:

USE	RA	RR	R-1	RB	RM
Accessory Dwelling Unit, subject to the provisions of SCCC 13.10.681	BP	BP	BP	BP	BP

SECTION IV

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

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

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	Detached Garages, inside the USL	*	*	*		24				
	New Construction - Detached from SFD, inside USL	*	*	*	*	17 and 15 exterior side wall	*	N/A	*	*
Accessory Dwelling Units, All Districts	New Construction - Detached from SFD, outside USL	*	*	*	*	*	*	*	*	*
	New Construction - Attached to SFD	*	*	*	*	*	*	*	*	*
	New Construction above a Detached garage - inside USL	*	5	5	*	24 and 22 exterior wall	*	2	*	*

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	New Construction above an Attached garage – inside USL	*	5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2	*	*
	New Construction above a Detached or Attached garage— outside USL <i>Reduced setbacks</i>	*	5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2	*	*
	New Construction above a Detached or Attached garage— outside USL <i>Standard Setbacks</i>	*	*	*	*	*	*	*	*	*
	Conversion ADUs	‡	‡	‡	‡	‡	‡	‡	‡	‡
RB > or = 4,000 sq. ft.	General requirements	10	0&5	10	40%	25; on beach side: 17	0.5:1	2; on beach side: 1	40	40
	Corner lots	10	0&10	10	40%	See above	0.5:1	See above	40	40
	Lots on beach side of street	10	0&5	0	40%	See above	0.5:1	See above	40	40

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	Semi-detached dwellings and dwellings adjacent to pedestrian rights-of-way	10	0&5	10						
	General requirements	15	5&5	15	40%	28	0.5:1	2	35	35
R-1-3.5 to R-1-4.9 0 to <5,000 sq. ft.	Corner lots—existing parcels	15	5&10	15	40%	28	0.5:1	2	35	35
	—creating new parcels		5&15							
	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	35	35
	General requirements	20	5&8	15	40%	28	0.5:1	2	50	50
R-1-5 to R-1-5.9 5,000 to <6,000 sq. ft.	Corner lots—existing parcels	20		15	40%	28	0.5:1	2	50	50
	—creating new parcels									
	Parcels 4 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	50	50

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	General requirements	20	5&8	15	40%	28	0.5:1	2	60	60
R-1-6 to R-1-9.9 6,000 to <10,000 sq. ft.	Corner lots—existing parcels	20	5&10	15	40%	28	0.5:1	2	60	60
	—creating new parcels	20	5&20	15	40%	28	0.5:1	2	60	60
	Parcels >4,800 to <5,999 sq. ft.	20	5&8	15	40%	28	0.5:1	2	60	60
R-1-10 to R-1-15.9 10,000 to <16,000 sq. ft.	General requirements	20	10&10	15	40%	28	0.5:1	2	60	60
	Creating new corner lots	20	10&20	15	40%	28	0.5:1	2	60	60
	General requirements	30	15&15	15	20%	28	N/A	2	90	60
R-1-16 to R-1-<1 acre 16,000 sq. ft. to <1 acre	General requirements—1 to <5 acres	40	20&20	20	10%	28	N/A	2	100	60
	General requirements—5 acres or more	40	20&20	20	10%	28	N/A	2	150	100

EXHIBIT

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
	FRONT	SIDE	REAR						
PARCEL SPECIFIC CONDITION									

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

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

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

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

**** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

† See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

EXHIBIT B

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

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	Detached Garages, inside the USL	*	*	*		24				
	New Construction - Detached from SFD, inside USL	*	*	*	*	17 and 15 exterior side wall	*	N/A	*	*
Accessory Dwelling Units, All Districts	New Construction - Detached from SFD, outside USL	*	*	*	*	*	*	*	*	*
	New Construction - Attached to SFD	*	*	*	*	*	*	*	*	*
	New Construction above a Detached garage -- inside USL	*	5	5	*	24 and 22 exterior wall	*	2	*	*
	New Construction above an Attached garage -- inside USL	*	5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2	*	*

EXHIBIT B

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	New Construction above a Detached or Attached garage— outside USL <i>Reduced setbacks</i>	*	5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2	*	*
	New Construction above a Detached or Attached garage— outside USL <i>Standard Setbacks</i>	*	*	*	*	*	*	*	*	*
	Conversion ADUs	‡	‡	‡	‡	‡	‡	‡	‡	‡
	General requirements for all parcels within these zone districts	15	5&5	15	40%	28	0.5:1	Per use permit or 2	35	35
	Corner lots—existing parcels	15	5&10	15	40%	28	0.5:1		35	35
	—creating new parcels	15	5&15	15	40%	28	0.5:1		35	35
	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		35	35
RM-5 to RM-5.9 5,000 to <6,000 sq. ft.	General requirements and for parcels >6,000 sq. ft.	20	5&8	15	40%	28	0.5:1	Per use permit or 2	50	50

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	Corner lots—existing parcels	20	5&10	15	40%	28	0.5:1		50	50
	—creating new parcels	20	5&10	15	40%	28	0.5:1		50	50
	Parcels >4,000 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		50	50
RM-6 to RM-9.9 6,000 to <10,000 sq. ft.	General requirements	20	5&8	15	40%	28	0.5:1	Per use permit or 2	60	60
	Corner lots—existing parcels	20	5&10	15	40%	28	0.5:1		60	60
	—creating new parcels	20	5&20	15	40%	28	0.5:1		60	60

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

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

** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

† See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

SECTION VI

The Santa Cruz County Code is hereby amended by amending Section 13.10.323(E)(6) to read as follows:

(E) Site and Structural Dimension Exceptions Relating to Structures.

(6) Accessory Structures.

(a) Water Tanks and Propane Tanks. Water tanks which are required for fire protection and/or domestic use may be erected to within three feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal, appropriate fire agency or Environmental Health Service. Propane/LP gas tanks may be erected to within five feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal or appropriate fire agency. A landscaped screen shall be provided for any tank located within the required front yard.

(b) Side and Rear Yards.

(i) An accessory structure which is attached to the main building shall be considered a part thereof, and shall be required to have the same setbacks as the main structure;

(ii) A detached accessory structure which is located entirely within the required rear yard and which is smaller than 120 square feet in size and 10 feet or less in height may be constructed to within three feet of the side and rear property lines;

(iii) Garden trellises, garden statuary, birdbaths, freestanding barbeques, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems, if not exceeding six feet in height, are not required to maintain side and rear yard setbacks and are excluded from the calculation of allowable lot coverage.

(c) Separation. The minimum distance between any two detached structures shall be 10 feet with the following exceptions:

(i) Eaves, chimneys, cantilevered, uncovered, unenclosed balconies, porches, decks and uncovered, unenclosed stairways and landings may encroach three feet into the required 10-foot separation;

(ii) No separation is required between water tanks located on the same parcel;

(iii) No separation is required between garden trellises, garden statuary, birdbaths, freestanding barbecues, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps

and similar HVAC equipment and ground-mounted solar systems and other structures located on the same parcel.

(iv) The minimum separation between an Accessory Dwelling Unit and any other structure on a parcel, including encroachments included in subsection (i) above, shall be no less than three feet.

(d) On Reversed Corner Lots. On a reversed corner lot, accessory structures shall be located not closer to the rear property line than the required side yard on the adjoining key lot, and not closer to the side property line adjoining the street than the required front yard of the adjoining key lot.

(e) Distance from Alleys. Detached accessory structures including garages shall not be located within three feet of any alley.

(f) Garages Located in Required Rear and Side Yards.

(i) On residentially zoned parcels smaller than 10,000 square feet, an attached or detached garage ("garage" as defined under SCCC 13.10.700-G but excluding carports) may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines; provided, that:

A. There shall be no windows, doors or other openings on garage walls that are less than five feet from the side or rear property lines.

B. The garage shall have a minimum front setback of 40 feet, or, for parcels less than 80 feet deep, the minimum front setback to the garage shall be 50 percent of the parcel's depth.

C. Eaves or other projections on garages with reduced setbacks shall extend no more than two additional feet closer to the rear and side yard property lines, and no closer than allowed by the California Residential Building Code (CRC).

D. The garage shall have a maximum depth of 30 feet.

(ii) On residential parcels 10,000 square feet or larger in size, an attached or detached garage may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines, subject to subsections (E)(6)(f)(i)(A) through (D) of this section; and provided, that a minor exception is obtained in accordance with SCCC 13.10.235.

(iii) On residential parcels less than 10,000 square feet, a garage may be located up to zero feet from the rear or interior side property line if an administrative site development permit (Level IV

approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(iv) A garage located within a required rear or side setback area shall not exceed 17 feet in height or one story, unless an administrative site development permit (Level IV approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(g) Detached New Construction ADUs Inside the Urban Services Boundary With Design Review. Building heights up to 5 feet in excess of an applicable zoning standard, but in no case exceeding 28 feet, may be allowed without increased yards or variance approval, subject to design review and to the coastal view protection standards of Chapter 13.20 (if located in the Coastal Zone), and subject to approval by the Zoning Administrator following a public hearing. Appeals from this decision shall be processed pursuant to Chapter 18.10 SCCC.

SECTION VII

The Santa Cruz County Code is hereby amended by changing Section 13.10.418(A)(1) and (A)(2) to read as follows:

- (1) A building permit for a new single-family dwelling or a new accessory dwelling unit;
- (2) A coastal development permit for a new single-family dwelling or an accessory dwelling unit that is not exempt or excluded pursuant to Chapter 13.20;

SECTION VIII

The Santa Cruz County Code is hereby amended to change the introduction to Section 13.10.446 to read as follows:

In addition to the residential site standards found in SCCC 13.10.323(B), the following standards and incentives apply to residential development in the Pleasure Point Community Design PP Combining District. Where there are differences between this section and SCCC 13.10.323(B), the provisions of this section shall apply, except that for Accessory Dwelling Units built above attached or detached garages the provisions of 13.10.323 and 13.10.681(D)(2)(a) shall apply this section regarding setbacks and second story setbacks; and the additional 2% allowance for Lot Coverage and Floor Area Ratio for any parcel with an ADU on lots 6000 sf or smaller shall also apply:

SECTION IX

The Santa Cruz County Code is hereby amended by changing Section 13.10.552 to read as follows:

(A) Off-street parking spaces for residential uses shall be provided according to the type and size of residence as described below:

(7) Accessory dwelling units. One parking space is required for each accessory dwelling unit unless the ADU is exempted under 13.10.681 (F)2.

SECTION X

The Santa Cruz County Code is hereby amended by changing Section 13.10.554(B) to read as follows:

(B) Each parking space shall be accessible from a street or alley. Tandem parking spaces shall be allowed for the purpose of fulfilling parking requirements set forth in this chapter. For single-family dwelling units, either attached or detached, and for multifamily dwellings where garages are within, attached or immediately adjacent to the dwelling units, tandem parking spaces must be entirely within the subject property and shall consist of no more than two spaces. For mobile homes located within mobile home parks and for parcels with ADUs, tandem parking spaces shall consist of no more than three parking spaces in line. For hotels and restaurants with a valet parking plan where such uses are to be located in existing structures on parcels of such size or shape that preclude the ability to meet current parking requirements for that use, tandem spaces shall be limited to that number in the approved valet parking plan. Such a valet parking plan shall be approved by the appropriate body and be guaranteed to operate full-time during established business hours for the life of the use.

SECTION XI

The Santa Cruz County Code is hereby amended by changing Table 13.10.611-2 found in Section 13.10.611(c)(3) to read as follows:

(3) Regulations for level of review, size, number of stories and locational restrictions for accessory structures are as indicated in Table 13.10.611-2:

Table 13.10.611-2

LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL REGULATIONS

	Nonhabitable	Habitable
Size, story and height restrictions and permit required	Within the urban services line (USL): building permit only for up to 640-square-foot size, two story and 28-foot height; Detached	Building permit only for up to 640-square-foot size, one story and 17-foot height

Table 13.10.611-2

**LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL
REGULATIONS**

	Nonhabitable	Habitable
	<p>Garages limited to two story and 24 foot height</p> <p>Outside the USL: building permit only for up to 1,000-square-foot size, three story and 28-foot height</p>	<p>*Standards for Accessory Dwelling Units can be found in Code Section 13.10.681.</p>
Permit required if exceeds size restrictions	<p>Outside the urban services line (USL): Level IV use approval</p> <p>Inside the USL: Level V use approval</p>	Level V use approval
Permit required if exceeds height restrictions (See SCCC 13.10.323(E)(5) for exceptions)	Variance	<p>Level V use approval for structures exceeding 17 feet, up to 28 feet</p> <p>Variance to exceed 28 feet</p>
Permit required if exceeds story restrictions	Variance	<p>Inside the USL: Level V use approval for two stories</p> <p>Variance for exceeding two stories</p> <p>Outside the USL: Level V use approval for two or three stories</p> <p>Variance for exceeding three stories</p>
Number of accessory structures allowed	No limit, if in compliance with the site regulations of the zone district	<p>One with building permit only</p> <p>Maximum of two with Level V use approval</p>

Table 13.10.611-2

**LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL
REGULATIONS**

	Nonhabitable	Habitable
Locational restrictions	None, if in compliance with the site regulations of the zone district	In addition to the site regulations of the zone district, shall be no more than 100 feet from the main residence, shall not be accessed by a separate driveway or right-of-way, nor constructed on a slope greater than 30 percent, unless a Level IV use approval is obtained

SECTION XII

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

13.10.681 Accessory Dwelling units.

(A) Purpose. The purpose of this section is to provide for and regulate accessory dwelling units 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) "New Construction ADU" shall mean any ADU that does not meet the definition of Conversion ADU.
- (2) "Conversion ADU" shall mean the conversion of any portion of a legal accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating an accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 "R", and any conversion that exceeds that limit, or otherwise does not comply with subsection (E) of this section shall be considered a New Construction ADU for the purposes of this section.

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

(C) Application Processing. All accessory dwelling units shall be processed in accordance with this section and the requirements of Government Code Section 65852.2 and, for those accessory dwelling units located within the Coastal Zone, the processing requirements of SCCC 13.20.107 and 13.20.108. A building permit only, and no public notice or hearing, shall be required for a new construction or conversion accessory dwelling unit within any residential zone district or on land designated residential in the General Plan, or within the Agriculture Zone District, unless the accessory dwelling unit is located in an area, or is a part of a larger project, that requires a discretionary development permit, or if a variance is requested. Pursuant to Government Code Section 65852.2 applications for ADUs within any residential zone district or on land designated residential in the General Plan, or within the Agriculture Zone District shall be approved or denied ministerially within 120 days of submission of a complete application. All applications for accessory dwelling units in the Commercial Agricultural Zone District shall be subject to review by the Agricultural Policy Advisory Commission.

Accessory dwelling units are subject to the following processes:

- (1) Outside the Coastal Zone: Building permit issuance.
- (2) Inside the Coastal Zone (nonappealable area): ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq require a Building permit.

ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq require issuance of a combined coastal development and building permit, subject to the following noticing requirements:

(a) Within 10 calendar days of accepting an application for a nonappealable coastal development permit, the County shall provide notice, by first class mail, of pending development approval. 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 residents 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:

- (i) A statement that the development is within the Coastal Zone;
- (ii) The date of filing of the application and the name of the applicant;
- (iii) The number assigned to the application;
- (iv) A description of development and its proposed location;

(v) The general procedure of the local government concerning the submission of public comments either in writing or orally prior to the local decision;

(vi) A statement that a public comment period of sufficient time to allow for the submission of comments by mail will be held prior to the local decision.

(3) Inside the Coastal Zone (appealable area): ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq require a Building permit.

ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq require issuance of a combined coastal development and building permit, subject to the following noticing requirements:

(a) Within 10 calendar days of accepting an application for an appealable coastal development permit, the local government 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 residents 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:

- (i) Statement that the development is within the Coastal Zone;
- (ii) The date of filing of the application and the name of the applicant;
- (iii) The number assigned to the application;
- (iv) A description of the development and its proposed location;
- (v) A brief description of the general procedure concerning the conduct of local actions;
- (vi) The system 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 conditions of approval and written findings and the procedures for appeal of the local decision to the Coastal Commission.

(c) The County shall include 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.

(D) Requirements for New Construction ADUs. Before a permit for a New Construction ADU or expansion of an existing structure beyond the allowance in 13.10.681 (E)(4)(d) for use as an accessory dwelling unit can be granted, the following requirements shall be met:

- (1) Zoning and General Plan. The accessory dwelling unit shall be located on a parcel allowing single-family uses either by zoning (A,CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R) which contains no more than one existing detached, single-family dwelling, or where one detached single-family dwelling shall be constructed concurrently with the proposed accessory dwelling unit. Subject to applicable discretionary development permit and coastal development permit processes and findings for approval, and after review and approval by the Agricultural Policy Advisory Commission, an accessory dwelling unit may be located on land zoned for Commercial Agriculture (CA) or on a parcel designated for Agricultural use in the General Plan(A);
- (2) Development Standards. All development standards for the applicable zone district shall be satisfied; and the development shall be consistent with all County policies and ordinances, except that regardless of any other zone district standards, the following provisions shall apply to New Construction ADUs:

(a) Inside the Urban Services Line, an ADU that is built on the second floor over an existing or new garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding 24 feet for a structure that is detached from the primary dwelling, and not exceeding 24 feet within the area of the zoning district setback for a structure that is attached to the primary dwelling. Outside the Urban Services Boundary, an ADU that is built on the second floor over an existing or new garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding 24 feet within the area of the zoning district setback. Outside of the Urban Services Boundary, ADUs above garages shall have a maximum height consistent with zoning district standards when conforming to standard setbacks for the zone district.

(b) Inside the Urban Services Line, the maximum height for a detached New Construction ADU shall be 17 feet, with a maximum exterior side wall height of 15 feet measured from finished grade.

(c) ADUs that are attached to the primary dwelling on the property shall be subject to the standards that are otherwise applicable to the primary dwelling based on the zone district including height, stories, setbacks, lot coverage, and FAR, except that:

- (i) ADUs that are built above a garage shall be subject to the standards of subsection (D)(2)(a) above and to the site standards of 13.10.323.

(ii) Parcels that are 6,000 sf or smaller shall be eligible for additional Floor Area Ratio and Lot Coverage subject to subsection (F)(6) of this code section.

(d) All ADUs shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

(3) Design. The design, materials and color of the New Construction accessory dwelling unit shall be compatible with that of the main dwelling and shall be consistent with the development standards and guidelines set forth in subsection (6) of this section; and

(4) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall comply with all applicable requirements of the Environmental Health Officer; and

(5) In the Coastal Zone, a coastal development permit is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.

(6) Additional Standards. The following standards shall be applied to every accessory dwelling unit not defined as a Conversion ADU, and shall be conditions for any approval under this section:

(a) Location of Accessory Dwelling Unit. The accessory dwelling unit may be either attached to the main dwelling or may be detached from it. Inside the urban services line, no accessory dwelling unit shall be accessed by a separate driveway or right-of-way, unless access via a second driveway would result in a superior site plan in terms of safety and protection of environmental resources, and is approved by the Public Works Director or designee. On land designated agriculture by the General Plan, the accessory dwelling unit shall be located within 100 feet of the main dwelling on the property unless another location is approved by the Agricultural Policy Advisory Commission that will meet the on-site and off-site buffering requirements and will meet the goal of preserving agricultural land.

(b) Lot Coverage and Floor Area Ratio. No accessory dwelling unit shall be allowed which would, when combined with existing lot coverage and gross floor area, exceed the allowable lot coverage or the allowable floor area ratio for the parcel.

(c) Site Standards. All site standards of the zoning district in which the accessory dwelling unit is proposed shall be met, unless expressly superseded by SCCC subsection 13.10.681(D)(2). On land zoned or designated agricultural, all setbacks of the agricultural zone districts shall be met and all accessory

dwelling units must meet the buffering requirements of SCCC 16.50.095(F), as determined by the Agricultural Policy Advisory Commission, if applicable.

(E) Requirements for Conversion ADUs. Where an accessory dwelling unit is proposed as a Conversion ADU (as defined in 13.10.681(B)(2)), the following requirements shall be met:

(1) Zoning and General Plan. The accessory dwelling unit shall be located on a parcel allowing single-family uses either by zoning (A, CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R). Subject to applicable discretionary development permit and coastal development permit processes and findings for approval, and after review and approval by the Agricultural Policy Advisory Commission, an accessory dwelling unit may be located within the Commercial Agriculture Zone District, or on land designated for agricultural use in the General Plan (A), which contains an existing single family home.

(2) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall meet applicable requirements of the Environmental Health Officer.

(3) In the Coastal Zone, a coastal development permit is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.

(4) Design and Development standards for Conversion ADUs. The following standards shall be applied to every accessory dwelling unit converted from part of an existing single-family home or existing accessory structure, and shall be conditions for any approval under this section:

(a) The ADU shall have an exterior entrance that is independent of the existing single-family dwelling.

(b) The ADU shall meet setbacks sufficient for fire safety in conformance with the Building Code (SCCC Chapter 12.10) and Fire Code (SCCC Chapter 7.92).

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

(d) Conversion for use as an ADU shall include construction which occupies substantially the same footprint and vertical space as the existing structure upon completion, with additions to the existing structure increasing overall floor area of the conversion ADU by no more than 30% or 150 square feet, whichever is less. Additions to square footage exceeding that level shall be considered under 13.10.681(D) as New Construction ADUs. Proposed additions with Conversion ADUs shall comply with applicable zoning development standards and any existing development permit conditions of approval.

(i) For Conversion ADUs on parcels 5,000sf and smaller, the addition of up to 30% of conversion area, not to exceed 150sf, shall be in addition to the 50% of the primary dwelling which may be converted to an ADU per 13.10.681(F)(1) below, so long as in no case does the total habitable area of the ADU exceed 640 square feet.

(e) The ADU shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

(F) Site standards. For both New Construction ADUs and Conversion ADUs the following site standards apply.

(1) Size of Accessory Dwelling Unit. The total gross floor area as defined in SCCC 13.10.700-F of the habitable portion of an ADU is defined in the tables below, based on location inside or outside the Urban Services Line (USL) and parcel size. In no case shall an ADU on a parcel under 5,000 square feet exceed 640 square feet in size:

New Construction ADUs Outside the USL			
Parcel Size	<10,000 sq. ft.	10,000 sq. ft. to < 1 acre	1 acre or larger
Size of ADU	800sq. ft.	1000 sq. ft.	1,200 sq. ft.

New Construction ADUs Inside the USL			
Parcel Size	<5,000 sq. ft	5,000 – 9,999 sq. ft	10,000+ sq. ft
Size of ADU	10% of Parcel Size	640 sq. ft	800 sq. ft

All Conversion ADUs		
Parcel Size	<5,000 sq ft	5,000+ sq. ft
Size of ADU	Up to 50% of the existing habitable sq. ft of primary dwelling, not to exceed 640 sq ft	Use standards for New Construction ADUs in tables above

(2) **Parking.** Off-street parking shall be provided to meet the requirements of SCCC 13.10.550 for the main dwelling and one additional space for the accessory dwelling unit, and may be provided as double or triple tandem parking, in any location on the property. 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. Off-street parking shall be required for any New Construction or Conversion accessory dwelling unit located on a block subject to a permit parking requirement.

In all other locations, required parking for the ADU shall not apply under the circumstances described below, and no parking shall be required for the ADU under these circumstances:

- (a) The accessory dwelling unit is located within the USL or RSL and within one-half mile of public transit stop with at least 30-minute headways (time between buses running on the same route in the same direction).
- (b) The accessory dwelling unit is located within a designated architecturally and historically significant historic district.
- (c) The accessory dwelling unit is part of the primary dwelling on the property, or is part of an accessory structure.
- (d) The accessory dwelling unit is a Conversion ADU.
- (e) When there is a dedicated parking space reserved for a publicly-available car share vehicle located within one block of the accessory dwelling unit. Applicants shall be required to show the location of the dedicated parking space and confirm the vehicle's availability to future ADU residents.

(3) **Other Accessory Uses.** Not more than one accessory dwelling unit shall be constructed on any one parcel. An accessory dwelling unit and agricultural caretakers' quarters, except farmworker housing on agricultural parcels greater than 10 acres outside the Coastal Zone, shall not be permitted on the same parcel. Habitable and nonhabitable accessory structures may be allowed subject to all applicable requirements of the underlying zone district and SCCC13.10.611.

(4) **Service Requirements.** . All requirements of the respective service agencies shall be satisfied, and all ADUs shall comply with all sections of the California Fire Code as codified in SCCC 7.92 except that in no case shall fire sprinklers be required for the ADU where they are not also required for the primary dwelling.

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

(6) Incentives. On parcels 6,000sf or smaller, where New Construction ADUs or Conversion ADUs are developed after January 1, 2018, an additional 2% shall be added to maximum Lot Coverage and maximum Floor Area Ratio development standards in order to incentivize the creation of ADUs, including within the Pleasure Point (-PP) Combining Zone District. See Footnotes on Site and Structural Dimensions Charts in Section 13.10.323(B).

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

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

(2) Owner Residency. Unless owned by a public agency, 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 main dwelling or the accessory dwelling unit. If the accessory dwelling unit is newly constructed on a parcel within a subdivision, then the purchaser of said property shall permanently reside in either the main dwelling or the accessory dwelling unit, shall be required to submit a property tax exemption prior to occupancy of the accessory dwelling unit, and shall be subject to the deed restriction noted in subsection (G)(5) of this section.

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

(3) Sale. The ADU is not intended for sale separate from the primary residence. An ADU may be rented for periods of 30 days or more.

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

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

(a) The property owner shall permanently reside, as evidenced by a homeowner's property tax exemption on the parcel or by other satisfactory documentation of owner residence, in either the main dwelling or the accessory dwelling unit, unless owned by a public agency that is providing housing for special populations, in which case the declaration of restrictions shall indicate that any subsequent nonpublic agency owner shall abide by the terms of this subsection and subsection (G)(2) of this section.

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

(c) The declaration shall include a provision for the recovery by the County of reasonable attorney's fees and costs in bringing legal action to enforce the declaration together with recovery of any rents collected during any occupancy not authorized by the terms of the agreement or, in the alternative, for the recovery of the reasonable value of the unauthorized occupancy.

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

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

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

SECTION XIII

The Santa Cruz County Code is hereby amended by changing subsections (B) and (C)(1) of Section 13.10.694 to read as follows:

(B) Vacation rentals are allowed in all zone districts that allow residential use with no requirement for any other use, except that any vacation rental meeting the requirements of subsections (C)(2) and (D)(1) of this section may be permitted in any zone district. Habitable accessory structures, nonhabitable accessory structures, accessory dwelling units constructed under the provisions of SCCC 13.10.681, 13.20.107, or 13.20.108, and legally restricted affordable housing units shall not be used as vacation rentals. Further, no new Vacation Rental permits shall be granted on parcels containing ADUs after March 9, 2018.

(C) For the purposes of this section, the following terms have the stated meanings:

- (1) "Vacation rental" means a single-family dwelling unit, duplex, or triplex (including condominium and townhouse units, but not including apartments or manufactured homes in a mobile home park), where the owner/operator/contact person/agent does not occupy the dwelling unit while it is rented, only the renter and guests thereof occupy the dwelling unit while it is rented, and the dwelling unit is rented for the purpose of overnight lodging for a period of not more than 30 days. Where there is more than one dwelling on a property as part of a dwelling group, the owner/operator/contact person/agent may live in a dwelling that is not used as a vacation rental. For the purposes of these regulations, the following are not considered to be vacation rentals: (a) ongoing month-to-month tenancy granted to the same renter for the same unit, (b) one less-than-30-day period per year, (c) a house exchange for which there is no payment, or (d) renting of individual rooms in a dwelling unit while the primary occupant remains on-site.

SECTION XIV

The Santa Cruz County Code is hereby amended to add the following to Section 13.10. 700-A:

"Accessory Dwelling Unit" means, in compliance with California Government Code Sections 65852 and 65853, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of Kitchen), and sanitation on the same parcel as a single-family dwelling. See also *Conversion ADU* and *New Construction ADU*.

SECTION XV

The Santa Cruz County Code is hereby amended such that the following shall be added to Section 13.10. 700-C:

"Conversion ADU" shall mean the conversion of any portion of an accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating an accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 "R", and any conversion that does not comply with SCCC 13.10.681(E), shall be considered a New Construction ADU.

SECTION XVI

The Santa Cruz County Code is hereby amended such that Section 13.10. 700-D, definition of “Dwelling unit” shall be revised, as follows:

“Dwelling unit” means a structure for human habitation providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, with the restrictions that only one kitchen is allowed in each dwelling unit, and up to one additional limited food preparation area including a sink; a refrigerator; small electric kitchen appliances that do not require electrical service greater than 120 volts; excluding full-sized electric, gas, or propane cooking appliances; and having an appropriately sized preparation counter and storage cabinets, may also be included in any single-family dwelling at a rate of one per parcel, and interior connection shall be maintained throughout the home, and an interior stairway shall be provided between all stories.

SECTION XVII

The Santa Cruz County Code is hereby amended such that Section 13.10. 700-S, definition of “Second unit” shall be revised, as follows:

“Second unit” – see definition for Accessory Dwelling Unit.

SECTION XVIII

The Santa Cruz County Code is hereby amended such that Section 13.20.061(A) shall now read as follows:

(A) Subject to SCCC 13.20.060, no coastal development permit is required for improvements to existing single-family residences (including to fixtures and other structures directly attached to the residence; structures on the property normally associated with a single-family residence, such as garages, swimming pools in-ground and above-ground, hot tubs, fences, decks, storage sheds, and attached low-profile solar panels, and landscaping on the property, but not including guest houses or self-contained residential units). Allowed improvements that do not require a coastal development permit include additions of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission, remodels, alterations, replacement of existing water storage tanks, wells or septic systems serving an existing single-family residence where there is no expansion of the replaced feature or its capacity, and new accessory structures except for self-contained residential units including accessory dwelling units that result in intensification of a residential use due to conversion of space from non-habitable to habitable or by addition of a bedroom to the parcel, or based on location within any of the areas described in Section 13.20.071(B).

SECTION XIX

The Santa Cruz County Code is hereby amended such that the introduction and subsection (A) of Section 13.20.107 shall now read as follows:

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

Any proposed accessory dwelling unit located within the Coastal Zone but located outside of the appealable area, as described in SCCC 13.20.040, 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) 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:

SECTION XX

The Santa Cruz County Code is hereby amended such that the introduction to Section 13.20.108 shall now read as follows:

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 Chapter 13.20.061 et seq, processed concurrently with a building permit, subject to the following noticing requirements:

SECTION XXI

The Santa Cruz County Code is hereby amended such that subsection (D) of Section 13.20.108 shall now read as follows:

(D) Financing or leasing of accessory dwelling units pursuant to the provisions of SCCC 13.10.681. This chapter shall apply to the sale or transfer of such accessory dwelling units.

SECTION XXII

The Santa Cruz County Code is hereby amended such that subsection (B) of Section 18.10.140 shall now read as follows:

18.10.140 Conformity with the General Plan and other legal requirements.

(B) All proposals for residential development of property within the urban services line, except for accessory dwelling units and residential remodels, at less than the lowest end of the designated density range of the County General Plan—LCP land use designation where there is the potential that three or more new units could be accommodated on-site at the lowest end of the density range shall be subject to review by the development review group (see SCCC 18.10.210(C)(1)). Following completion of the development review group (DRG) process, the proposal and the information developed as a result of the DRG process shall be referred to the Board of Supervisors

for a preliminary General Plan consistency determination at a public hearing. Proposals of four or fewer lots (or units) shall have their DRG meeting within 45 days from the date of application, and shall be considered by the Board of Supervisors at a public hearing within 60 days from the date of the DRG meeting

SECTION XXIII

This ordinance shall take effect inside the Coastal Zone after adoption by the Board of Supervisors and final certification by the California Coastal Commission.

PASSED AND ADOPTED this _____ day of _____, 2018, 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:

County Counsel

STRIKEOUT/UNDERLINE OF PROPOSED COASTAL ZONE REGULATIONS FOR ACCESSORY DWELLING UNITS

12.02.020 Definitions

(11) Permits for ~~second~~ accessory dwelling units as provided for in SCC13.10.681.

13.10. 312(B) Uses in agricultural districts:

USE	CA	A	AP
Accessory Dwelling Unit, outside the Coastal Zone , subject to the provisions of SCCC 13.10.681			-
<u>Outside the Coastal Zone</u>	4	BP	=
<u>Inside the Coastal Zone</u>	<u>5</u>	<u>BP</u>	=

13.10.314 (B):

(B) Residential Uses in the Coastal Zone. For parcels within the CA Commercial Agricultural and AP Agricultural Preserve Zone Districts in the Coastal Zone, the following special findings shall be made in addition to those required by Chapter 18.10 SCCC and subsection (A) of this section in order to approve any discretionary residential use including a single-family residence, an accessory dwelling unit, a permanent caretaker's residence, or habitable accessory structure. These findings shall be based upon a review and determination by the Agricultural Policy Advisory Commission.

13.10. 322Residential Uses:

(B) Allowed Uses

USE	RA	RR	R-1	RB	RM
Second <u>Accessory Dwelling</u> Unit, subject to the provisions of SCCC 13.10.681	<u>3BP</u>	<u>3BP</u>	<u>3BP</u>	<u>3BP</u>	<u>3BP</u>

13.10. 323 Development standards for residential districts

(B) Site and Structural Dimensions:

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

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	<u>Detached Garages,</u> <u>inside the USL</u>	* —	* —	* —		24				
	<u>Second Units New</u> <u>Construction -</u> <u>Detached from SFD,</u> <u>inside within USL</u>	*	*	*	*	17 and 15 exterior side wall	*	N/A 1-story	*	*
Accessory Dwelling Units, All Districts	<u>Second Units New</u> <u>Construction --</u> <u>Detached from SFD,</u> <u>outside USL</u>	*	*	*	*	*28	*	*2	*	*
	<u>New Construction --</u> <u>Attached to SFD</u>	*	*	*	*	*	*	*	*	*
	<u>New Construction</u> <u>above a Detached</u> <u>garage -- inside USL</u>	* —	5	5	* —	24 and 22 exterior wall	* —	2	* —	* —

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	<u>New Construction</u> <u>above an Attached</u> <u>garage – inside USL</u>	* –	5	5	* –	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	* –	2	* –	* –
	<u>New Construction</u> <u>above a Detached or</u> <u>Attached garage –</u> <u>outside USL</u> <u>Reduced setbacks</u>	* –	5	5	* –	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	* –	2	* –	* –
	<u>New Construction</u> <u>above a Detached or</u> <u>Attached garage –</u> <u>outside USL</u> <u>Standard Setbacks</u>	* –	* –	* –	* –	* –	* –	* –	* –	* –
	<u>Conversions ADUs</u>	†	†	†	†	†	†	†	†	†
	General requirements	10	0&5	10	40%	25; on beach side: 17	0.5:1	2; on beach side: 1	40	40
RB > or = 4,000 sq. ft.	Corner lots	10	0&10	10	40%	See above	0.5:1	See above	40	40
	Lots on beach side of street	10	0&5	0	40%	See above	0.5:1	See above	40	40

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	Semi-detached dwellings and dwellings adjacent to pedestrian rights-of-way	10	0&5	10						
	General requirements	15	5&5	15	40%	28	0.5:1	2	35	35
R-1-3.5 to R-1-4.9 0 to <5,000 sq. ft.	Corner lots—existing parcels	15	5&10 5&15	15	40%	28	0.5:1	2	35	35
	---creating new parcels									
	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	35	35
	General requirements	20	5&8	15	40%	28	0.5:1	2	50	50
R-1-5 to R-1-5.9 5,000 to <6,000 sq. ft.	Corner lots—existing parcels	20		15	40%	28	0.5:1	2	50	50
	---creating new parcels									
	Parcels 4 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	50	50

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	General requirements	20	5&8	15	40%	28	0.5:1	2	60	60
R-1-6 to R-1-9.9 6,000 to <10,000 sq. ft.	Corner lots—existing parcels	20	5&10	15	40%	28	0.5:1	2	60	60
	—creating new parcels		5&20							
	Parcels >4,800 to <5,999 sq. ft.	20	5&8	15	40%	28	0.5:1	2		
R-1-10 to R-1-15.9 10,000 to <16,000 sq. ft.	General requirements	20	10&10	15	40%	28	0.5:1	2	60	60
	Creating new corner lots	20	10&20	15	40%	28	0.5:1	2	60	60
	General requirements	30	15&15	15	20%	28	N/A	2	90	60
R-1-16 to R-1-<1 acre 16,000 sq. ft. to <1 acre	General requirements—1 to <5 acres	40	20&20	20	10%	28	N/A	2	100	60
	General requirements—5 acres or more	40	20&20	20	10%	28	N/A	2	150	100

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

* All site standards for the applicable zone district must be met.

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

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be ~~granted~~ available by right, including within the Pleasure Point (-PP) Combining Zone District.

**** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be ~~granted~~ available by right, including within the Pleasure Point (-PP) Combining Zone District.

† See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

EXHIBIT C

RM MULTIFAMILY RESIDENTIAL ZONE DISTRICTS

SITE AND STRUCTURAL DIMENSIONS CHART

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	<u>Detached Garages,</u> <u>inside the USL</u>	* —	* —	* —		24				
	<u>Second Units New</u> <u>Construction -</u> <u>Detached from SFD,</u> <u>inside within USL</u>	*	*	*	*	17 and 15 exterior side wall	*	N/A 1-story	*	*
<u>Accessory Dwelling</u> <u>Units, All Districts</u>	<u>Second Units New</u> <u>Construction --</u> <u>Detached from SFD,</u> <u>outside USL</u>	*	*	*	*	*28	*	*2	*	*
	<u>New Construction --</u> <u>Attached to SFD</u>	*	*	*	*	*	*	*	*	*
	<u>New Construction</u> <u>above a Detached</u> <u>garage -- inside USL</u>	* —	5	5	* —	24 and 22 exterior wall	* —	2	* —	* —
	<u>New Construction</u> <u>above an Attached</u> <u>garage -- inside USL</u>	* —	5	5	* —	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	* —	2	* —	* —

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO**	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
RM-1.5 to RM-4.9 0 to <5,000 sq. ft.	<u>New Construction</u> above a <u>Detached or</u> <u>Attached garage</u> — outside USL <u>Reduced setbacks</u>	* —	5	5	* —	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	* —	2	* —	* —
	<u>New Construction</u> above a <u>Detached or</u> <u>Attached garage</u> — outside USL <u>Standard Setbacks</u>	* —	* —	* —	* —	* —	* —	* —	* —	* —
	<u>Conversions ADUs</u>	1	1	1	1	1	1	1	1	1
	General requirements for all parcels within these zone districts	15	5&5	15	40%	28	0.5:1	Per use permit or 2	35	35
	Corner lots—existing parcels —creating new parcels	15	5&10	15	40%	28	0.5:1		35	35
RM-5 to RM-5.9 5,000 to <6,000 sq. ft.	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		35	35
	General requirements and for parcels >6,000 sq. ft.	20	5&8	15	40%	28	0.5:1	Per use permit or 2	50	50

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO**	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
RM-6 to RM-9.9 6,000 to <10,000 sq. ft.	Corner lots—existing parcels	20	5&10	15	40%	28	0.5:1		50	50
	—creating new parcels	20	5&10	15	40%	28	0.5:1		50	50
	Parcels >4,000 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		50	50
RM-6 to RM-9.9 6,000 to <10,000 sq. ft.	General requirements	20	5&8	15	40%	28	0.5:1	Per use permit or 2	60	60
	Corner lots—existing parcels	20	5&10	15	40%	28	0.5:1		60	60
	—creating new parcels	20	5&20	15	40%	28	0.5:1		60	60

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

* All site standards for the applicable zone district must be met.

** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be ~~granted~~ granted-available by right, including within the Pleasure Point (-PP) Combining Zone District.

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be ~~granted~~ granted-available by right, including within the Pleasure Point (-PP) Combining Zone District.

† See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

(E) Site and Structural Dimension Exceptions Relating to Structures.

(6) Accessory Structures.

(a) Water Tanks and Propane Tanks. Water tanks which are required for fire protection and/or domestic use may be erected to within three feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal, appropriate fire agency or Environmental Health Service. Propane/LP gas tanks may be erected to within five feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal or appropriate fire agency. A landscaped screen shall be provided for any tank located within the required front yard.

(b) Side and Rear Yards.

(i) An accessory structure which is attached to the main building shall be considered a part thereof, and shall be required to have the same setbacks as the main structure;

(ii) A detached accessory structure which is located entirely within the required rear yard and which is smaller than 120 square feet in size and 10 feet or less in height may be constructed to within three feet of the side and rear property lines;

(iii) Garden trellises, garden statuary, birdbaths, freestanding barbeques, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems, if not exceeding six feet in height, are not required to maintain side and rear yard setbacks and are excluded from the calculation of allowable lot coverage.

(c) Separation. The minimum distance between any two detached structures shall be 10 feet with the following exceptions:

(i) Eaves, chimneys, cantilevered, uncovered, unenclosed balconies, porches, decks and uncovered, unenclosed stairways and landings may encroach three feet into the required 10-foot separation;

(ii) No separation is required between water tanks located on the same parcel;

(iii) No separation is required between garden trellises, garden statuary, birdbaths, freestanding barbecues, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems and other structures located on the same parcel.

(iv) The minimum separation between an Accessory Dwelling Unit and any other structure on a parcel, including encroachments included in subsection (i) above, shall be no less than three feet.

(d) On Reversed Corner Lots. On a reversed corner lot, accessory structures shall be located not closer to the rear property line than the required side yard on the adjoining key lot, and not closer to the side property line adjoining the street than the required front yard of the adjoining key lot.

(e) Distance from Alleys. Detached accessory structures including garages shall not be located within three feet of any alley.

(f) Garages Located in Required Rear and Side Yards.

(i) On residentially zoned parcels smaller than 10,000 square feet, an attached or detached garage ("garage" as defined under SCCC 13.10.700-G but excluding carports) may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines; provided, that:

A. There shall be no windows, doors or other openings on garage walls that are less than five feet from the side or rear property lines.

B. The garage shall have a minimum front setback of 40 feet, or, for parcels less than 80 feet deep, the minimum front setback to the garage shall be 50 percent of the parcel's depth.

C. Eaves or other projections on garages with reduced setbacks shall extend no more than two additional feet closer to the rear and side yard property lines, and no closer than allowed by the California Residential Building Code (CRC).

D. The garage shall have a maximum depth of 30 feet.

(ii) On residential parcels 10,000 square feet or larger in size, an attached or detached garage may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines, subject to subsections (E)(6)(f)(i)(A) through (D) of this section; and provided, that a minor exception is obtained in accordance with SCCC 13.10.235.

(iii) On residential parcels less than 10,000 square feet, a garage may be located up to zero feet from the rear or interior side property line if an administrative site development permit (Level IV approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(iv) A garage located within a required rear or side setback area shall not exceed 17 feet in height or one story, unless an administrative site development permit (Level IV approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(g) Detached New Construction ADUs Inside the Urban Services Boundary With Design Review. Building heights up to 5 feet in excess of an applicable zoning standard, but in no case exceeding 28² feet, may be allowed without increased yards or variance approval, subject to design review and to the coastal view protection standards of Chapter 13.20 (if located in the Coastal Zone), and subject to approval by the Zoning Administrator following a public hearing. Appeals from this decision shall be processed pursuant to Chapter 18.10 SCCC.

13.10.418 Use and development standards in the “D” Designated Park Site Combining District.

(A):

- (1) A building permit for a new single-family dwelling or a new ~~second~~ accessory dwelling unit;
- (2) A coastal development permit for a new single-family dwelling or an ~~new second~~ New Construction accessory dwelling unit that is not exempt or excluded pursuant to Chapter 13.20;

13.10.446 Residential development standards in the Pleasure Point Community Design PP Combining District:

In addition to the residential site standards found in SCCC 13.10.323(B), the following standards and incentives apply to residential development in the Pleasure Point Community Design PP Combining District. Where there are differences between this section and SCCC 13.10.323(B), the provisions of this section shall apply, except that for Accessory Dwelling Units built above attached or detached garages the provisions of 13.10.323 and 13.10.681(D)(2)(a) shall apply regarding setbacks and second story setbacks; and the additional 2% allowance for Lot Coverage and Floor Area Ratio for any parcel with an ADU on lots 6000 sf or smaller shall also apply all Accessory Dwelling Units the provisions of 13.10.681 shall supersede this section regarding setbacks::

13.10.552 Schedule of off-street parking space requirements:

(A) Off-street parking spaces for residential uses shall be provided according to the type and size of residence as described below:

- (7) ~~Second~~ Accessory dwelling units. One parking space is required for each bedroom in a second unit, accessory dwelling unit ADU unless the ADU ~~meets the definition of Conversion ADU under 13.10.681(B)(2) or is otherwise~~ exempted under 13.10.681 (F)2.

13.10.554 Standards of off-street parking facilities:

(B) Each parking space shall be accessible from a street or alley. Tandem parking spaces shall be allowed for the purpose of fulfilling parking requirements set forth in this chapter. For single-family dwelling units, either attached or detached, and for multifamily dwellings where garages are within, attached or immediately adjacent to the dwelling units, tandem parking spaces must be entirely within the subject property and shall consist of no more than two spaces. For mobile homes located within mobile home parks and for parcels with ADUs, tandem parking spaces shall consist of no more than three parking spaces in line. For hotels and restaurants with a valet parking plan where such uses are to be located in existing structures on parcels of such size or shape that preclude the ability to meet current parking requirements for that use, tandem spaces shall be limited to that number in the approved valet parking plan. Such a valet parking plan shall be approved by the appropriate body and be guaranteed to operate full-time during established business hours for the life of the use.

13.10.611 Accessory Structures

(c) Restriction on Accessory Structures.

(3):

(3) Regulations for level of review, size, number of stories and locational restrictions for accessory structures are as indicated in Table 13.10.611-2:

Table 13.10.611-2

LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL REGULATIONS

	Nonhabitable	Habitable
Size, story and height restrictions and permit required	<p>Within the urban services line (USL): building permit only for up to 640-square-foot size, two story and 28-foot height; <u>Detached Garages limited to two story and 24 foot height</u></p> <p>Outside the USL: building permit only for up to 1,000-square-foot size, three story and 28-foot height</p>	<p>Building permit only for up to 640-square-foot size, one story and 17-foot height</p> <p><u>*Standards for Accessory Dwelling Units can be found in Code Section 13.10.681.</u></p>
Permit required if exceeds size restrictions	Outside the urban services line (USL): Level IV use approval	Level V use approval

Table 13.10.611-2

LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL REGULATIONS

	Nonhabitable	Habitable
	Inside the USL: Level V use approval	
Permit required if exceeds height restrictions (See SCCC 13.10.323(E)(5) for exceptions)	Variance	Level V use approval for structures exceeding 17 feet, up to 28 feet Variance to exceed 28 feet
Permit required if exceeds story restrictions	Variance	Inside the USL: Level V use approval for two stories Variance for exceeding two stories Outside the USL: Level V use approval for two or three stories Variance for exceeding three stories
Number of accessory structures allowed	No limit, if in compliance with the site regulations of the zone district	One with building permit only Maximum of two with Level V use approval
Locational restrictions	None, if in compliance with the site regulations of the zone district	In addition to the site regulations of the zone district, shall be no more than 100 feet from the main residence, shall not be accessed by a separate driveway or right-of-way, nor constructed on a slope greater than 30 percent, unless a Level IV use approval is obtained

13.10.681 Second Accessory Dwelling units:

(A) Purpose. The purpose of this section is to provide for and regulate ~~second-accessory dwelling~~ units 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) "New Construction ADU" shall mean any ADU that does not meet the definition of Conversion ADU.

(2) "Conversion ADU" shall mean the conversion of any portion of a legal accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating an accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 "R", and any conversion that exceeds that limit, or otherwise does not comply with subsection (E) of this section shall be considered a New Construction ADU for the purposes of this section.

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

(~~BC~~) Application Processing. ~~Second-All accessory dwelling~~ units shall be processed in accordance with this section and the requirements of Government Code Section 65852.2 and, for those ~~second-accessory dwelling~~ units located within the Coastal Zone, the processing requirements of SCCC 13.20.107 and 13.20.108. A building permit only, and no public notice or hearing, shall be required for a new construction or conversion development of a second accessory dwelling unit within any residential zone district or on land designated residential in the General Plan, or outside the Coastal Zone within the Agriculture Zone District, unless the second-accessory dwelling unit is located in an area, or is a part of a larger project, that requires a public hearing discretionary development permit, or if a variance is requested. Pursuant to Government Code Section 65852.2 applications for ADUs within any residential zone district or on land designated residential in the General Plan, or within the Agriculture Zone District shall be approved or denied ministerially within 120 days of submission of a complete application. All applications for second accessory dwelling units in the Commercial Agricultural Zone District outside the Coastal Zone shall be subject to review by the Agricultural Policy Advisory Commission.

~~Second-Accessory dwelling~~ units are subject to the following processes:

(1) Outside the Coastal Zone: Building permit issuance.

(2) Inside the Coastal Zone (nonappealable area): ~~Conversion ADUs and New Construction ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq~~ require a Building permit.

~~New Construction ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq~~ require issuance of a combined coastal development and building permit, subject to the following noticing requirements:

(a) Within 10 calendar days of accepting an application for a nonappealable coastal development permit, the County shall provide notice, by first class mail, of pending development approval. 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 residents 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:

- (i) A statement that the development is within the Coastal Zone;
- (ii) The date of filing of the application and the name of the applicant;
- (iii) The number assigned to the application;
- (iv) A description of development and its proposed location;
- (v) The general procedure of the local government concerning the submission of public comments either in writing or orally prior to the local decision;
- (vi) A statement that a public comment period of sufficient time to allow for the submission of comments by mail will be held prior to the local decision.

(3) Inside the Coastal Zone (appealable area): ~~Conversion ADUs and New Construction ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq~~ require a Building permit.

~~New Construction ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq~~ require issuance of a combined coastal development and building permit, subject to the following noticing requirements:

(a) Within 10 calendar days of accepting an application for an appealable coastal development permit, the local government 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 residents 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:

- (i) Statement that the development is within the Coastal Zone;
- (ii) The date of filing of the application and the name of the applicant;
- (iii) The number assigned to the application;
- (iv) A description of the development and its proposed location;
- (v) A brief description of the general procedure concerning the conduct of local actions;
- (vi) The system 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 conditions of approval and written findings and the procedures for appeal of the local decision to the Coastal Commission.

(c) The County shall include 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.

(E) Requirements for New Construction ADUs. Before a permit for a New Construction ADU or expansion of an existing structure beyond the allowance in 13.10.681 (E)(4)(d) for use as an accessory dwelling unit can be granted, the following requirements shall be met:

- (1) Zoning and General Plan. The ~~second~~ accessory dwelling unit shall be located ~~on a residentially zoned parcel or on a parcel designated for allowing single-family uses either by zoning (A, CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R) residential use in the General Plan~~ which contains no more than one existing detached, single-family dwelling, or where one detached single-family dwelling shall be constructed concurrently with the proposed ~~second~~ accessory dwelling unit. Subject to discretionary development permit and coastal development permit processes and requirements findings for approval, and after review and approval by the Agricultural Policy Advisory Commission an ~~second~~ accessory dwelling unit may be located on ~~agriculturally zoned land zoned for Commercial Agriculture (CA) outside the Coastal Zone~~ or on a parcel designated for Agricultural use in the General Plan (A) ~~outside the Coastal Zone~~;

~~(2) Parcel Size. The size of the parcel, if located within the urban services line, is no smaller than that required by the minimum lot size standards of the respective zoning district. The size of the parcel, if located outside the urban services line, is at least one acre in area, unless the parcel is served by public sewer. Parcels outside of the urban services line (USL) with public sewer service shall meet the requirements of subsection (D)(2) of this section;~~

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

(a) Inside the Urban Services Line, an ADU that is built on the second floor over an existing or new garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding 24 feet for a structure that is detached from the primary dwelling, and not exceeding 24 feet within the area of the zoning district setback for a structure that is attached to the primary dwelling. Outside the Urban Services Boundary, an ADU that is built on the second floor over an existing or new garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding 24 feet within the area of the zoning district setback. Outside of the Urban Services Boundary, ADUs above garages shall have a maximum height of 28 feet consistent with zoning district standards when conforming to standard setbacks for the zone district.

(b) Inside the Urban Services Line, the maximum height for a detached New Construction ADU shall be 17 feet, with a maximum exterior side wall height of 15 feet measured from finished grade. ~~Within the Pleasure Point Combining Zone district, the additional limitations on exterior wall height found in 13.10.446 shall also apply.~~

(c) ADUs that are attached to the primary dwelling on the property shall be subject to the standards that are otherwise applicable to the primary dwelling based on the zone district including height, stories, setbacks, lot coverage, and FAR, except that:

(i) ADUs that are built above a garage shall be subject to the standards of subsection (D)(2)(a) above and to the site standards of 13.10.323.

(ii) Parcels that are 6,000 sf or smaller shall be eligible for additional Floor Area Ratio and Lot Coverage subject to subsection (F)(6) of this code section.

(d) All ADUs shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

(34) Design. The design, materials and color of the New Construction accessory dwelling unit shall be compatible with that of the main dwelling and ~~The design of the second unit is~~ shall be consistent with the design and development standards and guidelines set forth in subsection ~~(D6)~~ of this section; and

(54) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall comply with all applicable requirements of ~~Chapters 7.38, 7.71 and 7.73 SCCC~~ the Environmental Health Officer; and

~~(65) In the Coastal Zone, the findings of development permits set forth in SCCC 10.10.230(A), and the a coastal development permit findings of SCCC 13.20.110 must be made~~ is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed New Construction ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.

~~(D6) Design and Development~~ Additional Standards. The following standards shall be applied to every ~~second accessory dwelling unit not defined as a Conversion ADU,~~ and shall be conditions for any approval under this section:

(a) Location of ~~Second Accessory Dwelling Unit.~~ The second accessory dwelling unit may be either attached to the main dwelling or may be detached from it. Inside the urban services line, no ~~second accessory dwelling unit shall be located more than 100 feet from the main dwelling or be accessed by a separate driveway or right-of-way, unless access via a second driveway would result in a superior site plan in terms of safety and protection of environmental resources, and is approved by the Public Works Director or designee.~~ Outside the Coastal Zone, oOn land designated agriculture by the General Plan, the ~~second accessory dwelling unit~~ shall be located within 100 feet of the main dwelling on the property unless another location is approved by the Agricultural Policy Advisory Commission that will meet the on-site and off-site buffering requirements and will meet the goal of preserving agricultural land.

(b) Lot Coverage and Floor Area Ratio. No ~~second accessory dwelling unit~~ shall be allowed which would, when combined with existing lot coverage and gross floor area, exceed the allowable lot coverage or the allowable floor area ratio for the parcel.

(c) Site Standards. All site standards of the zoning district in which the ~~second accessory dwelling unit~~ is proposed shall be met, unless expressly superseded by SCCC subsection 13.10.681(D)(2). ~~Within the urban services line, second units exceeding 17 feet in height or one story may be constructed if a Level V development permit is obtained, pursuant to Chapter 18.10 SCCC.~~ Outside the Coastal Zone, oOn land

zoned or designated agricultural, all setbacks of the agricultural zone districts shall be met and all ~~second~~ accessory dwelling units must meet the buffering requirements of SCCC 16.50.095(F), as determined by the Agricultural Policy Advisory Commission, if applicable.

(E) Requirements for Conversion ADUs. Where an accessory dwelling unit is proposed as a Conversion ADU (as defined in 13.10.681(B)(2)), the following requirements shall be met:

(1) Zoning and General Plan. The accessory dwelling unit shall be located on a parcel allowing single-family uses either by zoning (A, CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R). Subject to discretionary development permit and coastal development permit processes and ~~requirements findings for approval~~, and after review and approval by the Agricultural Policy Advisory Commission an accessory dwelling unit may be located within the Commercial Agriculture Zone District, or on land designated for agricultural use in the General Plan (A), which contains an existing single family home.

(2) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall meet applicable requirements of the Environmental Health Officer.

(3) In the Coastal Zone, ~~no Coastal Development permit is required provided the ADU meets all the requirements of a Conversion ADU~~ a coastal development permit is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.

(4) Design and Development standards for Conversion ADUs. The following standards shall be applied to every accessory dwelling unit converted from part of an existing single-family home or existing accessory structure, and shall be conditions for any approval under this section:

(a) The ADU shall have an exterior entrance that is independent of the existing single-family dwelling.

(b) The ADU shall meet setbacks sufficient for fire safety in conformance with the Building Code (SCCC Chapter 12.10) and Fire Code (SCCC Chapter 7.92).

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

(d) Conversion for use as an ADU shall include construction which occupies substantially the same footprint and vertical space as the existing structure upon completion, with additions to the existing structure increasing overall floor area of the conversion ADU by no more than 30% or 150 square feet, whichever is less. ~~Further additions to square footage exceeding that level shall may be considered under~~

13.10.681(D) Requirements for as New Construction ADUs. Proposed additions with Conversion ADUs shall comply with applicable zoning development standards and any existing development permit conditions of approval.

(i) For Conversion ADUs on parcels 5,000sf and smaller, the addition of up to 30% of conversion area, not to exceed 150sf, shall be in addition to the 50% of the primary dwelling which may be converted to an ADU per 13.10.681(F)(1) below, so long as in no case does the total habitable area of the ADU exceed 640 square feet.

(e) The ADU shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

(FG) Site standards. For both New Construction ADUs and Conversion ADUs the following site standards apply.

(1) Size of Second-Accessory Dwelling Unit. The total gross floor area as defined in SCCC 13.10.700-F of the habitable portion of an ADU is defined in the tables below, based on location inside or outside the Urban Services Line (USL) and parcel size. In no case shall an ADU on a parcels under 5,000 square feet exceed 640 square feet in size unit shall not exceed the following standards, based on parcel size:

<u>New Construction ADUs Outside the USL</u>			
<u>Parcel Size</u>	<u><10,000 sq. ft.</u>	<u>10,000 sq. ft. to < 1 acre</u>	<u>1 acre or larger</u>
<u>Size of ADU</u>	<u>800sq. ft.</u>	<u>1000 sq. ft.</u>	<u>1,200 sq. ft.</u>

<u>New Construction ADUs Inside the USL</u>			
<u>Parcel Size</u>	<u><5,000 sq. ft</u>	<u>5,000 – 9,999 sq. ft</u>	<u>10,000+ sq. ft</u>
<u>Size of ADU</u>	<u>10% of Parcel Size</u>	<u>640 sq. ft</u>	<u>800 sq. ft</u>

<u>All Conversion ADUs</u>		
<u>Parcel Size</u>	<u><5,000 sq ft</u>	<u>5,000+ sq. ft</u>

<u>Size of ADU</u>	<u>Up to 50% of the existing habitable sq. ft of primary dwelling, not to exceed 640 sq ft</u>	<u>Use standards for New Construction ADUs in tables above</u>
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Maximum Gross Floor Area Within the Urban Services Line (USL)		
Type of Sewer Service	Parcel Size	
	<10,000 sq. ft.⁽¹⁾	10,000 sq. ft. or Larger⁽¹⁾
With public sewer	640 sq. ft.	640 sq. ft.
Without public sewer	Not allowed	640 sq. ft. maximum (must meet requirements of Chapter 7.38SCCC)

~~(1) The size of the parcel must be no smaller than that required by the minimum lot size standards of the zoning district.~~

~~Maximum Gross Floor Area Outside of the Urban Services Line (USL)~~

Type of Sewer Service	Parcel Size			
	<10,000 sq. ft.	10,000 sq. ft. to <1 acre	1 acre or larger to < 2.5 acres	2.5 acres or larger
With Public Sewer	640 sq. ft.	800 sq. ft.	800 sq. ft.	1,200 sq. ft.
Without Public Sewer	Not allowed	Not allowed	800 sq. ft.	1,200 sq. ft.

(52) Parking. Off-street parking shall be provided to meet the requirements of SCCC 13.10.550 for the main dwelling and one additional space for ~~each bedroom in the second accessory dwelling unit, and may be provided as double or triple tandem parking, in any location on the property. 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~~ Off-street parking shall ~~always~~ be required for any New Construction or Conversion accessory dwelling unit located on a block subject to a permit parking requirement ~~regardless of exceptions described below.~~

In all other locations, required parking for the ADU shall not apply under the circumstances described below, and no parking shall be required for the ADU under these circumstances:

(a) The accessory dwelling unit is located within the USL or RSL and within one-half mile of public transit stop with at least 30-minute headways (time between buses running on the same route in the same direction).

(b) The accessory dwelling unit is located within a designated architecturally and historically significant historic district.

(c) The accessory dwelling unit is part of the primary dwelling on the property, or is part of an accessory structure.

(d) The accessory dwelling unit is a Conversion ADU.

(e) When there is a dedicated parking space reserved for a publicly-available car share vehicle located within one block of the accessory dwelling unit. Applicants shall be required to show the location of the dedicated parking space and confirm the vehicle's availability to future ADU residents.

~~(6) Design. The design, materials and color of the second unit shall be compatible with that of the main dwelling.~~

~~(73) Other Accessory Uses. Not more than one second-accessory dwelling unit shall be constructed on any one parcel. An second-accessory dwelling unit and agricultural caretakers' quarters, except farmworker housing on agricultural parcels greater than 10 acres outside the Coastal Zone, shall not be permitted on the same parcel. Habitable and nonhabitable accessory structures may be allowed subject to all applicable requirements of the underlying zone district and SCCC13.10.611.~~

~~(84) Service Requirements. . Written acknowledgements shall be provided from the applicable sanitation, water, and fire districts and/or Environmental Health Services indicating that there will be adequate water, sanitation and fire protection services to the project site with the inclusion of a second unit. All requirements of the respective service agencies shall be satisfied, and all ADUs shall comply with all sections of the California Fire Code as codified in SCCC 7.92 except that in no case shall fire sprinklers be required for the ADU where they are not also required for the primary dwelling.~~

~~(95) Fees. Prior to the issuance of a building permit for the second-accessory dwelling unit, the applicant shall pay to the County of Santa Cruz capital improvement fees in accordance with the Planning Department's fee schedule as may be amended from time to time, and any other applicable fees.~~

(6) Incentives. On parcels 6,000sf or smaller, where New Construction ADUs or Conversion ADUs are developed after January 1, 2018, an additional 2% shall be added to maximum Lot Coverage and maximum Floor Area Ratio development standards in order to incentivize the creation of ADUs, including within the Pleasure Point (-PP) Combining Zone District. See Footnotes on Site and Structural Dimensions Charts in Section 13.10.323(B).

~~(EG)~~ Occupancy Standards. The following occupancy standards shall be applied to every ~~second~~ accessory dwelling unit and shall be conditions for any approval under this section:

(1) Occupancy Restrictions. The maximum occupancy of ~~an second~~ accessory dwelling unit may not exceed that allowed by the State Uniform Housing Code, or other applicable State law ~~based on the unit size and number of bedrooms in the unit.~~

(2) Owner Residency. Unless owned by a public agency, 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 main dwelling or the ~~second~~ accessory dwelling unit. If the ~~second~~ accessory dwelling unit is newly constructed on a parcel within a subdivision, then the purchaser of said property shall permanently reside in either the main dwelling or the ~~second~~ accessory dwelling unit, shall be required to submit a property tax exemption prior to occupancy of the ~~second~~ accessory dwelling unit, and shall be subject to the deed restriction noted in subsection (G)(5) of this section.

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

(3) Sale. The ADU is not intended for sale separate from the primary residence. An ADU may be rented for periods of 30 days or more.

(4) Vacation Rental or Short Term Rental Use. In no case shall a vacation rental or any other short-term rental use of less than 30 days be permitted in any ADU. A property with an ADU shall not be eligible for participation in the Vacation Rental program. A property owner may reside in the ADU and operate a vacation rental in the primary dwelling on the parcel provided that all required permits are obtained.

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

(a) The property owner shall permanently reside, as evidenced by a homeowner's property tax exemption on the parcel or by other satisfactory documentation of owner residence, in either the main dwelling or the ~~second-accessory dwelling~~ unit, unless owned by a public agency that is providing housing for special populations, in which case the declaration of restrictions shall indicate that any subsequent nonpublic agency owner shall abide by the terms of this subsection and subsection (G)(2) of this section.

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

(c) The declaration shall include a provision for the recovery by the County of reasonable attorney's fees and costs in bringing legal action to enforce the declaration together with recovery of any rents collected during any occupancy not authorized by the terms of the agreement or, in the alternative, for the recovery of the reasonable value of the unauthorized occupancy.

(FH) Permit Allocations. Each ~~second-accessory dwelling~~ unit ~~may be~~ is exempt from the residential permit allocation system of Chapter 12.02 SCCC.

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

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

13.10.694 Vacation Rentals

(B) Vacation rentals are allowed in all zone districts that allow residential use with no requirement for any other use, except that any vacation rental meeting the requirements of subsections (C)(2) and (D)(1) of this section may be permitted in any zone district. Habitable accessory structures, nonhabitable accessory structures, accessory dwelling second units constructed under the provisions of SCCC 13.10.681, 13.20.107, or 13.20.108, and legally restricted affordable housing units shall not be used as vacation rentals. Further, no new Vacation Rental permits shall be granted on parcels containing ADUs after March 9, 2018.

(C) For the purposes of this section, the following terms have the stated meanings:

- (1) “Vacation rental” means a single-family dwelling unit, duplex, or triplex (including condominium and townhouse units, but not including apartments or manufactured homes in a mobile home park), where the owner/operator/contact person/agent does not occupy the dwelling unit while it is rented, only the renter and guests thereof occupy the dwelling unit while it is rented, and the dwelling unit is rented for the purpose of overnight lodging for a period of not more than 30 days. Where there is more than one dwelling on a property as part of a dwelling group, the owner/operator/contact person/agent may live in a dwelling that is not used as a vacation rental. For the purposes of these regulations, the following are not considered to be vacation rentals:
- (a) ongoing month-to-month tenancy granted to the same renter for the same unit, (b) one less-than-30-day period per year, (c) a house exchange for which there is no payment, or (d) renting of individual rooms in a dwelling unit while the primary occupant remains on-site.

13.10. 700-A “A” definitions:

“Accessory Dwelling Unit” means, in compliance with California Government Code Sections 65852 and 65853, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of Kitchen), and sanitation on the same parcel as a single-family dwelling. See also *Conversion ADU* and *New Construction ADU*.

13.10. 700-C “C” definitions:

“Conversion ADU” shall mean the conversion of any portion of an accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating an accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 “R”, and any conversion that does not comply with SCCC 13.10.681(E), shall be considered a New Construction ADU.

13.10.700-D “D” definitions:

“Dwelling unit” means a structure for human habitation providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, with the restrictions that only one kitchen ~~or set of food preparation facilities~~ is allowed in each dwelling unit, and up to one additional

limited food preparation area including a sink; a refrigerator; small electric kitchen appliances that do not require electrical service greater than 120 volts; excluding full-sized electric, gas, or propane cooking appliances; and having an appropriately sized preparation counter and storage cabinets, may also be included in any single-family dwelling at a rate of one per parcel, and interior connection shall be maintained throughout the home, and an interior stairway shall be provided between all stories.

13.10.700-S “S” definitions:

“Second unit” – see definition for Accessory Dwelling Unit, means a structure for human habitation, subject to the requirements of SCCC 13.10.681 and limited in size to 640 gross square feet within the urban services line (USL) and up to 1,200 square feet outside the USL, providing complete independent living facilities, including permanent provision for living, sleeping, eating, cooking and sanitation, with the restriction that only one kitchen is allowed.

13.20.061 Improvements to existing single-family residences exemption:

(A) Subject to SCCC 13.20.060, no coastal development permit is required for improvements to existing single-family residences (including to fixtures and other structures directly attached to the residence; structures on the property normally associated with a single-family residence, such as garages, swimming pools in-ground and above-ground, hot tubs, fences, decks, storage sheds, and attached low-profile solar panels, and landscaping on the property, but not including guest houses or self-contained residential units). Allowed improvements that do not require a coastal development permit include additions of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission, remodels, alterations, replacement of existing water storage tanks, wells or septic systems serving an existing single-family residence where there is no expansion of the replaced feature or its capacity, and new accessory structures except for self-contained ~~detached~~ residential units including ~~detached New Construction~~ accessory dwelling ~~second~~ units that result in intensification of a residential use due to conversion of space from non-habitable to habitable or by addition of a bedroom to the parcel, or based on location within any of the areas described in Section 13.20.071(B) (as defined in SCCC 13.10.700-S; see also SCCC 13.20.107 and 13.20.108).

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

Any proposed ~~New Construction~~ ~~second~~ accessory dwelling unit located within the Coastal Zone but located outside of the appealable area, as described in SCCC 13.20.040, 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) Within 10 calendar days of accepting an application for a nonappealable coastal development permit for a proposed ~~second~~ 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:

13.20.108 Coastal development permit review of ~~second~~ accessory dwelling units (appealable).

All proposed ~~New Construction~~ ~~second~~ 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 Chapter 13.20.061 et seq., processed concurrently with a building permit, subject to the following noticing requirements:

14.01.107 Applicability.

This chapter shall apply to all subdivisions of land in the unincorporated area of the County of Santa Cruz subject to the following exemptions:

(D) Financing or leasing of ~~second~~ accessory dwelling units pursuant to the provisions of SCCC 13.10.681. This chapter shall apply to the sale or transfer of such ~~second~~ accessory dwelling units.

18.10.140 Conformity with the General Plan and other legal requirements.

(B) All proposals for residential development of property within the urban services line, except for ~~second~~ accessory dwelling units and residential remodels, at less than the lowest end of the designated density range of the County General Plan—LCP land use designation where there is the potential that three or more new units could be accommodated on-site at the lowest end of the density range shall be subject to review by the development review group (see SCCC 18.10.210(C)(1)). Following completion of the development review group (DRG) process, the proposal and the information developed as a result of the DRG process shall be referred to the Board of Supervisors for a preliminary General Plan consistency determination at a public hearing. Proposals of four or fewer lots (or units) shall have their DRG meeting within 45 days from the date of application, and shall be considered by the Board of Supervisors at a public hearing within 60 days from the date of the DRG meeting

ORDINANCE AMENDING SANTA CRUZ COUNTY CODE SECTIONS, 13.10.312, 13.10.314, 13.10.322, 13.10.323, 13.10.418, 13.10.446, 13.10.552, 13.10.554, 13.10.611, 13.10.681, 13.10.700, 13.20.061, AND 13.20.108 RELATING TO ACCESSORY DWELLING UNITS

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Santa Cruz County Code is hereby amended by changing the entry for “second unit” in Section 13.10. 312(B) Uses Chart to read as follows:

USE	CA	A	AP
Accessory Dwelling Unit, subject to the provisions of SCCC 13.10.681			-
Outside the Coastal Zone	4	BP	-
Inside the Coastal Zone	5	BP	-

SECTION II

The Santa Cruz County Code is hereby amended by changing Section 13.10.314 (B) to read as follows:

(B) Residential Uses in the Coastal Zone. For parcels within the CA Commercial Agricultural and AP Agricultural Preserve Zone Districts in the Coastal Zone, the following special findings shall be made in addition to those required by Chapter 18.10 SCCC and subsection (A) of this section in order to approve any discretionary residential use including a single-family residence, an accessory dwelling unit, a permanent caretaker’s residence, or habitable accessory structure. These findings shall be based upon a review and determination by the Agricultural Policy Advisory Commission.

SECTION III

The Santa Cruz County Code is hereby amended by changing the entry for “second unit” in Section 13.10. 322(B) Uses Chart to read as follows:

USE	RA	RR	R-1	RB	RM
Accessory Dwelling Unit, subject to the provisions of SCCC 13.10.681	BP	BP	BP	BP	BP

SECTION IV

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

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

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	Detached Garages, inside the USL	*	*	*		24				
	New Construction - Detached from SFD, inside USL	*	*	*	*	17 and 15 exterior side wall	*	N/A	*	*
Accessory Dwelling Units, All Districts	New Construction - Detached from SFD, outside USL	*	*	*	*	*	*	*	*	*
	New Construction - Attached to SFD	*	*	*	*	*	*	*	*	*
	New Construction above a Detached garage - inside USL	*	5	5	*	24 and 22 exterior wall	*	2	*	*

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE**	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	New Construction above an Attached garage – inside USL	*	5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2	*	*
	New Construction above a Detached or Attached garage— outside USL <i>Reduced setbacks</i>	*	5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2	*	*
	New Construction above a Detached or Attached garage— outside USL <i>Standard Setbacks</i>	*	*	*	*	*	*	*	*	*
	Conversion ADUs	‡	‡	‡	‡	‡	‡	‡	‡	‡
	General requirements	10	0&5	10	40%	25; on beach side: 17	0.5:1	2; on beach side: 1	40	40
	Corner lots	10	0&10	10	40%	See above	0.5:1	See above	40	40
RB > or = 4,000 sq. ft.	Lots on beach side of street	10	0&5	0	40%	See above	0.5:1	See above	40	40

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
R-1-3.5 to R-1-4.9 0 to <5,000 sq. ft.	Semi-detached dwellings and dwellings adjacent to pedestrian rights-of-way	10	0&5	10						
	General requirements	15	5&5	15	40%	28	0.5:1	2	35	35
	Corner lots—existing parcels —creating new parcels	15	5&10 5&15	15	40%	28	0.5:1	2	35	35
	Parcels >5,000 sq. ft. General requirements	20	5&8 5&8	15	40%	28	0.5:1 0.5:1	2 2	35 50	35 50
R-1-5 to R-1-5.9	Corner lots—existing parcels —creating new parcels	20		15	40%	28	0.5:1	2	50	50
	Parcels 4 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	50	50

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
5,000 to <6,000 sq. ft.	General requirements	20	5&8	15	40%	28	0.5:1	2	60	60
	Corner lots—existing parcels —creating new parcels	20	5&10 5&20	15	40%	28	0.5:1	2	60	60
R-1-6 to R-1-9.9	Parcels >4,800 to <5,999 sq. ft.	20	5&8	15	40%	28	0.5:1	2		
6,000 to <10,000 sq. ft.	General requirements	20	10&10	15	40%	28	0.5:1	2	60	60
	Creating new corner lots	20	10&20	15	40%	28	0.5:1	2	60	60
R-1-10 to R-1-15.9	General requirements	30	15&15	15	20%	28	N/A	2	90	60
10,000 to <16,000 sq. ft.	General requirements—1 to <5 acres	40	20&20	20	10%	28	N/A	2	100	60
R-1-16 to R-1-<1 acre 16,000 sq. ft. to <1 acre	General requirements—5 acres or more	40	20&20	20	10%	28	N/A	2	150	100

EXHIBIT D

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
RR, RA and R-1-1 > 1 acre										

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

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

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

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

**** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

† See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

EXHIBIT D

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

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO**	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	Detached Garages, inside the USL	*	*	*		24				
	New Construction - Detached from SFD, inside USL	*	*	*	*	17 and 15 exterior side wall	*	N/A	*	*
Accessory Dwelling Units, All Districts	New Construction - Detached from SFD, outside USL	*	*	*	*	*	*	*	*	*
	New Construction - Attached to SFD	*	*	*	*	*	*	*	*	*
	New Construction above a Detached garage - inside USL	*	5	5	*	24 and 22 exterior wall	*	2	*	*

EXHIBIT D

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	New Construction above an Attached garage -- inside USL	*	5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2	*	*
	New Construction above a Detached or Attached garage— outside USL <i>Reduced setbacks</i>	*	5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2	*	*
	New Construction above a Detached or Attached garage— outside USL <i>Standard Setbacks</i>	*	*	*	*	*	*	*	*	*
	Conversion ADUs	‡	‡	‡	‡	‡	‡	‡	‡	‡
RM-1.5 to RM-4.9 0 to <5,000 sq. ft.	General requirements for all parcels within these zone districts	15	5&5	15	40%	28	0.5:1	Per use permit or 2	35	35

EXHIBIT D

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	Corner lots— existing parcels	15	5&10	15	40%	28	0.5:1		35	35
	—creating new parcels	15	5&15	15	40%	28	0.5:1		35	35
	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		35	35
	General requirements and for parcels >6,000 sq. ft.	20	5&8	15	40%	28	0.5:1	Per use permit or 2	50	50
RM-5 to RM-5.9 5,000 to <6,000 sq. ft.	Corner lots— existing parcels	20	5&10	15	40%	28	0.5:1		50	50
	—creating new parcels	20	5&10	15	40%	28	0.5:1		50	50
	Parcels >4,000 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		50	50
RM-6 to RM-9.9	General requirements	20	5&8	15	40%	28	0.5:1	Per use permit or 2	60	60

EXHIBIT D

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
6,000 to <10,000 sq. ft.	Corner lots— existing parcels	20	5&10	15	40%	28	0.5:1		60	60
	—creating new parcels	20	5&20	15	40%	28	0.5:1		60	60

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

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

** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

† See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

EXHIBIT D

SECTION V

The Santa Cruz County Code is hereby amended by amending Section 13.10.323(E)(6) to read as follows:

(E) Site and Structural Dimension Exceptions Relating to Structures.

(6) Accessory Structures.

(a) Water Tanks and Propane Tanks. Water tanks which are required for fire protection and/or domestic use may be erected to within three feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal, appropriate fire agency or Environmental Health Service. Propane/LP gas tanks may be erected to within five feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal or appropriate fire agency. A landscaped screen shall be provided for any tank located within the required front yard.

(b) Side and Rear Yards.

(i) An accessory structure which is attached to the main building shall be considered a part thereof, and shall be required to have the same setbacks as the main structure;

(ii) A detached accessory structure which is located entirely within the required rear yard and which is smaller than 120 square feet in size and 10 feet or less in height may be constructed to within three feet of the side and rear property lines;

(iii) Garden trellises, garden statuary, birdbaths, freestanding barbeques, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems, if not exceeding six feet in height, are not required to maintain side and rear yard setbacks and are excluded from the calculation of allowable lot coverage.

(c) Separation. The minimum distance between any two detached structures shall be 10 feet with the following exceptions:

(i) Eaves, chimneys, cantilevered, uncovered, unenclosed balconies, porches, decks and uncovered, unenclosed stairways and landings may encroach three feet into the required 10-foot separation;

(ii) No separation is required between water tanks located on the same parcel;

(iii) No separation is required between garden trellises, garden statuary, birdbaths, freestanding barbecues, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps

and similar HVAC equipment and ground-mounted solar systems and other structures located on the same parcel.

(iv) The minimum separation between an Accessory Dwelling Unit and any other structure on a parcel, including encroachments included in subsection (i) above, shall be no less than three feet.

(d) On Reversed Corner Lots. On a reversed corner lot, accessory structures shall be located not closer to the rear property line than the required side yard on the adjoining key lot, and not closer to the side property line adjoining the street than the required front yard of the adjoining key lot.

(e) Distance from Alleys. Detached accessory structures including garages shall not be located within three feet of any alley.

(f) Garages Located in Required Rear and Side Yards.

(i) On residentially zoned parcels smaller than 10,000 square feet, an attached or detached garage ("garage" as defined under SCCC 13.10.700-G but excluding carports) may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines; provided, that:

A. There shall be no windows, doors or other openings on garage walls that are less than five feet from the side or rear property lines.

B. The garage shall have a minimum front setback of 40 feet, or, for parcels less than 80 feet deep, the minimum front setback to the garage shall be 50 percent of the parcel's depth.

C. Eaves or other projections on garages with reduced setbacks shall extend no more than two additional feet closer to the rear and side yard property lines, and no closer than allowed by the California Residential Building Code (CRC).

D. The garage shall have a maximum depth of 30 feet.

(ii) On residential parcels 10,000 square feet or larger in size, an attached or detached garage may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines, subject to subsections (E)(6)(f)(i)(A) through (D) of this section; and provided, that a minor exception is obtained in accordance with SCCC 13.10.235.

(iii) On residential parcels less than 10,000 square feet, a garage may be located up to zero feet from the rear or interior side property line if an administrative site development permit (Level IV

approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(iv) A garage located within a required rear or side setback area shall not exceed 17 feet in height or one story, unless an administrative site development permit (Level IV approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(g) Detached New Construction ADUs Inside the Urban Services Boundary With Design Review. Building heights up to 5 feet in excess of the zoning standard, but in no case exceeding 28 feet, may be allowed without increased yards or variance approval, subject to design review and to the coastal view protection standards of Chapter 13.20 (if located in the Coastal Zone), and subject to approval by the Zoning Administrator following a public hearing. Appeals from this decision shall be processed pursuant to Chapter 18.10 SCCC.

SECTION VI

The Santa Cruz County Code is hereby amended by changing Section 13.10.418(A)(1) and (A)(2) to read as follows:

- (1) A building permit for a new single-family dwelling or a new accessory dwelling unit;
- (2) A coastal development permit for a new single-family dwelling or an accessory dwelling unit that is not exempt or excluded pursuant to Chapter 13.20;

SECTION VII

The Santa Cruz County Code is hereby amended to change the introduction to Section 13.10.446 to read as follows:

In addition to the residential site standards found in SCCC 13.10.323(B), the following standards and incentives apply to residential development in the Pleasure Point Community Design PP Combining District. Where there are differences between this section and SCCC 13.10.323(B), the provisions of this section shall apply, except that for Accessory Dwelling Units built above attached or detached garages the provisions of 13.10.323 and 13.10.681(D)(2)(a) shall apply regarding setbacks and second story setbacks; and the additional 2% allowance for Lot Coverage and Floor Area Ratio for any parcel with an ADU on lots 6000 sf or smaller shall also apply:

SECTION VIII

The Santa Cruz County Code is hereby amended by changing Section 13.10.552 to read as follows:

(A) Off-street parking spaces for residential uses shall be provided according to the type and size of residence as described below:

(7) Accessory dwelling units. One parking space is required for each accessory dwelling unit unless the ADU is exempted under 13.10.681 (F)2.

SECTION IX

The Santa Cruz County Code is hereby amended by changing Section 13.10.554(B) to read as follows:

(B) Each parking space shall be accessible from a street or alley. Tandem parking spaces shall be allowed for the purpose of fulfilling parking requirements set forth in this chapter. For single-family dwelling units, either attached or detached, and for multifamily dwellings where garages are within, attached or immediately adjacent to the dwelling units, tandem parking spaces must be entirely within the subject property and shall consist of no more than two spaces. For mobile homes located within mobile home parks and for parcels with ADUs, tandem parking spaces shall consist of no more than three parking spaces in line. For hotels and restaurants with a valet parking plan where such uses are to be located in existing structures on parcels of such size or shape that preclude the ability to meet current parking requirements for that use, tandem spaces shall be limited to that number in the approved valet parking plan. Such a valet parking plan shall be approved by the appropriate body and be guaranteed to operate full-time during established business hours for the life of the use.

SECTION X

The Santa Cruz County Code is hereby amended by changing Table 13.10.611-2 found in Section 13.10.611(c)(3) to read as follows:

(3) Regulations for level of review, size, number of stories and locational restrictions for accessory structures are as indicated in Table 13.10.611-2:

Table 13.10.611-2

LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL REGULATIONS

	Nonhabitable	Habitable
Size, story and height restrictions and permit required	Within the urban services line (USL): building permit only for up to 640-square-foot size, two story and 28-foot height; Detached Garages limited to two story and 24 foot height	Building permit only for up to 640-square-foot size, one story and 17-foot height

Table 13.10.611-2

LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL REGULATIONS

	Nonhabitable	Habitable
	Outside the USL: building permit only for up to 1,000-square-foot size, three story and 28-foot height	*Standards for Accessory Dwelling Units can be found in Code Section 13.10.681.
Permit required if exceeds size restrictions	Outside the urban services line (USL): Level IV use approval Inside the USL: Level V use approval	Level V use approval
Permit required if exceeds height restrictions (See SCCC 13.10.323(E)(5) for exceptions)	Variance	Level V use approval for structures exceeding 17 feet, up to 28 feet Variance to exceed 28 feet
Permit required if exceeds story restrictions	Variance	Inside the USL: Level V use approval for two stories Variance for exceeding two stories Outside the USL: Level V use approval for two or three stories Variance for exceeding three stories
Number of accessory structures allowed	No limit, if in compliance with the site regulations of the zone district	One with building permit only Maximum of two with Level V use approval
Locational restrictions	None, if in compliance with the site regulations of the zone district	In addition to the site regulations of the zone district, shall be no more than 100 feet from the main

Table 13.10.611-2

**LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL
REGULATIONS**

	Nonhabitable	Habitable
		residence, shall not be accessed by a separate driveway or right-of-way, nor constructed on a slope greater than 30 percent, unless a Level IV use approval is obtained

SECTION XI

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

13.10.681 Accessory Dwelling units.

(A) Purpose. The purpose of this section is to provide for and regulate accessory dwelling units 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) "New Construction ADU" shall mean any ADU that does not meet the definition of Conversion ADU.
- (2) "Conversion ADU" shall mean the conversion of any portion of a legal accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating an accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 "R", and any conversion that exceeds that limit, or otherwise does not comply with subsection (E) of this section shall be considered a New Construction ADU for the purposes of this section.
- (3) "Attached", in reference to ADUs throughout the Santa Cruz County Code, shall mean sharing any part of a wall, ceiling or floor with the primary dwelling on the property, with the ADU located above, below, beside, or a combination, the primary dwelling on the property.

(C) Application Processing. All accessory dwelling units shall be processed in accordance with this section and the requirements of Government Code Section 65852.2 and, for those accessory dwelling units located within the Coastal Zone, the processing requirements of SCCC 13.20.107 and 13.20.108. A building permit only, and no public notice or hearing, shall be required for a new construction or conversion accessory dwelling unit within any residential zone district or on land designated residential in the General Plan, or within the Agriculture Zone District, unless the accessory dwelling unit is located in an area, or is a part of a larger project, that requires a discretionary development permit, or if a variance is requested. Pursuant to Government Code Section 65852.2 applications for ADUs within any residential zone district or on land designated residential in the General Plan, or within the Agriculture Zone District shall be approved or denied ministerially within 120 days of submission of a complete application. All applications for accessory dwelling units in the Commercial Agricultural Zone District shall be subject to review by the Agricultural Policy Advisory Commission.

Accessory dwelling units are subject to the following processes:

- (1) Outside the Coastal Zone: Building permit issuance.
- (2) Inside the Coastal Zone (nonappealable area): ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq require a Building permit.

ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq require issuance of a combined coastal development and building permit, subject to the following noticing requirements:

(a) Within 10 calendar days of accepting an application for a nonappealable coastal development permit, the County shall provide notice, by first class mail, of pending development approval. 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 residents 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:

- (i) A statement that the development is within the Coastal Zone;
- (ii) The date of filing of the application and the name of the applicant;
- (iii) The number assigned to the application;
- (iv) A description of development and its proposed location;
- (v) The general procedure of the local government concerning the submission of public comments either in writing or orally prior to the local decision;

(vi) A statement that a public comment period of sufficient time to allow for the submission of comments by mail will be held prior to the local decision.

(3) Inside the Coastal Zone (appealable area): ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq require a Building permit.

ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq require issuance of a combined coastal development and building permit, subject to the following noticing requirements:

(a) Within 10 calendar days of accepting an application for an appealable coastal development permit, the local government 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 residents 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:

- (i) Statement that the development is within the Coastal Zone;
- (ii) The date of filing of the application and the name of the applicant;
- (iii) The number assigned to the application;
- (iv) A description of the development and its proposed location;
- (v) A brief description of the general procedure concerning the conduct of local actions;
- (vi) The system 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 conditions of approval and written findings and the procedures for appeal of the local decision to the Coastal Commission.

(c) The County shall include 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.

(D) Requirements for New Construction ADUs. Before a permit for a New Construction ADU or expansion of an existing structure for use as an accessory dwelling unit can be granted, the following requirements shall be met:

(1) Zoning and General Plan. The accessory dwelling unit shall be located on a parcel allowing single-family uses either by zoning (A, CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R) which contains no more than one existing detached, single-family dwelling, or where one detached single-family dwelling shall be constructed concurrently with the proposed accessory dwelling unit. Subject to applicable discretionary development permit and coastal development permit processes and findings for approval, and after review and approval by the Agricultural Policy Advisory Commission, an accessory dwelling unit may be located on land zoned for Commercial Agriculture (CA) or on a parcel designated for Agricultural use in the General Plan(A);

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

(a) Inside the Urban Services Line, an ADU that is built on the second floor over an existing or new garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding 24 feet for a structure that is detached from the primary dwelling, and not exceeding 24 feet within the area of the zoning district setback for a structure that is attached to the primary dwelling. Outside the Urban Services Boundary, an ADU that is built on the second floor over an existing or new garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding 24 feet within the area of the zoning district setback. Outside of the Urban Services Boundary, ADUs above garages shall have a maximum height consistent with zoning district standards when conforming to standard setbacks for the zone district.

(b) Inside the Urban Services Line, the maximum height for a detached New Construction ADU shall be 17 feet, with a maximum exterior side wall height of 15 feet measured from finished grade.

(c) ADUs that are attached to the primary dwelling on the property shall be subject to the standards that are otherwise applicable to the primary dwelling based on the zone district including height, stories, setbacks, lot coverage, and FAR, except that:

(i) ADUs that are built above a garage shall be subject to the standards of subsection (D)(2)(a) above.

(ii) Parcels that are 6,000 sf or smaller shall be eligible for additional Floor Area Ratio and Lot Coverage subject to subsection (F)(6) of this code section.

(d) All ADUs shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

(3) Design. The design, materials and color of the New Construction accessory dwelling unit shall be compatible with that of the main dwelling and shall be consistent with the development standards and guidelines set forth in subsection (6) of this section; and

(4) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall comply with all applicable requirements of the Environmental Health Officer; and

(5) In the Coastal Zone, a coastal development permit is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed New Construction ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.

(6) Additional Standards. The following standards shall be applied to every accessory dwelling unit not defined as a Conversion ADU, and shall be conditions for any approval under this section:

(a) Location of Accessory Dwelling Unit. The accessory dwelling unit may be either attached to the main dwelling or may be detached from it. Inside the urban services line, no accessory dwelling unit shall be accessed by a separate driveway or right-of-way, unless access via a second driveway would result in a superior site plan in terms of safety and protection of environmental resources, and is approved by the Public Works Director or designee. On land designated agriculture by the General Plan, the accessory dwelling unit shall be located within 100 feet of the main dwelling on the property unless another location is approved by the Agricultural Policy Advisory Commission that will meet the on-site and off-site buffering requirements and will meet the goal of preserving agricultural land.

(b) Lot Coverage and Floor Area Ratio. No accessory dwelling unit shall be allowed which would, when combined with existing lot coverage and gross floor area, exceed the allowable lot coverage or the allowable floor area ratio for the parcel.

(c) Site Standards. All site standards of the zoning district in which the accessory dwelling unit is proposed shall be met, unless expressly superseded by SCCC subsection 13.10.681(D)(2). On land zoned or designated agricultural, all setbacks of the agricultural zone districts shall be met and all accessory dwelling units must meet the buffering requirements of SCCC 16.50.095(F), as determined by the Agricultural Policy Advisory Commission, if applicable.

(E) Requirements for Conversion ADUs. Where an accessory dwelling unit is proposed as a Conversion ADU (as defined in 13.10.681(B)(2)), the following requirements shall be met:

(1) Zoning and General Plan. The accessory dwelling unit shall be located on a parcel allowing single-family uses either by zoning (A, CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R), or subject to applicable discretionary development permit and coastal development permit processes and findings for approval, and after review and approval by the Agricultural Policy Advisory Commission an accessory dwelling unit may be located, an accessory dwelling unit may be located within the Commercial Agriculture Zone District, or on land designated for agricultural use in the General Plan (A), which contains an existing single family home.

(2) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall meet applicable requirements of the Environmental Health Officer.

(3) In the Coastal Zone, a coastal development permit is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.

(4) Design and Development standards for Conversion ADUs. The following standards shall be applied to every accessory dwelling unit converted from part of an existing single-family home or existing accessory structure, and shall be conditions for any approval under this section:

(a) The ADU shall have an exterior entrance that is independent of the existing single-family dwelling.

(b) The ADU shall meet setbacks sufficient for fire safety in conformance with the Building Code (SCCC Chapter 12.10) and Fire Code (SCCC Chapter 7.92).

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

(d) Conversion for use as an ADU shall include construction which occupies substantially the same footprint and vertical space as the existing structure upon completion, with additions to the existing structure increasing overall floor area of the conversion ADU by no more than 30% or 150 square feet, whichever is less. Additions to square footage exceeding that level shall be considered under 13.10.681(D) as New Construction ADUs. Proposed additions shall comply with applicable zoning development standards and any existing development permit conditions of approval.

i) For Conversion ADUs on parcels 5,000sf and smaller, the addition of up to 30% of conversion area, not to exceed 150sf, shall be in addition to the 50% of the primary dwelling which may be converted to an ADU per 13.10.681(F)(1) below, so long as in no case does the total habitable area of the ADU exceed 640 square feet.

(e) The ADU shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

(F) Site standards. For both New Construction ADUs and Conversion ADUs the following site standards apply.

(1) Size of Accessory Dwelling Unit. The total gross floor area as defined in SCCC 13.10.700-F of the habitable portion of an ADU is defined in the tables below, based on location inside or outside the Urban Services Line (USL) and parcel size. In no case shall an ADU on a parcel under 5,000 square feet exceed 640 square feet in size:

New Construction ADUs Outside the USL			
Parcel Size	<10,000 sq. ft.	10,000 sq. ft. to < 1 acre	1 acre or larger
Size of ADU	800sq. ft.	1000 sq. ft.	1,200 sq. ft.

New Construction ADUs Inside the USL			
Parcel Size	<5,000 sq. ft	5,000 – 9,999 sq. ft	10,000+ sq. ft
Size of ADU	10% of Parcel Size	640 sq. ft	800 sq. ft

All Conversion ADUs		
Parcel Size	<5,000 sq ft	5,000+ sq. ft
Size of ADU	Up to 50% of the existing habitable sq. ft of primary dwelling, not to exceed 640 sq ft	Use standards for New Construction ADUs in tables above

(2) **Parking.** Off-street parking shall be provided to meet the requirements of SCCC 13.10.550 for the main dwelling and one additional space for the accessory dwelling unit, and may be provided as double or triple tandem parking, in any location on the property. 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. Off-street parking shall be required for any New Construction or Conversion accessory dwelling unit located on a block subject to a permit parking requirement.

In all other locations, required parking for the ADU shall not apply under the circumstances described below, and no parking shall be required for the ADU under these circumstances:

- (a) The accessory dwelling unit is located within the USL or RSL and within one-half mile of public transit stop with at least 30-minute headways (time between buses running on the same route in the same direction).
- (b) The accessory dwelling unit is located within a designated architecturally and historically significant historic district.
- (c) The accessory dwelling unit is part of the primary dwelling on the property, or is part of an accessory structure.
- (d) The accessory dwelling unit is a Conversion ADU.
- (e) When there is a dedicated parking space reserved for a publicly-available car share vehicle located within one block of the accessory dwelling unit. Applicants shall be required to show the location of the dedicated parking space and confirm the vehicle's availability to future ADU residents.

(3) **Other Accessory Uses.** Not more than one accessory dwelling unit shall be constructed on any one parcel. An accessory dwelling unit and agricultural caretakers' quarters, except farmworker housing on agricultural parcels greater than 10 acres outside the Coastal Zone, shall not be permitted on the same parcel. Habitable and nonhabitable accessory structures may be allowed subject to all applicable requirements of the underlying zone district and SCCC13.10.611.

(4) **Service Requirements.** All requirements of the respective service agencies shall be satisfied, and all ADUs shall comply with all sections of the California Fire Code as codified in SCCC 7.92 except that in no case shall fire sprinklers be required for the ADU where they are not also required for the primary dwelling.

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

(6) Incentives. On parcels 6,000sf or smaller, where New Construction ADUs or Conversion ADUs are developed after January 1, 2018, an additional 2% shall be added to maximum Lot Coverage and maximum Floor Area Ratio development standards in order to incentivize the creation of ADUs including within the Pleasure Point (-PP) Combining Zone District. See Footnotes on Site and Structural Dimensions Charts in Section 13.10.323(B).

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

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

(2) Owner Residency. Unless owned by a public agency, 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 main dwelling or the accessory dwelling unit. If the accessory dwelling unit is newly constructed on a parcel within a subdivision, then the purchaser of said property shall permanently reside in either the main dwelling or the accessory dwelling unit, shall be required to submit a property tax exemption prior to occupancy of the accessory dwelling unit, and shall be subject to the deed restriction noted in subsection (G)(5) of this section.

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

(3) Sale. The ADU is not intended for sale separate from the primary residence. An ADU may be rented for periods of 30 days or more.

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

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

(a) The property owner shall permanently reside, as evidenced by a homeowner's property tax exemption on the parcel or by other satisfactory documentation of owner residence, in either the main dwelling or the accessory dwelling unit, unless owned by a public agency that is providing housing for special populations, in which case the declaration of restrictions shall indicate that any subsequent nonpublic agency owner shall abide by the terms of this subsection and subsection (G)(2) of this section.

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

(c) The declaration shall include a provision for the recovery by the County of reasonable attorney's fees and costs in bringing legal action to enforce the declaration together with recovery of any rents collected during any occupancy not authorized by the terms of the agreement or, in the alternative, for the recovery of the reasonable value of the unauthorized occupancy.

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

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

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

SECTION XII

The Santa Cruz County Code is hereby amended by changing subsections (B) and (C)(1) of Section 13.10.694 to read as follows:

(B) Vacation rentals are allowed in all zone districts that allow residential use with no requirement for any other use, except that any vacation rental meeting the requirements of subsections (C)(2) and (D)(1) of this section may be permitted in any zone district. Habitable accessory structures, nonhabitable accessory structures, accessory dwelling

units constructed under the provisions of SCCC 13.10.681, 13.20.107, or 13.20.108, and legally restricted affordable housing units shall not be used as vacation rentals. Further, no new Vacation Rental permits shall be granted on parcels containing ADUs after March 9, 2018.

(C) For the purposes of this section, the following terms have the stated meanings:

- (1) “Vacation rental” means a single-family dwelling unit, duplex, or triplex (including condominium and townhouse units, but not including apartments or manufactured homes in a mobile home park), where the owner/operator/contact person/agent does not occupy the dwelling unit while it is rented, only the renter and guests thereof occupy the dwelling unit while it is rented, and the dwelling unit is rented for the purpose of overnight lodging for a period of not more than 30 days. Where there is more than one dwelling on a property as part of a dwelling group, the owner/operator/contact person/agent may live in a dwelling that is not used as a vacation rental. For the purposes of these regulations, the following are not considered to be vacation rentals: (a) ongoing month-to-month tenancy granted to the same renter for the same unit, (b) one less-than-30-day period per year, (c) a house exchange for which there is no payment, or (d) renting of individual rooms in a dwelling unit while the primary occupant remains on-site.

SECTION XIII

The Santa Cruz County Code is hereby amended such that Section 13.10. 700-A definition of “Accessory Dwelling Unit” shall be revised as follows:

“Accessory Dwelling Unit” means, in compliance with California Government Code Sections 65852 and 65853, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of Kitchen), and sanitation on the same parcel as a single-family dwelling. See also *Conversion ADU* and *New Construction ADU*.

SECTION XIV

The Santa Cruz County Code is hereby amended such that the following shall be added to Section 13.10. 700-C:

“Conversion ADU” shall mean the conversion of any portion of an accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating a new accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 “R”, and any conversion that does not comply with SCCC 13.10.681(E), shall be considered a New Construction ADU.

SECTION XV

The Santa Cruz County Code is hereby amended such that Section 13.10. 700-D, definition of “Dwelling unit” shall be revised, as follows:

“Dwelling unit” means a structure for human habitation providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, with the restrictions that only one kitchen is allowed in each dwelling unit, and up to one additional limited food preparation area

including a sink; a refrigerator; small electric kitchen appliances that do not require electrical service greater than 120 volts; excluding full-sized electric, gas, or propane cooking appliances; and having an appropriately sized preparation counter and storage cabinets, may also be included in any single-family dwelling at a rate of one per parcel, and interior connection shall be maintained throughout the home, and an interior stairway shall be provided between all stories.

SECTION XVI

The Santa Cruz County Code is hereby amended such that Section 13.20.061(A) shall now read as follows:

(A) Subject to SCCC 13.20.060, no coastal development permit is required for improvements to existing single-family residences (including to fixtures and other structures directly attached to the residence; structures on the property normally associated with a single-family residence, such as garages, swimming pools in-ground and above-ground, hot tubs, fences, decks, storage sheds, and attached low-profile solar panels, and landscaping on the property, but not including guest houses or self-contained residential units). Allowed improvements that do not require a coastal development permit include additions of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission, remodels, alterations, replacement of existing water storage tanks, wells or septic systems serving an existing single-family residence where there is no expansion of the replaced feature or its capacity, and new accessory structures except for self-contained residential units including accessory dwelling units that result in intensification of a residential use due to conversion of space from non-habitable to habitable or by addition of a bedroom to the parcel, or based on location within any of the areas described in Section 13.20.071(B).

SECTION XVII

The Santa Cruz County Code is hereby amended such that the introduction to Section 13.20.108 shall now read as follows:

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 Chapter 13.20, processed concurrently with a building permit, subject to the following noticing requirements:

SECTION XVIII

This ordinance shall take effect outside the Coastal Zone 30 days after adoption by the Board of Supervisors.

PASSED AND ADOPTED this _____ day of _____, 2017, 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:

County Counsel

**STRIKEOUT/UNDERLINE OF PROPOSED REGULATIONS FOR ACCESSORY DWELLING UNITS
OUTSIDE THE COASTAL ZONE**

13.10. 312(B):

USE	CA	A	AP
Accessory Dwelling Unit, outside the Coastal Zone , subject to the provisions of SCCC			-
13.10.681			
<u>Outside the Coastal Zone</u>	4	BP	-
<u>Inside the Coastal Zone</u>	<u>5</u>	<u>BP</u>	-

13.10.314 (B):

(B) Residential Uses in the Coastal Zone. For parcels within the CA Commercial Agricultural and AP Agricultural Preserve Zone Districts in the Coastal Zone, the following special findings shall be made in addition to those required by Chapter 18.10 SCCC and subsection (A) of this section in order to approve any discretionary residential use including a single-family residence, an accessory dwelling unit, a permanent caretaker's residence, or habitable accessory structure. These findings shall be based upon a review and determination by the Agricultural Policy Advisory Commission.

13.10. 322(B):

USE	RA	RR	R-1	RB	RM
Accessory Dwelling Unit, <u>subject to the provisions of SCCC 13.10.681</u>	BP	BP	BP	BP	BP

13.10.323(B):

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

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	<u>Detached Garages, inside the USL</u>	* —	* —	* —		24				
	<u>Second Units New Construction - Detached from SFD, inside within-USL</u>	*	*	*	*	17 and 15 exterior <u>side wall</u>	*	N/A1-story	*	*
Accessory Dwelling Units, All Districts	<u>Second Units New Construction - Detached from SFD, outside USL</u>	*	*	*	*	*28	*	*2	*	*
	<u>New Construction - Attached to SFD</u>	*	*	*	*	*	*	*	*	*
	<u>New Construction above a Detached garage - inside USL</u>	* —	5	5	* —	24 and 22 exterior <u>wall</u>	* —	2	* —	* —

EXHIBIT E

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	<u>New Construction</u> <u>above an Attached</u> <u>garage – inside USL</u>	* =	5	5	* =	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	* =	2	* =	* =
	<u>New Construction</u> <u>above a Detached or</u> <u>Attached garage—</u> <u>outside USL</u> <u>Reduced setbacks</u>	* =	5	5	* =	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	* =	2	* =	* =
	<u>New Construction</u> <u>above a Detached or</u> <u>Attached garage—</u> <u>outside USL</u> <u>Standard Setbacks</u>	* =	* =	* =	* =	* =	* =	* =	* =	* =
	<u>Conversions ADUs</u>	± ±	± ±	± ±	± ±	± ±	± ±	± ±	± ±	± ±
	General requirements	10	0&5	10	40%	25; on beach side: 17	0.5:1	2; on beach side: 1	40	40
RB > or = 4,000 sq. ft.	Corner lots	10	0&10	10	40%	See above	0.5:1	See above	40	40
	Lots on beach side of street	10	0&5	0	40%	See above	0.5:1	See above	40	40

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
R-1-3.5 to R-1-4.9 0 to <5,000 sq. ft.	Semi-detached dwellings and dwellings adjacent to pedestrian rights-of-way	10	0&5	10						
	General requirements	15	5&5	15	40%	28	0.5:1	2	35	35
	Corner lots—existing parcels —creating new parcels	15	5&10 5&15	15	40%	28	0.5:1	2	35	35
	Parcels >5,000 sq. ft. General requirements	20	5&8 5&8	15	40%	28	0.5:1	2	50	50
R-1-5 to R-1-5.9	Corner lots—existing parcels —creating new parcels	20		15	40%	28	0.5:1	2	50	50
	Parcels 4 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	50	50

EXHIBIT E

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
5,000 to <6,000 sq. ft.	General requirements	20	5&8	15	40%	28	0.5:1	2	60	60
	Corner lots—existing parcels —creating new parcels	20	5&10 5&20	15	40%	28	0.5:1	2	60	60
R-1-6 to R-1-9.9 6,000 to <10,000 sq. ft.	Parcels >4,800 to <5,999 sq. ft.	20	5&8	15	40%	28	0.5:1	2		
	General requirements	20	10&10	15	40%	28	0.5:1	2	60	60
	Creating new corner lots	20	10&20	15	40%	28	0.5:1	2	60	60
R-1-10 to R-1-15.9 10,000 to <16,000 sq. ft.	General requirements	30	15&15	15	20%	28	N/A	2	90	60
	General requirements—1 to <5 acres	40	20&20	20	10%	28	N/A	2	100	60
	General requirements—5 acres or more	40	20&20	20	10%	28	N/A	2	150	100

EXHIBIT E

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
RR, RA and R-1- 1 > 1 acre										

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

95

* All site standards for the applicable zone district must be met.

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

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be ~~granted~~ available by right, including within the Pleasure Point (-PP) Combining Zone District.

**** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be ~~granted~~ available by right, including within the Pleasure Point (-PP) Combining Zone District.

† Refers to average height and maximum height, neither standard shall be exceeded.

‡ See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

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

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO**	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	<u>Detached Garages, inside the USL</u>	* _	* _	* _		24				
	<u>Second Units New Construction - Detached from SFD, inside within USL</u>	*	*	*	*	17 and 15 exterior side wall	*	N/A 1-story	*	*
<u>Accessory Dwelling Units, All Districts</u>	<u>Second Units New Construction - Detached from SFD, outside USL</u>	*	*	*	*	*28	*	*2	*	*
	<u>New Construction - Attached to SFD</u>	*	*	*	*	*	*	*	*	*
	<u>New Construction above a Detached garage - inside USL</u>	* _	5	5	* _	24 and 22 exterior wall	* _	2	* _	* _

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO**	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	<u>New Construction above an Attached garage – inside USL</u>	* =	5	5	* =	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	* =	2	* =	* =
	<u>New Construction above a Detached or Attached garage— outside USL Reduced setbacks</u>	* =	5	5	* =	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	* =	2	* =	* =
	<u>New Construction above a Detached or Attached garage— outside USL Standard Setbacks</u>	* =	* =	* =	* =	* =	* =	* =	* =	* =
	<u>Conversions ADUs</u>	±	±	±	±	±	±	±	±	±
RM-1.5 to RM-4.9 0 to <5,000 sq. ft.	General requirements for all parcels within these zone districts	15	5&5	15	40%	28	0.5:1	Per use permit or 2	35	35

EXHIBIT

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	Corner lots— existing parcels	15	5&10	15	40%	28	0.5:1		35	35
	—creating new parcels	15	5&15	15	40%	28	0.5:1		35	35
	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		35	35
RM-5 to RM-5.9 5,000 to <6,000 sq. ft.	General requirements and for parcels >6,000 sq. ft.	20	5&8	15	40%	28	0.5:1	Per use permit or 2	50	50
	Corner lots— existing parcels	20	5&10	15	40%	28	0.5:1		50	50
	—creating new parcels	20	5&10	15	40%	28	0.5:1		50	50
RM-6 to RM-9.9	Parcels >4,000 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		50	50
	General requirements	20	5&8	15	40%	28	0.5:1	Per use permit or 2	60	60

EXHIBIT E

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
6,000 to <10,000 sq. ft.	Corner lots— existing parcels	20	5&10	15	40%	28	0.5:1		60	60
	—creating new parcels	20	5&20	15	40%	28	0.5:1		60	60

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

* All site standards for the applicable zone district must be met.

** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be ~~granted~~ available by right, including within the Pleasure Point (-PP) Combining Zone District.

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be ~~granted~~ available by right, including within the Pleasure Point (-PP) Combining Zone District.

† Refers to average height and maximum height, neither standard shall be exceeded.

‡ See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

EXHIBIT E

13.10.323(E)(6):

(E) Site and Structural Dimension Exceptions Relating to Structures.

(6) Accessory Structures.

(a) **Water Tanks and Propane Tanks.** Water tanks which are required for fire protection and/or domestic use may be erected to within three feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal, appropriate fire agency or Environmental Health Service. Propane/LP gas tanks may be erected to within five feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal or appropriate fire agency. A landscaped screen shall be provided for any tank located within the required front yard.

(b) Side and Rear Yards.

(i) An accessory structure which is attached to the main building shall be considered a part thereof, and shall be required to have the same setbacks as the main structure;

(ii) A detached accessory structure which is located entirely within the required rear yard and which is smaller than 120 square feet in size and 10 feet or less in height may be constructed to within three feet of the side and rear property lines;

(iii) Garden trellises, garden statuary, birdbaths, freestanding barbeques, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems, if not exceeding six feet in height, are not required to maintain side and rear yard setbacks and are excluded from the calculation of allowable lot coverage.

(c) **Separation.** The minimum distance between any two detached structures shall be 10 feet with the following exceptions:

(i) Eaves, chimneys, cantilevered, uncovered, unenclosed balconies, porches, decks and uncovered, unenclosed stairways and landings may encroach three feet into the required 10-foot separation;

(ii) No separation is required between water tanks located on the same parcel;

(iii) No separation is required between garden trellises, garden statuary, birdbaths, freestanding barbecues, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems and other structures located on the same parcel.

(iv) The minimum separation between an Accessory Dwelling Unit and any other structure on a parcel, including encroachments included in subsection (i) above, shall be no less than three feet.

(d) On Reversed Corner Lots. On a reversed corner lot, accessory structures shall be located not closer to the rear property line than the required side yard on the adjoining key lot, and not closer to the side property line adjoining the street than the required front yard of the adjoining key lot.

(e) Distance from Alleys. Detached accessory structures including garages shall not be located within three feet of any alley.

(f) Garages Located in Required Rear and Side Yards.

(i) On residentially zoned parcels smaller than 10,000 square feet, an attached or detached garage ("garage" as defined under SCCC 13.10.700-G but excluding carports) may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines; provided, that:

A. There shall be no windows, doors or other openings on garage walls that are less than five feet from the side or rear property lines.

B. The garage shall have a minimum front setback of 40 feet, or, for parcels less than 80 feet deep, the minimum front setback to the garage shall be 50 percent of the parcel's depth.

C. Eaves or other projections on garages with reduced setbacks shall extend no more than two additional feet closer to the rear and side yard property lines, and no closer than allowed by the California Residential Building Code (CRC).

D. The garage shall have a maximum depth of 30 feet.

(ii) On residential parcels 10,000 square feet or larger in size, an attached or detached garage may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines, subject to subsections (E)(6)(f)(i)(A) through (D) of this section; and provided, that a minor exception is obtained in accordance with SCCC 13.10.235.

(iii) On residential parcels less than 10,000 square feet, a garage may be located up to zero feet from the rear or interior side property line if an administrative site development permit (Level IV approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(iv) A garage located within a required rear or side setback area shall not exceed 17 feet in height or one story, unless an administrative site development permit (Level IV approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(g) Detached New Construction ADUs Inside the Urban Services Boundary With Design Review. Building heights up to 5 feet in excess of the zoning standard, but in no case exceeding 28½ feet, may be allowed without increased yards or variance approval, subject to design review and to the coastal view protection standards of Chapter 13.20 (if located in the Coastal Zone), and subject to approval by the Zoning Administrator following a public hearing. Appeals from this decision shall be processed pursuant to Chapter 18.10 SCCC.

13.10.418 Use and development standards in the "D" Designated Park Site Combining District.

- (1) A building permit for a new single-family dwelling or a new accessory dwelling unit;
- (2) A coastal development permit for a new single-family dwelling or ~~an new New Construction~~ accessory dwelling unit that is not exempt or excluded pursuant to Chapter 13.20;

13.10.446 Residential development standards in the Pleasure Point Community Design PP Combining District:
In addition to the residential site standards found in SCCC 13.10.323(B), the following standards and incentives apply to residential development in the Pleasure Point Community Design PP Combining District. Where there are differences between this section and SCCC 13.10.323(B), the provisions of this section shall apply, except that for Accessory Dwelling Units built above attached or detached garages the provisions of 13.10.323 and 13.10.681(D)(2)(a) shall apply regarding setbacks and second story setbacks; and the additional 2% allowance for Lot Coverage and Floor Area Ratio for any parcel with an ADU on lots 6000 sf or smaller shall also apply all Accessory Dwelling Units the provisions of 13.10.681 shall supersede this section regarding setbacks.

13.10.552 Schedule of off-street parking space requirements.

- (A) Off-street parking spaces for residential uses shall be provided according to the type and size of residence as described below:
- (7) Accessory dwelling units. One parking space is required for each ~~bedroom~~, accessory dwelling unit unless the ADU ~~meets the definition of Conversion ADU under 13.10.681(B)(2) or is otherwise~~ exempted under 13.10.681 (F)2.

SECTION IX

The Santa Cruz County Code is hereby amended by changing Section 13.10.554(B) to read as follows:

(B) Each parking space shall be accessible from a street or alley. Tandem parking spaces shall be allowed for the purpose of fulfilling parking requirements set forth in this chapter. For single-family dwelling units, either attached or detached, and for multifamily dwellings where garages are within, attached or immediately adjacent to the dwelling units, tandem parking spaces must be entirely within the subject property and shall consist of no more than two spaces. For mobile homes located within mobile home parks and for parcels with ADUs, tandem parking spaces shall consist of no more than three parking spaces in line. For hotels and restaurants with a valet parking plan where such uses are to be located in existing structures on parcels of such size or shape that preclude the ability to meet current parking requirements for that use, tandem spaces shall be limited to that number in the approved valet parking plan. Such a valet parking plan shall be approved by the appropriate body and be guaranteed to operate full-time during established business hours for the life of the use.

13.10.611 Accessory Structures

(c) Restriction on Accessory Structures:

- (3) Regulations for level of review, size, number of stories and locational restrictions for accessory structures are as indicated in Table 13.10.611-2:

Table 13.10.611-2

LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL REGULATIONS

	Nonhabitable	Habitable
Size, story and height restrictions and permit required	<p>Within the urban services line (USL): building permit only for up to 640-square-foot size, two story and 28-foot height; <u>Detached Garages limited to two story and 24 foot height</u></p> <p>Outside the USL: building permit only for up to 1,000-square-foot size, three story and 28-foot height</p>	<p>Building permit only for up to 640-square-foot size, one story and 17-foot height</p> <p><u>*Standards for Accessory Dwelling Units can be found in Code Section 13.10.681.</u></p>

Table 13.10.611-2

**LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL
REGULATIONS**

	Nonhabitable	Habitable
Permit required if exceeds size restrictions	Outside the urban services line (USL): Level IV use approval Inside the USL: Level V use approval	Level V use approval
Permit required if exceeds height restrictions (See SCCC 13.10.323(E)(5) for exceptions)	Variance	Level V use approval for structures exceeding 17 feet, up to 28 feet Variance to exceed 28 feet
Permit required if exceeds story restrictions	Variance	Inside the USL: Level V use approval for two stories Variance for exceeding two stories Outside the USL: Level V use approval for two or three stories Variance for exceeding three stories
Number of accessory structures allowed	No limit, if in compliance with the site regulations of the zone district	One with building permit only Maximum of two with Level V use approval

Table 13.10.611-2

LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL REGULATIONS

	Nonhabitable	Habitable
Locational restrictions	None, if in compliance with the site regulations of the zone district	In addition to the site regulations of the zone district, shall be no more than 100 feet from the main residence, shall not be accessed by a separate driveway or right-of-way, nor constructed on a slope greater than 30 percent, unless a Level IV use approval is obtained

13.10.681 Accessory Dwelling units.

(A) Purpose. The purpose of this section is to provide for and regulate accessory dwelling units 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) "New Construction ADU" shall mean any ADU that does not meet the definition of Conversion ADU.

(2) "Conversion ADU" shall mean the conversion of any portion of a legal accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating ~~an new~~ accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 "R", and any conversion that exceeds that limit, or otherwise does not comply with subsection (E) of this section shall be considered a New Construction ADU for the purposes of this section.

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

(C) Application Processing. All accessory dwelling units shall be processed in accordance with this section and the requirements of Government Code Section 65852.2 and, for those accessory dwelling units located within the Coastal Zone, the processing requirements of SCCC 13.20.107 and 13.20.108. A building permit only, and no public notice or hearing, shall be required for a new construction or conversion accessory dwelling unit within any residential zone district or on land designated residential in the General Plan, or ~~outside the Coastal Zone~~ within the Agriculture Zone District, unless the accessory dwelling unit is located in an area, or is a part of a larger project, that requires a discretionary development permit, or if a variance is requested. Pursuant to Government Code Section 65852.2 applications for ADUs within any residential zone district or on land designated residential in the General Plan, or ~~outside the Coastal Zone~~ within the Agriculture Zone District shall be approved or denied ministerially within 120 days of submission of a complete application. All applications for accessory dwelling units in the Commercial Agricultural Zone District ~~outside the Coastal Zone~~ shall be subject to review by the Agricultural Policy Advisory Commission.

Accessory dwelling units are subject to the following processes:

- (1) Outside the Coastal Zone: Building permit issuance.
- (2) Inside the Coastal Zone (nonappealable area): ~~Conversion ADUs and New Construction~~ ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq require a Building permit.

~~New Construction~~ ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq require issuance of a combined coastal development and building permit, subject to the following noticing requirements:

(a) Within 10 calendar days of accepting an application for a nonappealable coastal development permit, the County shall provide notice, by first class mail, of pending development approval. 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 residents 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:

- (i) A statement that the development is within the Coastal Zone;
- (ii) The date of filing of the application and the name of the applicant;
- (iii) The number assigned to the application;
- (iv) A description of development and its proposed location;

(v) The general procedure of the local government concerning the submission of public comments either in writing or orally prior to the local decision;

(vi) A statement that a public comment period of sufficient time to allow for the submission of comments by mail will be held prior to the local decision.

(3) Inside the Coastal Zone (appealable area): ~~Conversion ADUs and New Construction~~ ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq require a Building permit.

~~New Construction~~ ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq require Issuance of a combined coastal development and building permit, subject to the following noticing requirements:

(a) Within 10 calendar days of accepting an application for an appealable coastal development permit, the local government 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 residents 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:

- (i) Statement that the development is within the Coastal Zone;
- (ii) The date of filing of the application and the name of the applicant;
- (iii) The number assigned to the application;
- (iv) A description of the development and its proposed location;
- (v) A brief description of the general procedure concerning the conduct of local actions;
- (vi) The system 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 conditions of approval and written findings and the procedures for appeal of the local decision to the Coastal Commission.

(c) The County shall include 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.

(D) Requirements for New Construction ADUs. Before a permit for a New Construction ADU or expansion of an existing structure for use as an accessory dwelling unit can be granted, the following requirements shall be met:

(1) Zoning and General Plan. The accessory dwelling unit shall be located ~~on a residentially zoned parcel or on a parcel designated for allowing single-family uses either by zoning (A, CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R) residential use in the General Plan~~ which contains no more than one existing detached, single-family dwelling, or where one detached single-family dwelling shall be constructed concurrently with the proposed accessory dwelling unit. Subject to discretionary development permit and coastal development permit processes and requirements findings for approval, and after review and approval by the Agricultural Policy Advisory Commission an accessory dwelling unit may be located on agriculturally zoned land zoned for Commercial Agriculture (CA) outside the Coastal Zone or on a parcel designated for Agricultural use in the General Plan (A) outside the Coastal Zone;

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

(a) Inside the Urban Services Line, A-an ADU that is built on the second floor over an existing detached or new detached garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding of 22 24 feet for a structure that is detached from the primary dwelling, and not exceeding 24 feet within the area of the zoning district setback for a structure that is attached to the primary dwelling, and an average height no greater than 19 feet when located inside the Urban Services Boundary, or when located o
Outside the Urban Services Boundary, an ADU that is built on the second floor over an existing or new garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding 24 feet within the area of the zoning district setback. Outside of the Urban Services Boundary, ADUs above garages shall have a maximum height of 28 feet consistent with zoning district standards when conforming to standard setbacks for the zone district. Within the Pleasure Point Combining Zone district, the additional limitation on exterior wall height at 22' shall also apply.

(b) Inside the Urban Services Line, the maximum height for a detached New Construction ADU shall be 17 feet, and the average height no greater than 14 feet with a maximum exterior side wall height of 15

~~feet measured from finished grade. Within the Pleasure Point Combining Zone district, the additional limitations on exterior wall height found in 13.10.446 shall also apply.~~

(c) ADUs that are attached to the primary dwelling on the property shall be subject to the standards that are otherwise applicable to the primary dwelling based on the zone district including height, stories, setbacks, lot coverage, and FAR, except that:

(i) ADUs that are built above a garage shall be subject to the standards of subsection (D)(2)(a) above.

(ii) Parcels that are 6,000 sf or smaller shall be eligible for additional Floor Area Ratio and Lot Coverage subject to subsection (F)(6) of this code section.

(d) All ADUs shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

(3) Design. The design, materials and color of the New Construction accessory dwelling unit shall be compatible with that of the main dwelling and shall be consistent with the development standards and guidelines set forth in subsection (6) of this section; and

(4) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall comply with all applicable requirements of the Environmental Health Officer; and

(5) In the Coastal Zone, a coastal development permit is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed New Construction ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.

(6) Additional Standards. The following standards shall be applied to every accessory dwelling unit not defined as a Conversion ADU, and shall be conditions for any approval under this section:

(a) Location of Accessory Dwelling Unit. The accessory dwelling unit may be either attached to the main dwelling or may be detached from it. Inside the urban services line, no accessory dwelling unit shall be ~~located more than 100 feet from the main dwelling or be accessed by a separate driveway or right-of-way, unless access via a second driveway would result in a superior site plan in terms of safety and protection of environmental resources, and is approved by the Public Works Director or designee.~~ ~~Outside the Coastal Zone, o~~On land designated agriculture by the General Plan, the accessory dwelling unit shall be located within 100 feet of the main dwelling on the property unless another location is

approved by the Agricultural Policy Advisory Commission that will meet the on-site and off-site buffering requirements and will meet the goal of preserving agricultural land.

(b) Lot Coverage and Floor Area Ratio. No accessory dwelling unit shall be allowed which would, when combined with existing lot coverage and gross floor area, exceed the allowable lot coverage or the allowable floor area ratio for the parcel.

(c) Site Standards. All site standards of the zoning district in which the accessory dwelling unit is proposed shall be met, unless expressly superseded by SCCC subsection 13.10.681(D)(2). ~~Outside the Coastal Zone, on~~ On land zoned or designated agricultural, all setbacks of the agricultural zone districts shall be met and all accessory dwelling units must meet the buffering requirements of SCCC 16.50.095(F), as determined by the Agricultural Policy Advisory Commission, if applicable.

(E) Requirements for Conversion ADUs. Where an accessory dwelling unit is proposed as a Conversion ADU (as defined in 13.10.681(B)(2)), the following requirements shall be met:

(1) Zoning and General Plan. The ~~ADU~~ accessory dwelling unit shall be located on a parcel allowing single-family uses either by zoning (A, CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R) within any residential zone district or on land designated residential in the General Plan, or outside the Coastal Zone subject to applicable discretionary development permit and coastal development permit processes and requirements findings for approval, and after review and approval by the Agricultural Policy Advisory Commission an accessory dwelling unit may be located within the Agriculture-Commercial Agriculture Zone District, or on land designated for agricultural use in the General Plan (A), which contains an existing single family home.

(2) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall meet applicable requirements of the Environmental Health Officer.

(3) ~~In the Coastal Zone, the requirements of 13.10.681(C)(2) and (C)(3) shall apply no Coastal Development permit is required provided the ADU meets all the requirements of a Conversion ADU a coastal development permit is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.~~

(4) Design and Development standards for Conversion ADUs. The following standards shall be applied to every accessory dwelling unit converted from part of an existing single-family home or existing accessory structure, and shall be conditions for any approval under this section:

(a) The ADU shall have an exterior entrance that is independent of the existing single-family dwelling.

(b) The ADU shall meet setbacks sufficient for fire safety in conformance with the Building Code (SCCC Chapter 12.10) and Fire Code (SCCC Chapter 7.92).

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

(d) Conversion for use as an ADU shall include construction which occupies substantially the same footprint and vertical space as the existing structure upon completion, with additions to the existing structure increasing overall floor area of the conversion ADU by no more than 30% or 150 square feet, whichever is less. ~~No additional square footage is permitted by this section, however added~~ Additions to square footage beyond that limit exceeding that level shall ~~may~~ be considered under 13.10.681(D) ~~Requirements for as~~ New Construction ADUs. Proposed additions shall comply with applicable zoning development standards and any existing development permit conditions of approval.

i) For Conversion ADUs on parcels 5,000sf and smaller, the addition of up to 30% of conversion area, not to exceed 150sf, shall be in addition to the 50% of the primary dwelling which may be converted to an ADU per 13.10.681(F)(1) below, so long as in no case does the total habitable area of the ADU exceed 640 square feet.

(e) The ADU shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

(F) Site standards. For both New Construction ADUs and Conversion ADUs the following site standards apply.

(1) Size of Accessory Dwelling Unit. The total gross floor area as defined in SCCC 13.10.700-F of the habitable portion of an ADU is defined in the tables below, based on location inside or outside the Urban Services Line (USL) and parcel size. ~~Where multiple standards apply on urban lots below 5,000 square feet, ADUs shall comply with whichever standard allows a larger ADU, except that in~~ no case shall an ADU on these a parcels under 5,000 square feet exceed 640 square feet in size:

New Construction ADUs Outside the USL			
Parcel Size	<10,000 sq. ft.	10,000 sq. ft. to < 1 acre	1 acre or larger
Size of ADU	640-800 sq. ft.	800-1000 sq. ft.	1,200 sq. ft.

<u>New Construction ADUs Inside the USL</u>			
<u>Parcel Size</u>	<u><5,000 sq. ft</u>	<u>5,000 – 9,999 sq. ft</u>	<u>10,000+ sq. ft</u>
<u>Size of ADU</u>	<u>10% of Parcel Size</u>	<u>640 sq. ft</u>	<u>800 sq. ft</u>

<u>All Conversion ADUs</u>		
<u>Parcel Size</u>	<u><5,000 sq ft</u>	<u>5,000+ sq. ft</u>
<u>Size of ADU</u>	<u>Up to 50% of the existing habitable sq. ft of primary dwelling, not to exceed 640 sq ft</u>	<u>Use standards for New Construction ADUs in tables above</u>

(2) Parking. Off-street parking shall be provided to meet the requirements of SCCC 13.10.550 for the main dwelling and one additional space for each bedroom in the accessory dwelling unit, and may be provided as double or triple tandem parking, in any location on the property. 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 off-street parking shall always be required for any New Construction or Conversion accessory dwelling unit located on a block subject to a permit parking requirement regardless of exceptions described below.

In all other locations, Required parking for the ADU shall not apply under the circumstances described below, and no parking shall be required for the ADU under these circumstances:

- (a) The accessory dwelling unit is located within the USL or RSL and within one-half mile of public transit stop with at least 30-minute headways (time between buses running on the same route in the same direction).
- (b) The accessory dwelling unit is located within a designated architecturally and historically significant historic district.
- (c) The accessory dwelling unit is part of the primary dwelling on the property, or is part of an accessory structure.
- (ed) The accessory dwelling unit is a Conversion ADU, including conversion of any portion of an accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage.

(e) When there is a dedicated parking space reserved for a publicly-available car share vehicle located within one block of the accessory dwelling unit. Applicants shall be required to show the location of the dedicated parking space and confirm the vehicle's availability to future ADU residents.

(3) Other Accessory Uses. Not more than one accessory dwelling unit shall be constructed on any one parcel. An accessory dwelling unit and agricultural caretakers' quarters, except farmworker housing on agricultural parcels greater than 10 acres outside the Coastal Zone, shall not be permitted on the same parcel. Habitable and nonhabitable accessory structures may be allowed subject to all applicable requirements of the underlying zone district and SCCC13.10.611.

(4) Service Requirements. All requirements of the respective service agencies shall be satisfied, and all ADUs shall comply with all sections of the California Fire Code as codified in SCCC 7.92 except that in no case shall fire sprinklers be required for the ADU where they are not also required for the primary dwelling.

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

(6) Incentives. On parcels 6,000sf or smaller, where New Construction ADUs or Conversion ADUs are developed after January 1, 2018, an additional 2% shall be added to maximum Lot Coverage and maximum Floor Area Ratio development standards in order to incentivize the creation of ADUs including within the Pleasure Point (-PP) Combining Zone District. See Footnotes on Site and Structural Dimensions Charts in Section 13.10.323(B).

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

(1) Occupancy Restrictions. The maximum occupancy of ~~aan~~ accessory dwelling unit may not exceed that allowed by the State Uniform Housing Code, or other applicable State law.

(2) Owner Residency. Unless owned by a public agency, 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 main dwelling or the accessory dwelling unit. If the accessory dwelling unit is newly constructed on a parcel within a subdivision, then the purchaser of said property shall permanently reside in either the main dwelling or the accessory dwelling unit, shall be required to submit a property tax exemption prior to occupancy of the accessory dwelling unit, and shall be subject to the deed restriction noted in subsection (G)(5) of this section.

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

(3) Sale. The ADU is not intended for sale separate from the primary residence. An ADU and may be rented for periods of 30 days or more.

(4) Vacation Rental or Short Term Rental Use. In no case shall a vacation rental or any other short-term rental use of less than 30 days be permitted in an ADU, ~~per SCCC 13.10.694(B).~~ A property with an ADU shall not be eligible for participation in the Vacation Rental program. A property owner may reside in the ADU and operate a vacation rental in the primary dwelling on the parcel provided that all required permits are obtained.

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

(a) The property owner shall permanently reside, as evidenced by a homeowner's property tax exemption on the parcel or by other satisfactory documentation of owner residence, in either the main dwelling or the accessory dwelling unit, unless owned by a public agency that is providing housing for special populations, in which case the declaration of restrictions shall indicate that any subsequent nonpublic agency owner shall abide by the terms of this subsection and subsection (G)(2) of this section.

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

(c) The declaration shall include a provision for the recovery by the County of reasonable attorney's fees and costs in bringing legal action to enforce the declaration together with recovery of any rents collected during any occupancy not authorized by the terms of the agreement or, in the alternative, for the recovery of the reasonable value of the unauthorized occupancy.

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

(I) Annual Review of Impacts. As part of the County's annual review of the General Plan and County growth management system, the County shall include a section analyzing the impacts of the accessory dwelling unit

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

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

13.10.694 Vacation Rentals

(B) Vacation rentals are allowed in all zone districts that allow residential use with no requirement for any other use, except that any vacation rental meeting the requirements of subsections (C)(2) and (D)(1) of this section may be permitted in any zone district. Habitable accessory structures, nonhabitable accessory structures, accessory dwelling ~~second~~ units constructed under the provisions of SCCC 13.10.681, 13.20.107, or 13.20.108, and legally restricted affordable housing units shall not be used as vacation rentals. Further, no new Vacation Rental permits shall be granted on parcels containing ADUs after March 9, 2018.

(C) For the purposes of this section, the following terms have the stated meanings:

- (1) "Vacation rental" means a single-family dwelling unit, duplex, or triplex (including condominium and townhouse units, but not including apartments or manufactured homes in a mobile home park), where the owner/operator/contact person/agent does not occupy the dwelling unit while it is rented, only the renter and guests thereof occupy the dwelling unit while it is rented, and the dwelling unit is rented for the purpose of overnight lodging for a period of not more than 30 days. Where there is more than one dwelling on a property as part of a dwelling group, the owner/operator/contact person/agent may live in a dwelling that is not used as a vacation rental. For the purposes of these regulations, the following are not considered to be vacation rentals:
 - (a) ongoing month-to-month tenancy granted to the same renter for the same unit;
 - (b) one less-than-30-day period per year;
 - (c) a house exchange for which there is no payment;
 - (d) renting of individual rooms in a dwelling unit while the primary occupant remains on-site.

13.10. 700-A Definitions:

“Accessory Dwelling Unit” means, in compliance with California Government Code Sections 65852 and 65853, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of Kitchen), and sanitation on the same parcel as the a single-family dwelling is situated. See also *Conversion ADU* and *New Construction ADU*.

13.10. 700-C Definitions:

“Conversion ADU” shall mean the conversion of any portion of an accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating a new accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 “R”, and any conversion that ~~exceeds that limit, or otherwise~~ does not comply with SCCC 13.10.681(E), shall be considered a New Construction ADU.

13.10. 700-D Definitions:

“Dwelling unit” means a structure for human habitation providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, with the restrictions that only one kitchen ~~or set of food preparation facilities~~ is allowed in each dwelling unit, and up to one additional limited food preparation area including a sink; a refrigerator; small electric kitchen appliances that do not require electrical service greater than 120 volts; excluding full-sized electric, gas, or propane cooking appliances; and having an appropriately sized preparation counter and storage cabinets, may also be included in any single-family dwelling at a rate of one per parcel, and interior connection shall be maintained throughout the home, and an interior stairway shall be provided between all stories.

13.20.061 Improvements to existing single-family residences exemption.

(A) Subject to SCCC 13.20.060, no coastal development permit is required for improvements to existing single-family residences (including to fixtures and other structures directly attached to the residence; structures on the property normally associated with a single-family residence, such as garages, swimming pools in-ground and above-ground, hot tubs, fences, decks, storage sheds, and attached low-profile solar panels, and landscaping on the property, but not including guest houses or self-contained residential units). Allowed improvements that do not require a coastal development permit include additions of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission, remodels, alterations, replacement of existing water storage tanks, wells or septic systems serving an existing single-family residence where there is no expansion of the replaced feature or its capacity, and new accessory structures except for self-contained ~~detached~~ residential units including ~~detached New Construction accessory dwelling second units that result in intensification of a residential use due to conversion of space from non-habitable to habitable or by addition of a bedroom to the parcel, or based on location within any of the areas described in Section 13.20.071(B) (as defined in SCCC 13.10.700 S; see also SCCC 13.20.107 and 13.20.108).~~

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

Any proposed ~~New Construction~~ accessory dwelling unit located within the Coastal Zone but located outside of the appealable area, as described in SCCC 13.20.040, 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:

13.20.108 Coastal development permit review of accessory dwelling units (appealable).

All proposed ~~New Construction~~ second-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 Chapter 13.20061 et seq., processed concurrently with a building permit, subject to the following noticing requirements:



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

www.sccoplanning.com

NOTICE OF EXEMPTION

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

Project Name: Accessory Dwelling Unit Ordinance Amendments

Project Location: Countywide

Assessor Parcel No.: N/A

Project Applicant: County of Santa Cruz

Project Description: Amendments to the County Zoning Code to comply with AB2299 and SB1069 regarding the regulation of Accessory Dwelling Units, and corresponding adjustments to related zoning standards.

Agency

Approving Project: County of Santa Cruz

County Contact: Sarah Neuse

Telephone No. 831-454-3290

Date Completed:

This is to advise that the County of Santa Cruz Board of Supervisors has approved the above described project on _____ 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: 15282(h) – *Second Unit Exemption* and 15061(b)(3) – *Common Sense Exemption*

☒ **Categorical Exemption**

15305: *Minor Alterations to Land Use Limitations*

Reasons why the project is exempt:

The majority of the zoning ordinance amendments proposed by this project flow directly from California Government Code Sections 65852.1 and 65852.2 of the Government Code. The amendments that are not specifically dictated by state law involve a reduction in overall height for detached garages, allowances for 2% increase in Lot Coverage and Floor Area Ratio for small lots adding an accessory dwelling unit, and adjustments to the heights allowed for certain accessory dwelling units built above garages, and it can be seen with certainty that there is no possibility that the proposed ordinance amendments may have a significant effect on the environment.

Signature: _____ Date: _____ Title: Environmental Coordinator

EXHIBIT F



County of Santa Cruz

Planning Department

701 Ocean Street, 4th Floor, Santa Cruz, CA 95060
 Phone: (831) 454-2580 Fax: (831) 454-2131 TDD: (831) 454-2123
 Kathleen Molloy Previsich, Planning Director

Meeting Date: December 5, 2017
Date: November 21, 2017
To: The Board of Supervisors
From: Kathy Previsich, Planning Director
Subject: ADU Ordinance

The County's Accessory Dwelling Unit (ADU) initiative aims to increase countywide ADU development with a multi-pronged approach that includes the production of accessible, user-friendly guidance materials; changes to County regulations and administrative practices; and promotion of new programs to assist with design, financing, and obtaining a building permit.

Although the County has already processed one round of ordinance amendments to comply with State law, based on technical analysis as well as feedback from property owners and other stakeholders, administrative guidance from the Executive Director of the California Coastal Commission ("ED ADU Guidance Memos") and consultation with local district Coastal Commission staff, as well as further state-level amendments, additional revisions are needed to the County Code.

This memo reviews further amendments to the version of the ordinance that has been recommended by the Planning Commission, due to comments from the staff of the California Coastal Commission. Unfortunately, those comments arrived too late to be integrated into the ordinance proposal reviewed by the Planning Commission at its hearing in October, and these changes will require Commission review and recommendation before your Board can take action. Therefore, while the Board can open the public hearing on this December 5th date, the recommended action is that the Board continue the public hearing to the Board meeting of January 23, 2018, and refer these and any other changes to the ordinance desired by the Board to the Planning Commission for review and recommendation at its meeting of January 10, 2018.

Also included in this report is information regarding efforts to lower the fees applied to ADUs by the Planning and Public Works departments. Staff is recommending changes in several administrative practices that will reduce fees for ADUs.

COASTAL COMMISSION CONSULTATION

Planning staff has been consulting with local Coastal Commission district office on the ADU ordinance in an effort to ensure a smooth and timely approval of the ordinance when reviewed by that agency. In the course of this consultation two areas of concern were raised, one of which can be easily accommodated through a few further amendments to the proposed

ordinance, and another which deserves further discussion and can also be addressed by further amendments.

The first area of concern relates to the circumstances in which Coastal Development Permits (CDPs) are required for ADUs proposed in the Coastal Zone. The ordinance that was recommended by the Planning Commission must be amended to ensure that the County's regulations, once approved, appropriately comply with the Coastal Act regarding when ADUs are exempt or excluded from the requirement for a CDP. The required changes are shown as part of the strikeout and underline in Attachment 1 and relate to the fact that there are circumstances in which an ADU might not be eligible for the residential exclusion under County Code Section 13.20.071 based upon its location on a beach, within sensitive habitat areas, in a visual resource areas, or other sensitive areas defined in the Code, and could therefore require a discretionary combined Coastal Development Permit and Building Permit. The prior version of the ordinance incorrectly asserted that a Conversion ADU would never be subject to a CDP, which exceeds the limits of the Coastal Act based on the Act's definitions of "development" and "intensification". Because these changes represent amendments to the ordinance that was reviewed and recommended by the Planning Commission, the administrative process requires that this change return to the Planning Commission for a revised recommendation before your Board takes final action to adopt the ordinance and forward it to the Coastal Commission for approval.

The second area of concern to the Coastal staff was the extension of the ability to build an ADU to parcels zoned for Agriculture (A) and Commercial Agriculture (CA) to locations within the Coastal Zone. This ability is already available to parcels zoned A or CA outside the Coastal zone, and the ordinance amendments had proposed the same standards for both inside and outside the Coastal Zone.

The ADU enabling legislation (California Government Code Section 65852.2) states that in order to be eligible for an ADU, a parcel must be "*zoned to allow single-family or multi-family use*" and contain an existing (or proposed) single family home. In the case of A-zoned property, one detached single-family dwelling unit per parcel is allowed with an administrative building permit, with no need for findings, noticing, or a public hearing, indicating it is a principally permitted use for the zone district. This meets the standard in the state law as was recognized by the Board of Supervisors with the ADU ordinance amendments adopted last February when the level of review for ADUs was lowered from a Level 4 discretionary permit to a 'Building Permit only' for A-zoned parcels outside the Coastal Zone. Staff believes it is appropriate to apply the same standard of review to ADUs on A-zoned parcels both inside and outside of the Coastal Zone. Parcels zoned Agriculture (A) are non prime soils and often the primary use is single family residential. In cases where a CDP is required for an ADU, it would be processed according to the standards and requirements of the County Code concurrently with the building permit application, as is the case with an ADU in any other zone district.

On CA zoned parcels, the code currently allows ADUs outside the Coastal Zone as a discretionary use requiring Level 4 administrative review and including review by APAC. This level of review requires development permit findings and allows conditions to be placed on the approval of the permit, which can be used to ensure that the proposed ADU has no detrimental effect on the either the viability of the CA-zoned parcel for commercial agricultural production or the coastal resources and access protected by the County's Local Coastal Program (LCP).

EXHIBIT G

Packet Pg. 811

Planning Staff is recommending that within the coastal zone, ADUs on CA parcels be processed at Level 5 rather than Level 4, due to the fact that typically both a residential development permit and a coastal development permit is required, and a CDP is processed at Level 5 when another discretionary permit is also required. Inside the Coastal Zone, residential uses such as a caretaker's quarters, single family homes, farmworker housing up to four units, and many types of habitable accessory structures are allowed on CA at various levels of review up to and including Level 5. In the context of these other residential uses, staff is recommending that ADUs also be allowed with a Level 5 permit. The Level 5 permit requires findings to ensure that the ADU is compatible with the use of the parcel for commercial agriculture, is ancillary to the agricultural use of the parcel, and is sited to avoid or minimize encroachment on farmable area (County Code 13.10.314 (A)). Further, for all residential uses on CA in the Coastal Zone, there are findings to ensure that the parcel will remain suitable for farming, with specific criteria for that determination, unless the parcel is currently not suitable for commercial farming due to small size or other physical constraint (County Code 13.10.314(B)). This recommended approach to discretionary permitting of ADUs on CA land located in the coastal zone is consistent with the new state laws as well with guidance issued by the Executive Director of the Coastal Commission on April 17, 2017 and November 20, 2017 (Exhibits H and I).

FEE ADMINISTRATION FOR ADUS

As stated in the Issues and Options report included with August 22nd Board of Supervisors item on ADUs, the financial burden of County development and impact fees is a significant barrier for some applicants. At that hearing the Board directed Planning staff to seek out logical reductions in the fee burden for ADUs created by Planning Department and the Department of Public Works fees. Since that time, Planning and Public Works staff have worked to evaluate the need for certain reviews in the various circumstances in which an ADU might be created. For example, an ADU that is created within an existing home and which absorbs one of the existing bedrooms in that home, should reasonably be subject to fewer reviews and lower impact fees than one that is created by converting a garage, or one that is created as a new stand-alone structure.

In general, staff is proposing to revise the fee structure to treat ADUs in a manner similar to remodels or bedroom additions rather than as new single-family homes, and that assessments should be based on the number of net new bedrooms added with an ADU. Further, in many cases the new regulations require no additional parking for an ADU. In these cases staff is recommending that the County not assess any Roadway or Roadside or Transportation Improvement Area Fees.

The fees charged for various ADUs are summarized below. No further changes to the Unified Fee Schedule are needed, other than the changes to impact fees (items #7, 10, 11 and 12 in the list below) which will be considered at the Board's December 12, 2017 meeting.

1. **Building permit Processing, Plan Check, and Permit Fees:** Assessed based on a lower valuation when ADU created as a Conversion (different valuations would be assessed for conversion of habitable or non-habitable space based on the level of work required for the conversion).
2. **Soil Report Review Fee:** Not charged on Conversion ADUs created from habitable space. All other ADUs will apply for a waiver. If a waiver can't be approved, that fee is applied to Soils Report Review fee.

EXHIBIT G

3. **Environmental Plan Check Fee:** Not charged on Conversion ADUs. All other ADUs would be charged flat fee of Environmental Resource Plan Check - Small, rather than - Regular.
4. **Environmental Review Inspections Fee:** Not charged on Conversion ADUs, and assessed At Cost for inspections on all other ADUs.
5. **Zoning Review Fee:** All ADUs charged as Zoning Plan Check - Small, rather than Zoning Plan Check -Regular.
6. **Road Review Fee:** Not charged on ADUs unless a new driveway is proposed to access the ADU for protection of safety or environmental resources and superior design.
7. **Roadside Improvement/Roadway Improvement/TIA Fees:** Not charged in cases where a new parking space is not required. Parking spaces are required is located in a permit parking area, but outside of those areas parking is not required for Conversion ADUs or for ADUs that are part of either the existing home or an accessory structure, or are within ½ mile of transit with frequent service. When these fees are paid, they will be assessed as a New Bedroom Addition rather than a Single Family Dwelling.
8. **Drainage/Flood Control District Fees:** Not applicable to Conversion ADUs with no additional square footage added. All other ADUs to be charged fees for additions, based on size, either Less than 500sf or Greater than or Equal to 500sf, not as a new dwelling unit.
9. **Sanitation Connection Fees:** Not charged for Conversion ADUs. For New Construction ADUs, charged at standard rate. For all ADUs, additional fixture units over 18 for the SFD + ADU charged at standard rate.
10. **Park Dedication Fees:** Charged on all ADUs based on net new bedrooms on the parcel.
11. **Childcare Impact Fees:** Charged on all ADUs based on net new bedrooms on the parcel.
12. **Affordable Housing Impact Fee:** Not charged on any Conversion ADU, and not charged on first 500sf of New Construction ADUs. After 500sf, charged at Rental Housing Rate of \$2/sf.
13. **General Plan and Technology Fee:** Charged on all ADUs at 10% of Planning fees.
14. **School Fees:** Per state law, will be charged on ADUs that create new habitable square of 500 sf or more. ADUs smaller than 500sf will no longer be routed to school districts for fee review.

These changes will result in reduced fees for all ADUs, with the most significant reductions for Conversion ADUs, ADUs that are smaller than 500sf, and any ADU that does not require a new parking space. These reductions could incentivize the creation of units that are smaller and easier to create and therefore more likely to be rented at affordable rents. These changes represent the reduction of one of the most significant barriers to ADU production identified by the ADU Study.

If the Board agrees with the proposed approach to these fees, the Unified Fee Schedule will reflect these changes on the next Board agenda, December 12. Because the changes involve how existing fees are administered and lowering of fees, and do not include new or increased fees, the changes can go into effect upon adoption of the Unified Fee Schedule.

NEXT STEPS

Because of the changes to the Coastal Development Permit requirements discussed above, staff is recommending that your Board continue today's public hearing to January 23, 2018, and direct staff to return to the Planning Commission for review and recommendation of the proposed amendments at its meeting of January 10, 2018. Following final adoption of the

EXHIBIT G

ordinance by your Board, the ordinance and the previously adopted LCP amendments will be submitted to the Coastal Commission, with a target of submitting them in time to be scheduled for the March Coastal Commission agenda. Planning staff is communicating with the Coastal Commission staff to work toward approval in as smooth a manner as possible.

RECOMMENDATION

It is therefore RECOMMENDED that the Board of Supervisors:

- 1) Open the public hearing, provide any direction regarding changes to the ordinance, and continue the public hearing to the Board meeting of January 23, 2018;
- 2) Direct staff to present the proposed ordinance to the Planning Commission for review and recommendation at its January 10, 2018 hearing; and
- 3) Approve the recommended approach to the administration of fees for ADUs as discussed in this staff report, to be finalized during the December 12 hearing on the Unified Fee schedule.

Exhibits:

- A. Clean version of the proposed Coastal ADU ordinance
- B. Clean version of the proposed Non Coastal ADU ordinance
- C. Proposed Coastal Strikeout/underline ADU Ordinance
- D. Proposed Non Coastal Strikeout/underline ADU Ordinance
- E. Planning Commission Staff Report
- F. Link to State Legislation AB 494:
<https://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=201720180AB494>
- G. Link to State Legislation SB 229:
<https://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=201720180SB229>
- H. Memo of John Ainsworth, Executive Director of the California Coastal Commission, dated April 18, 2017
- I. Memo of John Ainsworth, Executive Director of the California Coastal Commission, dated November 19, 2017

Submitted by:


Kathy F. Revisich, Planning Director 11/21/2017

Recommended:

Carlos J. Palacios, County Administrative Officer

Attachments:

- a Clean ADU Ordinance, Coastal

EXHIBIT G

Packet Pg. 814

- b Clean ADU Ordinance, Non Coastal
- c Proposed Coastal Strikeout/Underline ADU Ordinance
- d Proposed Non-Coastal Strikeout/Underline ADU Ordinance
- e Planning Commission Staff Report from October 25, 2017
- f Link to State Legislation AB 494
- g Link to State Legislation SB 229
- h Memo of John Ainsworth, Executive Director of the California Coastal Commission, Dated April 18, 2017
- i Memo of John Ainsworth, Executive Director of the California Coastal Commission, dated November 20, 2017

EXHIBIT G

Packet Pg. 815

ORDINANCE AMENDING SANTA CRUZ COUNTY CODE SECTIONS 12.02.020 13.10.312, 13.10.314, 13.10.322, 13.10.323, 13.10.418, 13.10.446, 13.10.552 13.10.554, 13.10.611, 13.10.681, 13.10.700, 13.20.061, 13.20.107, 13.20.108, and 18.10.104 OF THE SANTA CRUZ COUNTY CODE RELATING TO ACCESSORY DWELLING UNITS

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Santa Cruz County Code is hereby amended by changing Section 12.02. 020(11) to read as follows:

(11) Permits for accessory dwelling units as provided for in SCC13.10.681.

SECTION II

The Santa Cruz County Code is hereby amended by changing the entry for "second unit" in Section 13.10. 312(B) Uses Chart to read as follows:

USE	CA	A	AP
Accessory Dwelling Unit, subject to the provisions of SCCC 13.10.681			-
Outside the Coastal Zone	4	BP	-
Inside the Coastal Zone	5	BP	-

SECTION III

The Santa Cruz County Code is hereby amended by changing Section 13.10.314 (B) to read as follows:

(B) Residential Uses in the Coastal Zone. For parcels within the CA Commercial Agricultural and AP Agricultural Preserve Zone Districts in the Coastal Zone, the following special findings shall be made in addition to those required by Chapter 18.10 SCCC and subsection (A) of this section in order to approve any discretionary residential use including a single-family residence, an accessory dwelling unit, a permanent caretaker's residence, or habitable accessory structure. These findings shall be based upon a review and determination by the Agricultural Policy Advisory Commission.

SECTION IV

The Santa Cruz County Code is hereby amended by changing the entry for "second unit" in Section 13.10. 322(B) Uses Chart to read as follows:

USE	RA	RR	R-1	RB	RM
Accessory Dwelling Unit, subject to the provisions of SCCC 13.10.681	BP	BP	BP	BP	BP

SECTION IV

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

Attachment: Clean ADU Ordinance, Coastal [Revision 1] (ADU Ordinance)

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

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	Detached Garages, inside the USL	*	*	*		24				
	Detached New Construction inside USL	*	*	*	*	17 and 15 exterior side wall	*	N/A	*	*
Accessory Dwelling Units, All Districts	Detached New Construction – outside USL	*	*	*	*	*	*	*	*	*
	Attached New Construction	*	*	*	*	*	*	*	*	*
	New Construction above a Detached garage – inside USL	*	5	5	*	24 and 22 exterior wall	*	2	*	*

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	New Construction above an Attached garage – inside USL	*	5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2	*	*
	New Construction above a Detached or Attached garage— outside USL <i>Reduced setbacks</i>	*	5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2	*	*
	New Construction above a Detached or Attached garage— outside USL <i>Standard Setbacks</i>	*	*	*	*	*	*	*	*	*
	Conversion ADUs	†	†	†	†	†	†	†	†	†
	General requirements	10	0&5	10	40%	25; on beach side: 17	0.5:1	2; on beach side: 1	40	40
RB > or = 4,000 sq. ft.	Corner lots	10	0&10	10	40%	See above	0.5:1	See above	40	40
	Lots on beach side of street	10	0&5	0	40%	See above	0.5:1	See above	40	40

Proposed ADU Ordinance Inside Coastal Zone

Attachment: Clean ADU Ordinance, Coastal [Revision 1] (ADU Ordinance)

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
R-1-3.5 to R-1-5.9 4.9 0 to <5,000 sq. ft.	Semi-detached dwellings and dwellings adjacent to pedestrian rights-of-way	10	0&5	10						
	General requirements	15	5&5	15	40%	28	0.5:1	2	35	35
	Corner lots—existing parcels —creating new parcels	15	5&10 5&15	15	40%	28	0.5:1	2	35	35
	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	35	35
R-1-5 to R-1-5.9 5,000 to <6,000 sq. ft.	General requirements	20	5&8	15	40%	28	0.5:1	2	50	50
	Corner lots—existing parcels —creating new parcels	20		15	40%	28	0.5:1	2	50	50
	Parcels 4 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	50	50

Proposed ADU Ordinance Inside Coastal Zone

Attachment: Clean ADU Ordinance, Coastal [Revision 1] (ADU Ordinance)

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
R-1-6 to R-1-9.9 6,000 to <10,000 sq. ft.	General requirements	20	5&8	15	40%	28	0.5:1	2	60	60
	Corner lots—existing parcels	20	5&10	15	40%	28	0.5:1	2	60	60
	—creating new parcels		5&20							
	Parcels >4,800 to <5,999 sq. ft.	20	5&8	15	40%	28	0.5:1	2		
R-1-10 to R-1- 15.9 10,000 to <16,000 sq. ft.	General requirements	20	10&10	15	40%	28	0.5:1	2	60	60
	Creating new corner lots	20	10&20	15	40%	28	0.5:1	2	60	60
	General requirements	30	15&15	15	20%	28	N/A	2	90	60
	General requirements—1 to <5 acres	40	20&20	20	10%	28	N/A	2	100	60
RR, RA and R-1- 1 >1 acre	General requirements—5 acres or more	40	20&20	20	10%	28	N/A	2	150	100

Proposed ADU Ordinance Inside Coastal Zone

Attachment: Clean ADU Ordinance, Coastal [Revision 1] (ADU Ordinance)

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						

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

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

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

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

**** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

† See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

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

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	Detached Garages, inside the USL	*	*	*		24				
Accessory Dwelling Units, All Districts	New Construction - Detached from SFD, inside USL	*	*	*	*	17 and 15 exterior side wall	*	N/A	*	*
	New Construction - Detached from SFD, outside USL	*	*	*	*	*28	*	*2	*	*
	New Construction - Attached to SFD	*	*	*	*	*	*	*	*	*
	New Construction above a Detached garage - inside USL	*	5	5	*	24 and 22 exterior walls	*	2	*	*
	New Construction above an Attached garage - inside USL	*	5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2	*	*

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO**	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
RM-1.5 to RM-4.9 0 to <5,000 sq. ft.	New Construction above a Detached or Attached garage— outside USL <i>Reduced setbacks</i>	*	5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2	*	*
	New Construction above a Detached or Attached garage— outside USL <i>Standard Setbacks</i>	*	*	*	*	*	*	*	*	*
	Conversion ADUs	†	†	†	†	†	†	†	†	†
	General requirements for all parcels within these zone districts	15	5&5	15	40%	28	0.5:1	Per use permit or 2	35	35
	Corner lots—existing parcels —creating new parcels	15	5&10	15	40%	28	0.5:1		35	35
RM-5 to RM-5.9 5,000 to <6,000 sq. ft.	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		35	35
	General requirements and for parcels >6,000 sq. ft.	20	5&8	15	40%	28	0.5:1	Per use permit or 2	50	50

Proposed ADU Ordinance Inside Coastal Zone

Attachment: Clean ADU Ordinance, Coastal [Revision 1] (ADU Ordinance)

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	Corner lots—existing parcels	20	5&10	15	40%	28	0.5:1		50	50
	—creating new parcels	20	5&10	15	40%	28	0.5:1		50	50
	Parcels >4,000 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		50	50
RM-6 to RM-9.9 6,000 to <10,000 sq. ft.	General requirements	20	5&8	15	40%	28	0.5:1	Per use permit or 2	60	60
	Corner lots—existing parcels	20	5&10	15	40%	28	0.5:1		60	60
	—creating new parcels	20	5&20	15	40%	28	0.5:1		60	60

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

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

** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

† See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

SECTION VI

The Santa Cruz County Code is hereby amended by amending Section 13.10.323(E)(6) to read as follows:

(E) Site and Structural Dimension Exceptions Relating to Structures.

(6) Accessory Structures.

(a) Water Tanks and Propane Tanks. Water tanks which are required for fire protection and/or domestic use may be erected to within three feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal, appropriate fire agency or Environmental Health Service. Propane/LP gas tanks may be erected to within five feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal or appropriate fire agency. A landscaped screen shall be provided for any tank located within the required front yard.

(b) Side and Rear Yards.

(i) An accessory structure which is attached to the main building shall be considered a part thereof, and shall be required to have the same setbacks as the main structure;

(ii) A detached accessory structure which is located entirely within the required rear yard and which is smaller than 120 square feet in size and 10 feet or less in height may be constructed to within three feet of the side and rear property lines;

(iii) Garden trellises, garden statuary, birdbaths, freestanding barbeques, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems, if not exceeding six feet in height, are not required to maintain side and rear yard setbacks and are excluded from the calculation of allowable lot coverage.

(c) Separation. The minimum distance between any two detached structures shall be 10 feet with the following exceptions:

(i) Eaves, chimneys, cantilevered, uncovered, unenclosed balconies, porches, decks and uncovered, unenclosed stairways and landings may encroach three feet into the required 10-foot separation;

(ii) No separation is required between water tanks located on the same parcel;

(iii) No separation is required between garden trellises, garden statuary, birdbaths, freestanding barbecues, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps

Attachment: Clean ADU Ordinance, Coastal [Revision 1] (ADU Ordinance)

and similar HVAC equipment and ground-mounted solar systems and other structures located on the same parcel.

(iv) The minimum separation between an Accessory Dwelling Unit and any other structure on a parcel, including encroachments included in subsection (i) above, shall be no less than three feet.

(d) On Reversed Corner Lots. On a reversed corner lot, accessory structures shall be located not closer to the rear property line than the required side yard on the adjoining key lot, and not closer to the side property line adjoining the street than the required front yard of the adjoining key lot.

(e) Distance from Alleys. Detached accessory structures including garages shall not be located within three feet of any alley.

(f) Garages Located in Required Rear and Side Yards.

(i) On residentially zoned parcels smaller than 10,000 square feet, an attached or detached garage ("garage" as defined under SCCC 13.10.700-G but excluding carports) may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines; provided, that:

A. There shall be no windows, doors or other openings on garage walls that are less than five feet from the side or rear property lines.

B. The garage shall have a minimum front setback of 40 feet, or, for parcels less than 80 feet deep, the minimum front setback to the garage shall be 50 percent of the parcel's depth.

C. Eaves or other projections on garages with reduced setbacks shall extend no more than two additional feet closer to the rear and side yard property lines, and no closer than allowed by the California Residential Building Code (CRC).

D. The garage shall have a maximum depth of 30 feet.

(ii) On residential parcels 10,000 square feet or larger in size, an attached or detached garage may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines, subject to subsections (E)(6)(f)(i)(A) through (D) of this section; and provided, that a minor exception is obtained in accordance with SCCC 13.10.235.

(iii) On residential parcels less than 10,000 square feet, a garage may be located up to zero feet from the rear or interior side property line if an administrative site development permit (Level IV

approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(iv) A garage located within a required rear or side setback area shall not exceed 17 feet in height or one story, unless an administrative site development permit (Level IV approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(g) Detached New Construction ADUs Inside the Urban Services Boundary With Design Review. Building heights up to 5 feet in excess of an applicable zoning standard, but in no case exceeding 28 feet, may be allowed without increased yards or variance approval, subject to design review and to the coastal view protection standards of Chapter 13.20 (if located in the Coastal Zone), and subject to approval by the Zoning Administrator following a public hearing. Appeals from this decision shall be processed pursuant to Chapter 18.10 SCCC.

SECTION VII

The Santa Cruz County Code is hereby amended by changing Section 13.10.418(A)(1) and (A)(2) to read as follows:

- (1) A building permit for a new single-family dwelling or a new accessory dwelling unit;
- (2) A coastal development permit for a new single-family dwelling or an accessory dwelling unit that is not exempt or excluded pursuant to Chapter 13.20;

SECTION VIII

The Santa Cruz County Code is hereby amended to change the introduction to Section 13.10.446 to read as follows:

In addition to the residential site standards found in SCCC 13.10.323(B), the following standards and incentives apply to residential development in the Pleasure Point Community Design PP Combining District. Where there are differences between this section and SCCC 13.10.323(B), the provisions of this section shall apply, except that for Accessory Dwelling Units built above attached or detached garages the provisions of 13.10.323 and 13.10.681(D)(2)(a) shall apply this section regarding setbacks and second story setbacks; and the additional 2% allowance for Lot Coverage and Floor Area Ratio for any parcel with an ADU on lots 6000 sf or smaller shall also apply:

Attachment: Clean ADU Ordinance, Coastal [Revision 1] (ADU Ordinance)

SECTION IX

The Santa Cruz County Code is hereby amended by changing Section 13.10.552 to read as follows:

(A) Off-street parking spaces for residential uses shall be provided according to the type and size of residence as described below:

(7) Accessory dwelling units. One parking space is required for each, accessory dwelling unit unless the ADU meets the definition of Conversion ADU under 13.10.681(B)(2) or is otherwise exempted under 13.10.681 (F)2.

SECTION X

The Santa Cruz County Code is hereby amended by changing Section 13.10.554(B) to read as follows:

(B) Each parking space shall be accessible from a street or alley. Tandem parking spaces shall be allowed for the purpose of fulfilling parking requirements set forth in this chapter. For single-family dwelling units, either attached or detached, and for multifamily dwellings where garages are within, attached or immediately adjacent to the dwelling units, tandem parking spaces must be entirely within the subject property and shall consist of no more than two spaces. For mobile homes located within mobile home parks and for parcels with ADUs, tandem parking spaces shall consist of no more than three parking spaces in line. For hotels and restaurants with a valet parking plan where such uses are to be located in existing structures on parcels of such size or shape that preclude the ability to meet current parking requirements for that use, tandem spaces shall be limited to that number in the approved valet parking plan. Such a valet parking plan shall be approved by the appropriate body and be guaranteed to operate full-time during established business hours for the life of the use.

SECTION XI

The Santa Cruz County Code is hereby amended by changing Table 13.10.611-2 found in Section 13.10.611(c)(3) to read as follows:

(3) Regulations for level of review, size, number of stories and locational restrictions for accessory structures are as indicated in Table 13.10.611-2:

Table 13.10.611-2

LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL REGULATIONS

	Nonhabitable	Habitable
Size, story and height restrictions and permit required	Within the urban services line (USL): building permit only for up to 640-square-foot size, two story and 28-foot height; Detached	Building permit only for up to 640-square-foot size, one story and 17-foot height

Table 13.10.611-2

**LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL
REGULATIONS**

	Nonhabitable	Habitable
	<p>Garages limited to two story and 24 foot height</p> <p>Outside the USL: building permit only for up to 1,000-square-foot size, three story and 28-foot height</p>	<p>*Standards for Accessory Dwelling Units can be found in Code Section 13.10.681.</p>
Permit required if exceeds size restrictions	<p>Outside the urban services line (USL): Level IV use approval</p> <p>Inside the USL: Level V use approval</p>	Level V use approval
<p>Permit required if exceeds height restrictions</p> <p>(See SCCC 13.10.323(E)(5) for exceptions)</p>	Variance	<p>Level V use approval for structures exceeding 17 feet, up to 28 feet</p> <p>Variance to exceed 28 feet</p>
Permit required if exceeds story restrictions	Variance	<p>Inside the USL: Level V use approval for two stories</p> <p>Variance for exceeding two stories</p> <p>Outside the USL: Level V use approval for two or three stories</p> <p>Variance for exceeding three stories</p>
Number of accessory structures allowed	No limit, if in compliance with the site regulations of the zone district	<p>One with building permit only</p> <p>Maximum of two with Level V use approval</p>

Attachment: Clean ADU Ordinance, Coastal [Revision 1] (ADU Ordinance)

Table 13.10.611-2

**LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL
REGULATIONS**

	Nonhabitable	Habitable
Locational restrictions	None, if in compliance with the site regulations of the zone district	In addition to the site regulations of the zone district, shall be no more than 100 feet from the main residence, shall not be accessed by a separate driveway or right-of-way, nor constructed on a slope greater than 30 percent, unless a Level IV use approval is obtained

SECTION XII

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

(A) Purpose. The purpose of this section is to provide for and regulate accessory dwelling units 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) "New Construction ADU" shall mean any ADU that does not meet the definition of Conversion ADU.
- (2) "Conversion ADU" shall mean the conversion of any portion of a legal accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating an accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 "R", and any conversion that exceeds that limit, or otherwise does not comply with subsection (E) of this section shall be considered a New Construction ADU for the purposes of this section.
- (3) "Attached", in reference to ADUs throughout the Santa Cruz County Code, shall mean sharing any part of a wall, ceiling or floor with the primary dwelling on the property, with the ADU located above, below, beside, or a combination, the primary dwelling on the property.

(C) Application Processing. All accessory dwelling units shall be processed in accordance with this section and the requirements of Government Code Section 65852.2 and, for those accessory dwelling units located within the Coastal Zone, the processing requirements of SCCC 13.20.107 and 13.20.108. A building permit only, and no public notice or hearing, shall be required for a new construction or conversion accessory dwelling unit within any residential zone district or on land designated residential in the General Plan, or within the Agriculture Zone District, unless the accessory dwelling unit is located in an area, or is a part of a larger project, that requires a discretionary development permit, or if a variance is requested. Pursuant to Government Code Section 65852.2 applications for ADUs within any residential zone district or on land designated residential in the General Plan, or within the Agriculture Zone District shall be approved or denied ministerially within 120 days of submission of a complete application. All applications for accessory dwelling units in the Commercial Agricultural Zone District shall be subject to review by the Agricultural Policy Advisory Commission.

Accessory dwelling units are subject to the following processes:

- (1) Outside the Coastal Zone: Building permit issuance.
- (2) Inside the Coastal Zone (nonappealable area): ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq require a Building permit.

ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq require issuance of a combined coastal development and building permit, subject to the following noticing requirements:

(a) Within 10 calendar days of accepting an application for a nonappealable coastal development permit, the County shall provide notice, by first class mail, of pending development approval. 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 residents 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:

- (i) A statement that the development is within the Coastal Zone;
- (ii) The date of filing of the application and the name of the applicant;
- (iii) The number assigned to the application;
- (iv) A description of development and its proposed location;
- (v) The general procedure of the local government concerning the submission of public comments either in writing or orally prior to the local decision;

- (vi) A statement that a public comment period of sufficient time to allow for the submission of comments by mail will be held prior to the local decision.

(3) Inside the Coastal Zone (appealable area): ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq require a Building permit.

ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq require issuance of a combined coastal development and building permit, subject to the following noticing requirements:

(a) Within 10 calendar days of accepting an application for an appealable coastal development permit, the local government 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 residents 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:

- (i) Statement that the development is within the Coastal Zone;
- (ii) The date of filing of the application and the name of the applicant;
- (iii) The number assigned to the application;
- (iv) A description of the development and its proposed location;
- (v) A brief description of the general procedure concerning the conduct of local actions;
- (vi) The system 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 conditions of approval and written findings and the procedures for appeal of the local decision to the Coastal Commission.

(c) The County shall include 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.

Attachment: Clean ADU Ordinance, Coastal [Revision 1] (ADU Ordinance)

(D) Requirements for New Construction ADUs. Before a permit for a New Construction ADU or expansion of an existing structure beyond the allowance in 13.10.681 (E)(4)(d) for use as an accessory dwelling unit can be granted, the following requirements shall be met:

- (1) Zoning and General Plan. The accessory dwelling unit shall be located on a parcel allowing single-family uses either by zoning (A, CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R) which contains no more than one existing detached, single-family dwelling, or where one detached single-family dwelling shall be constructed concurrently with the proposed accessory dwelling unit. Subject to applicable discretionary development permit and coastal development permit processes and findings for approval, and after review and approval by the Agricultural Policy Advisory Commission, an accessory dwelling unit may be located on land zoned for Commercial Agriculture (CA) or on a parcel designated for Agricultural use in the General Plan(A);
- (2) Development Standards. All development standards for the applicable zone district shall be satisfied; and the development shall be consistent with all County policies and ordinances, except that regardless of any other zone district standards, the following provisions shall apply to New Construction ADUs:

(a) Inside the Urban Services Line, an ADU that is built on the second floor over an existing or new garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding 24 feet for a structure that is detached from the primary dwelling, and not exceeding 24 feet within the area of the zoning district setback for a structure that is attached to the primary dwelling. Outside the Urban Services Boundary, an ADU that is built on the second floor over an existing or new garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding 24 feet within the area of the zoning district setback. Outside of the Urban Services Boundary, ADUs above garages shall have a maximum height of 28 feet when conforming to standard setbacks for the zone district.

(b) Inside the Urban Services Line, the maximum height for a detached New Construction ADU shall be 17 feet with a maximum exterior side wall height of 15 feet measured from finished grade.

(c) ADUs that are attached to the primary dwelling on the property shall be subject to the standards that are otherwise applicable to the primary dwelling based on the zone district including height, stories, setbacks, lot coverage, and FAR, except that:

(i) ADUs that are built above a garage shall be subject to the standards of subsection (D)(2)(a) above and to the site standards of 13.10.323.

(ii) Parcels that are 6,000 sf or smaller shall be eligible for additional Floor Area Ratio and Lot Coverage subject to subsection (F)(6) of this code section.

(d) All ADUs shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

(3) **Design.** The design, materials and color of the New Construction accessory dwelling unit shall be compatible with that of the main dwelling and shall be consistent with the development standards and guidelines set forth in subsection (6) of this section; and

(4) **Utility Requirements.** All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall comply with all applicable requirements of the Environmental Health Officer; and

(5) In the Coastal Zone, a coastal development permit is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.

(6) **Additional Standards.** The following standards shall be applied to every accessory dwelling unit not defined as a Conversion ADU, and shall be conditions for any approval under this section:

(a) **Location of Accessory Dwelling Unit.** The accessory dwelling unit may be either attached to the main dwelling or may be detached from it. Inside the urban services line, no accessory dwelling unit shall be accessed by a separate driveway or right-of-way, unless access via a second driveway would result in a superior site plan in terms of safety and protection of environmental resources, and is approved by the Public Works Director or designee. On land designated agriculture by the General Plan, the accessory dwelling unit shall be located within 100 feet of the main dwelling on the property unless another location is approved by the Agricultural Policy Advisory Commission that will meet the on-site and off-site buffering requirements and will meet the goal of preserving agricultural land.

(b) **Lot Coverage and Floor Area Ratio.** No accessory dwelling unit shall be allowed which would, when combined with existing lot coverage and gross floor area, exceed the allowable lot coverage or the allowable floor area ratio for the parcel.

(c) **Site Standards.** All site standards of the zoning district in which the accessory dwelling unit is proposed shall be met, unless expressly superseded by SCCC subsection 13.10.681(D)(2). On land zoned or designated agricultural, all setbacks of the agricultural zone districts shall be met and all accessory dwelling units must meet the buffering requirements of SCCC 16.50.095(F), as determined by the Agricultural Policy Advisory Commission, if applicable.

Attachment: Clean ADU Ordinance, Coastal [Revision 1] (ADU Ordinance)

(E) Requirements for Conversion ADUs. Where an accessory dwelling unit is proposed as a Conversion ADU (as defined in 13.10.681(B)(2)), the following requirements shall be met:

- (1) Zoning and General Plan. The accessory dwelling unit shall be located on a parcel allowing single-family uses either by zoning (A, CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R). Subject to applicable discretionary development permit and coastal development permit processes and findings for approval, and after review and approval by the Agricultural Policy Advisory Commission, an accessory dwelling unit may be located within the Commercial Agriculture Zone District, or on land designated for agricultural use in the General Plan (A), which contains an existing single family home.
- (2) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall meet applicable requirements of the Environmental Health Officer.
- (3) In the Coastal Zone, a coastal development permit is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.
- (4) Design and Development standards for Conversion ADUs. The following standards shall be applied to every accessory dwelling unit converted from part of an existing single-family home or existing accessory structure, and shall be conditions for any approval under this section:
 - (a) The ADU shall have an exterior entrance that is independent of the existing single-family dwelling.
 - (b) The ADU shall meet setbacks sufficient for fire safety in conformance with the Building Code (SCCC Chapter 12.10) and Fire Code (SCCC Chapter 7.92).
 - (c) If converting an existing accessory structure, applicant must be able to show that the structure was erected with all required permits, or that the structure is legal nonconforming. Structures that were built without benefit of permits are not eligible for conversion under this section and must be processed as a New Construction ADU.
 - (d) Conversion for use as an ADU shall include construction which occupies substantially the same footprint and vertical space as the existing structure upon completion, with additions to the existing structure increasing overall floor area of the conversion ADU by no more than 30% or 150 square feet, whichever is less. Additions to square footage exceeding that level shall be considered under 13.10.681(D) as New Construction ADUs. Proposed additions with Conversion ADUs shall comply with applicable zoning development standards and any existing development permit conditions of approval.
 - (i) For Conversion ADUs on parcels 5,000sf and smaller, the addition of up to 30% of conversion area, not to exceed 150sf, shall be in addition to the 50% of the primary dwelling which may be

Attachment: Clean ADU Ordinance, Coastal [Revision 1] (ADU Ordinance)

converted to an ADU per 13.10.681(F)(1) below, so long as in no case does the total habitable area of the ADU exceed 640 square feet.

(e) The ADU shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

(F) Site standards. For both New Construction ADUs and Conversion ADUs the following site standards apply.

(1) Size of Accessory Dwelling Unit. The total gross floor area as defined in SCCC 13.10.700-F of the habitable portion of an ADU is defined in the tables below, based on location inside or outside the Urban Services Line (USL) and parcel size. In no case shall an ADU on a parcel under 5,000 square feet exceed 640 square feet in size:

New Construction ADUs Outside the USL			
Parcel Size	<10,000 sq. ft.	10,000 sq. ft. to < 1 acre	1 acre or larger
Size of ADU	800sq. ft.	1000 sq. ft.	1,200 sq. ft.

New Construction ADUs Inside the USL			
Parcel Size	<5,000 sq. ft	5,000 – 9,999 sq. ft	10,000+ sq. ft
Size of ADU	10% of Parcel Size	640 sq. ft	800 sq. ft

All Conversion ADUs		
Parcel Size	<5,000 sq ft	5,000+ sq. ft
Size of ADU	Up to 50% of the existing habitable sq. ft of primary dwelling, not to exceed 640 sq ft	Use standards for New Construction ADUs in tables above

(2) **Parking.** Off-street parking shall be provided to meet the requirements of SCCC 13.10.550 for the main dwelling and one additional space for the accessory dwelling unit, and may be provided as double or triple tandem parking, in any location on the property. 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. Off-street parking shall be required for any New Construction or Conversion accessory dwelling unit located on a block subject to a permit parking requirement.

In all other locations, required parking for the ADU shall not apply under the circumstances described below, and no parking shall be required for the ADU under these circumstances:

(a) The accessory dwelling unit is located within the USL or RSL and within one-half mile of public transit stop with at least 30-minute headways (time between buses running on the same route in the same direction).

(b) The accessory dwelling unit is located within a designated architecturally and historically significant historic district.

(c) The accessory dwelling unit is part of the primary dwelling on the property, or is part of an accessory structure.

(d) The accessory dwelling unit is a Conversion ADU.

(e) When there is a dedicated parking space reserved for a publicly-available car share vehicle located within one block of the accessory dwelling unit. Applicants shall be required to show the location of the dedicated parking space and confirm the vehicle's availability to future ADU residents.

(3) **Other Accessory Uses.** Not more than one accessory dwelling unit shall be constructed on any one parcel. An accessory dwelling unit and agricultural caretakers' quarters, except farmworker housing on agricultural parcels greater than 10 acres outside the Coastal Zone, shall not be permitted on the same parcel. Habitable and nonhabitable accessory structures may be allowed subject to all applicable requirements of the underlying zone district and SCCC13.10.611.

(4) **Service Requirements.** . All requirements of the respective service agencies shall be satisfied, and all ADUs shall comply with all sections of the California Fire Code as codified in SCCC 7.92 except that in no case shall fire sprinklers be required for the ADU where they are not also required for the primary dwelling.

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

(6) Incentives. On parcels 6,000sf or smaller, where New Construction ADUs or Conversion ADUs are developed after January 1, 2018, an additional 2% shall be added to maximum Lot Coverage and maximum Floor Area Ratio development standards in order to incentivize the creation of ADUs, including within the Pleasure Point (-PP) Combining Zone District. See Footnotes on Site and Structural Dimensions Charts in Section 13.10.323(B).

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

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

(2) Owner Residency. Unless owned by a public agency, 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 main dwelling or the accessory dwelling unit. If the accessory dwelling unit is newly constructed on a parcel within a subdivision, then the purchaser of said property shall permanently reside in either the main dwelling or the accessory dwelling unit, shall be required to submit a property tax exemption prior to occupancy of the accessory dwelling unit, and shall be subject to the deed restriction noted in subsection (G)(5) of this section.

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

(3) Sale. The ADU is not intended for sale separate from the primary residence. An ADU may be rented for periods of 30 days or more.

(4) Vacation Rental or Short Term Rental Use. In no case shall a vacation rental or any other short-term rental use of less than 30 days be permitted in an ADU, per SCCC 13.10.694(B). A property owner may reside in the ADU and operate a vacation rental in the primary dwelling on the parcel provided that all required permits are obtained.

Attachment: Clean ADU Ordinance, Coastal [Revision 1] (ADU Ordinance)

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

- (a) The property owner shall permanently reside, as evidenced by a homeowner's property tax exemption on the parcel or by other satisfactory documentation of owner residence, in either the main dwelling or the accessory dwelling unit, unless owned by a public agency that is providing housing for special populations, in which case the declaration of restrictions shall indicate that any subsequent nonpublic agency owner shall abide by the terms of this subsection and subsection (G)(2) of this section.
- (b) The declaration is binding upon all successors in interest.
- (c) The declaration shall include a provision for the recovery by the County of reasonable attorney's fees and costs in bringing legal action to enforce the declaration together with recovery of any rents collected during any occupancy not authorized by the terms of the agreement or, in the alternative, for the recovery of the reasonable value of the unauthorized occupancy.

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

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

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

SECTION XIII

The Santa Cruz County Code is hereby amended to add the following to Section 13.10. 700-A:

“Accessory Dwelling Unit” means, in compliance with California Government Code Sections 65852 and 65853, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of Kitchen), and sanitation on the same parcel as a single-family dwelling. See also *Conversion ADU* and *New Construction ADU*.

SECTION XIV

The Santa Cruz County Code is hereby amended such that the following shall be added to Section 13.10. 700-C:

“Conversion ADU” shall mean the conversion of any portion of an accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating an accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 “R”, and any conversion that does not comply with SCCC 13.10.681(E), shall be considered a New Construction ADU.

SECTION XV

The Santa Cruz County Code is hereby amended such that Section 13.10. 700-D, definition of “Dwelling unit” shall be revised, as follows:

“Dwelling unit” means a structure for human habitation providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, with the restrictions that only one kitchen is allowed in each dwelling unit, and up to one additional limited food preparation area including a sink; a refrigerator; small electric kitchen appliances that do not require electrical service greater than 120 volts; excluding full-sized electric, gas, or propane cooking appliances; and having an appropriately sized preparation counter and storage cabinets, may also be included in any single-family dwelling at a rate of one per parcel, and interior connection shall be maintained throughout the home, and an interior stairway shall be provided between all stories.

SECTION XVI

The Santa Cruz County Code is hereby amended such that Section 13.10. 700-S, definition of “Second unit” shall be revised, as follows:

“Second unit” – see definition for Accessory Dwelling Unit.

SECTION XVII

The Santa Cruz County Code is hereby amended such that Section 13.20.061(A) shall now read as follows:

(A) Subject to SCCC 13.20.060, no coastal development permit is required for improvements to existing single-family residences (including to fixtures and other structures directly attached to the residence; structures on the

property normally associated with a single-family residence, such as garages, swimming pools in-ground and above-ground, hot tubs, fences, decks, storage sheds, and attached low-profile solar panels, and landscaping on the property, but not including guest houses or self-contained residential units). Allowed improvements that do not require a coastal development permit include additions of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission, remodels, alterations, replacement of existing water storage tanks, wells or septic systems serving an existing single-family residence where there is no expansion of the replaced feature or its capacity, and new accessory structures except for self-contained accessory dwelling units that result in intensification of a residential use due to conversion of space from non-habitable to habitable or by addition of a bedroom to the parcel, or based on location within any of the areas described in Section 13.20.071(B).

SECTION XVIII

The Santa Cruz County Code is hereby amended such that the introduction and subsection (A) of Section 13.20.107 shall now read as follows:

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

Any proposed accessory dwelling unit located within the Coastal Zone but located outside of the appealable area, as described in SCCC 13.20.040, 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) 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:

SECTION XIX

The Santa Cruz County Code is hereby amended such that the introduction to Section 13.20.108 shall now read as follows:

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 Chapter 13.20.061 et seq, processed concurrently with a building permit, subject to the following noticing requirements:

SECTION XX

The Santa Cruz County Code is hereby amended such that subsection (D) of Section 13.20.108 shall now read as follows:

(D) Financing or leasing of accessory dwelling units pursuant to the provisions of SCCC 13.10.681. This chapter shall apply to the sale or transfer of such accessory dwelling units.

SECTION XX

The Santa Cruz County Code is hereby amended such that subsection (B) of Section 18.10.140 shall now read as follows:

18.10.140 Conformity with the General Plan and other legal requirements.

(B) All proposals for residential development of property within the urban services line, except for accessory dwelling units and residential remodels, at less than the lowest end of the designated density range of the County General Plan—LCP land use designation where there is the potential that three or more new units could be accommodated on-site at the lowest end of the density range shall be subject to review by the development review group (see SCCC 18.10.210(C)(1)). Following completion of the development review group (DRG) process, the proposal and the information developed as a result of the DRG process shall be referred to the Board of Supervisors for a preliminary General Plan consistency determination at a public hearing. Proposals of four or fewer lots (or units) shall have their DRG meeting within 45 days from the date of application, and shall be considered by the Board of Supervisors at a public hearing within 60 days from the date of the DRG meeting

SECTION XXI

This ordinance shall take effect inside the Coastal Zone after adoption by the Board of Supervisors and final certification by the California Coastal Commission.

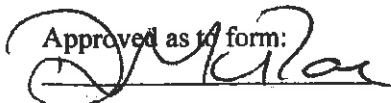
PASSED AND ADOPTED this _____ day of _____, 2017, by the Board of Supervisors of the County of Santa Cruz by the following vote:

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

Chairperson of the
Board of Supervisors

Attest: _____
Clerk of the Board

Approved as to form:



Proposed ADU Ordinance Inside Coastal Zone

ORDINANCE AMENDING SANTA CRUZ COUNTY CODE SECTIONS, 13.10.312, 13.10.314, 13.10.322, 13.10.323, 13.10.418, 13.10.446, 13.10.552, 13.10.554, 13.10.611, 13.10.681, 13.10.700, 13.20.061, AND 13.20.108 RELATING TO ACCESSORY DWELLING UNITS

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Santa Cruz County Code is hereby amended by changing the entry for "second unit" in Section 13.10. 312(B) Uses Chart to read as follows:

USE	CA	A	AP
Accessory Dwelling Unit, subject to the provisions of SCCC 13.10.681	4	BP	-
Outside the Coastal Zone	4	BP	-
Inside the Coastal Zone	5	BP	-

SECTION II

The Santa Cruz County Code is hereby amended by changing Section 13.10.314 (B) to read as follows:

(B) Residential Uses in the Coastal Zone. For parcels within the CA Commercial Agricultural and AP Agricultural Preserve Zone Districts in the Coastal Zone, the following special findings shall be made in addition to those required by Chapter 18.10 SCCC and subsection (A) of this section in order to approve any discretionary residential use including a single-family residence, an accessory dwelling unit, a permanent caretaker's residence, or habitable accessory structure. These findings shall be based upon a review and determination by the Agricultural Policy Advisory Commission.

SECTION III

The Santa Cruz County Code is hereby amended by changing the entry for "second unit" in Section 13.10. 322(B) Uses Chart to read as follows:

USE	RA	RR	R-1	RB	RM
Accessory Dwelling Unit, subject to the provisions of SCCC 13.10.681	BP	BP	BP	BP	BP

SECTION IV

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

Attachment: Clean ADU Ordinance, Non Coastal (ADU Ordinance)

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

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	Detached Garages, inside the USL	*	*	*		24				
	Detached New Construction inside USL	*	*	*	*	17 and 15 exterior side wall	*	N/A	*	*
Accessory Dwelling Units, All Districts	Detached New Construction – outside USL	*	*	*	*	*	*	*	*	*
	Attached New Construction	*	*	*	*	*	*	*	*	*
	New Construction above a Detached garage – inside USL	*	5	5	*	24 and 22 exterior wall	*	2	*	*

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	New Construction above an Attached garage – inside USL	*	5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2	*	*
	New Construction above a Detached or Attached garage— outside USL <i>Reduced setbacks</i>		5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2		
	New Construction above a Detached or Attached garage— outside USL <i>Standard Setbacks</i>	*	*	*	*	*	*	*	*	*
	Conversion ADUs	‡	‡	‡	‡	‡	‡	‡	‡	‡
	General requirements	10	0&5	10	40%	25; on beach side: 17	0.5:1	2; on beach side: 1	40	40
RB > or = 4,000 sq. ft.	Corner lots	10	0&10	10	40%	See above	0.5:1	See above	40	40
	Lots on beach side of street	10	0&5	0	40%	See above	0.5:1	See above	40	40

Proposed ADU Ordinance Outside the Coastal Zone

Attachment: Clean ADU Ordinance, Non Coastal (ADU Ordinance)

55.b

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
R-1-3.5 to R-1-4.9 0 to <5,000 sq. ft.	Semi-detached dwellings and dwellings adjacent to pedestrian rights-of-way	10	0&5	10						
	General requirements	15	5&5	15	40%	28	0.5:1	2	35	35
	Corner lots—existing parcels —creating new parcels	15	5&10 5&15	15	40%	28	0.5:1	2	35	35
	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	35	35
	General requirements	20	5&8	15	40%	28	0.5:1	2	50	50
R-1-5 to R-1-5.9 sq. ft.	Corner lots—existing parcels —creating new parcels	20		15	40%	28	0.5:1	2	50	50
	Parcels 4 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	50	50

55.6

Proposed ADU Ordinance Outside the Coastal Zone

Attachment: Clean ADU Ordinance, Non Coastal (ADU Ordinance)

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
5,000 to <6,000 sq. ft.	General requirements	20	5&8	15	40%	28	0.5:1	2	60	60
	Corner lots—existing parcels —creating new parcels	20	5&10 5&20	15	40%	28	0.5:1	2	60	60
R-1-6 to R-1-9.9 6,000 to <10,000 sq. ft.	Parcels >4,800 to <5,999 sq. ft.	20	5&8	15	40%	28	0.5:1	2		
	General requirements	20	10&10	15	40%	28	0.5:1	2	60	60
	Creating new corner lots	20	10&20	15	40%	28	0.5:1	2	60	60
R-1-10 to R-1- 15.9 10,000 to <16,000 sq. ft.	General requirements	30	15&15	15	20%	28	N/A	2	90	60
	General requirements—1 to <5 acres	40	20&20	20	10%	28	N/A	2	100	60
	R-1-16 to R-1-<1 acre 16,000 sq. ft. to <1 acre	40	20&20	20	10%	28	N/A	2	150	100

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
RR, RA and R-1- 1 > 1 acre										

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

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

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

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

**** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

† See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

Proposed ADU Ordinance Outside the Coastal Zone

Attachment: Clean ADU Ordinance, Non Coastal (ADU Ordinance)

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

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO**	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	Detached Garages, inside the USL	*	*	*		24				
	Detached New Construction inside USL	*	*	*	*	17 and 15 exterior side wall	*	N/A	*	*
Accessory Dwelling Units, All Districts	Detached New Construction – outside USL	*	*	*	*	*	*	*	*	*
	Attached New Construction	*	*	*	*	*	*	*	*	*
	New Construction above a Detached garage – inside USL	*	5	5	*	24 and 22 exterior wall	*	2	*	*

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO**	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	New Construction above an Attached garage -- inside USL	*	5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2	*	*
	New Construction above a Detached or Attached garage— outside USL <i>Reduced setbacks</i>		5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2		
	New Construction above a Detached or Attached garage— outside USL <i>Standard Setbacks</i>	*	*	*	*	*	*	*	*	*
	Conversion ADUs	†	†	†	†	†	†	†	†	†
RM-1.5 to RM-4.9 0 to <5,000 sq. ft.	General requirements for all parcels within these zone districts	15	5&5	15	40%	28	0.5:1	Per use permit or 2	35	35

55.b

Proposed ADU Ordinance Outside the Coastal Zone

Attachment: Clean ADU Ordinance, Non Coastal (ADU Ordinance)

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	Corner lots— existing parcels	15	5&10	15	40%	28	0.5:1		35	35
	—creating new parcels	15	5&15	15	40%	28	0.5:1		35	35
	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		35	35
	General requirements and for parcels >6,000 sq. ft.	20	5&8	15	40%	28	0.5:1	Per use permit or 2	50	50
RM-5 to RM-5.9 5,000 to <6,000 sq. ft.	Corner lots— existing parcels	20	5&10	15	40%	28	0.5:1		50	50
	—creating new parcels	20	5&10	15	40%	28	0.5:1		50	50
	Parcels >4,000 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		50	50
RM-6 to RM-9.9	General requirements	20	5&8	15	40%	28	0.5:1	Per use permit or 2	60	60

Proposed ADU Ordinance Outside the Coastal Zone

Attachment: Clean ADU Ordinance, Non Coastal (ADU Ordinance)

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
6,000 to <10,000 sq. ft.	Corner lots— existing parcels	20	5&10	15	40%	28	0.5:1		60	60
	—creating new parcels	20	5&20	15	40%	28	0.5:1		60	60

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

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

** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

† See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

SECTION V

The Santa Cruz County Code is hereby amended by amending Section 13.10.323(E)(6) to read as follows:

(E) Site and Structural Dimension Exceptions Relating to Structures.

(6) Accessory Structures.

(a) **Water Tanks and Propane Tanks.** Water tanks which are required for fire protection and/or domestic use may be erected to within three feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal, appropriate fire agency or Environmental Health Service. Propane/LP gas tanks may be erected to within five feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal or appropriate fire agency. A landscaped screen shall be provided for any tank located within the required front yard.

(b) Side and Rear Yards.

(i) An accessory structure which is attached to the main building shall be considered a part thereof, and shall be required to have the same setbacks as the main structure;

(ii) A detached accessory structure which is located entirely within the required rear yard and which is smaller than 120 square feet in size and 10 feet or less in height may be constructed to within three feet of the side and rear property lines;

(iii) Garden trellises, garden statuary, birdbaths, freestanding barbeques, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems, if not exceeding six feet in height, are not required to maintain side and rear yard setbacks and are excluded from the calculation of allowable lot coverage.

(c) **Separation.** The minimum distance between any two detached structures shall be 10 feet with the following exceptions:

(i) Eaves, chimneys, cantilevered, uncovered, unenclosed balconies, porches, decks and uncovered, unenclosed stairways and landings may encroach three feet into the required 10-foot separation;

(ii) No separation is required between water tanks located on the same parcel;

(iii) No separation is required between garden trellises, garden statuary, birdbaths, freestanding barbecues, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps

Attachment: Clean ADU Ordinance, Non Coastal (ADU Ordinance)

and similar HVAC equipment and ground-mounted solar systems and other structures located on the same parcel.

(iv) The minimum separation between an Accessory Dwelling Unit and any other structure on a parcel, including encroachments included in subsection (i) above, shall be no less than three feet.

(d) On Reversed Corner Lots. On a reversed corner lot, accessory structures shall be located not closer to the rear property line than the required side yard on the adjoining key lot, and not closer to the side property line adjoining the street than the required front yard of the adjoining key lot.

(e) Distance from Alleys. Detached accessory structures including garages shall not be located within three feet of any alley.

(f) Garages Located in Required Rear and Side Yards.

(i) On residentially zoned parcels smaller than 10,000 square feet, an attached or detached garage ("garage" as defined under SCCC 13.10.700-G but excluding carports) may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines; provided, that:

A. There shall be no windows, doors or other openings on garage walls that are less than five feet from the side or rear property lines.

B. The garage shall have a minimum front setback of 40 feet, or, for parcels less than 80 feet deep, the minimum front setback to the garage shall be 50 percent of the parcel's depth.

C. Eaves or other projections on garages with reduced setbacks shall extend no more than two additional feet closer to the rear and side yard property lines, and no closer than allowed by the California Residential Building Code (CRC).

D. The garage shall have a maximum depth of 30 feet.

(ii) On residential parcels 10,000 square feet or larger in size, an attached or detached garage may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines, subject to subsections (E)(6)(f)(i)(A) through (D) of this section; and provided, that a minor exception is obtained in accordance with SCCC 13.10.235.

(iii) On residential parcels less than 10,000 square feet, a garage may be located up to zero feet from the rear or interior side property line if an administrative site development permit (Level IV

approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(iv) A garage located within a required rear or side setback area shall not exceed 17 feet in height or one story, unless an administrative site development permit (Level IV approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(g) Detached New Construction ADUs Inside the Urban Services Boundary With Design Review. Building heights up to 5 feet in excess of the zoning standard, but in no case exceeding 28 feet, may be allowed without increased yards or variance approval, subject to design review and to the coastal view protection standards of Chapter 13.20 (if located in the Coastal Zone), and subject to approval by the Zoning Administrator following a public hearing. Appeals from this decision shall be processed pursuant to Chapter 18.10 SCCC.

SECTION VI

The Santa Cruz County Code is hereby amended by changing Section 13.10.418(A)(1) and (A)(2) to read as follows:

- (1) A building permit for a new single-family dwelling or a new accessory dwelling unit;
- (2) A coastal development permit for a new single-family dwelling or a accessory dwelling unit that is not exempt or excluded pursuant to Chapter 13.20;

SECTION VII

The Santa Cruz County Code is hereby amended to change the introduction to Section 13.10.446 to read as follows:

In addition to the residential site standards found in SCCC 13.10.323(B), the following standards and incentives apply to residential development in the Pleasure Point Community Design PP Combining District. Where there are differences between this section and SCCC 13.10.323(B), the provisions of this section shall apply, except that for Accessory Dwelling Units built above attached or detached garages the provisions of 13.10.323 and 13.10.681(D)(2)(a) shall apply regarding setbacks and second story setbacks; and the additional 2% allowance for Lot Coverage and Floor Area Ratio for any parcel with an ADU on lots 6000 sf or smaller shall also apply:

SECTION VIII

The Santa Cruz County Code is hereby amended by changing Section 13.10.552 to read as follows:

Proposed ADU Ordinance Outside the Coastal Zone

(A) Off-street parking spaces for residential uses shall be provided according to the type and size of residence as described below:

(7) Accessory dwelling units. One parking space is required for each accessory dwelling unit unless the ADU is exempted under 13.10.681 (F)2.

SECTION IX

The Santa Cruz County Code is hereby amended by changing Section 13.10.554(B) to read as follows:

(B) Each parking space shall be accessible from a street or alley. Tandem parking spaces shall be allowed for the purpose of fulfilling parking requirements set forth in this chapter. For single-family dwelling units, either attached or detached, and for multifamily dwellings where garages are within, attached or immediately adjacent to the dwelling units, tandem parking spaces must be entirely within the subject property and shall consist of no more than two spaces. For mobile homes located within mobile home parks and for parcels with ADUs, tandem parking spaces shall consist of no more than three parking spaces in line. For hotels and restaurants with a valet parking plan where such uses are to be located in existing structures on parcels of such size or shape that preclude the ability to meet current parking requirements for that use, tandem spaces shall be limited to that number in the approved valet parking plan. Such a valet parking plan shall be approved by the appropriate body and be guaranteed to operate full-time during established business hours for the life of the use.

SECTION X

The Santa Cruz County Code is hereby amended by changing Table 13.10.611-2 found in Section 13.10.611(c)(3) to read as follows:

(3) Regulations for level of review, size, number of stories and locational restrictions for accessory structures are as indicated in Table 13.10.611-2:

Table 13.10.611-2

LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL REGULATIONS

	Nonhabitable	Habitable
Size, story and height restrictions and permit required	Within the urban services line (USL): building permit only for up to 640-square-foot size, two story and 28-foot height; Detached Garages limited to two story and 24 foot height	Building permit only for up to 640-square-foot size, one story and 17-foot height

Table 13.10.611-2

**LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL
REGULATIONS**

	Nonhabitable	Habitable
	Outside the USL: building permit only for up to 1,000-square-foot size, three story and 28-foot height	*Standards for Accessory Dwelling Units can be found in Code Section 13.10.681.
Permit required if exceeds size restrictions	Outside the urban services line (USL): Level IV use approval Inside the USL: Level V use approval	Level V use approval
Permit required if exceeds height restrictions (See SCCC 13.10.323(E)(5) for exceptions)	Variance	Level V use approval for structures exceeding 17 feet, up to 28 feet Variance to exceed 28 feet
Permit required if exceeds story restrictions	Variance	Inside the USL: Level V use approval for two stories Variance for exceeding two stories Outside the USL: Level V use approval for two or three stories Variance for exceeding three stories
Number of accessory structures allowed	No limit, if in compliance with the site regulations of the zone district	One with building permit only Maximum of two with Level V use approval
Locational restrictions	None, if in compliance with the site regulations of the zone district	In addition to the site regulations of the zone district, shall be no more than 100 feet from the main

Attachment: Clean ADU Ordinance, Non Coastal (ADU Ordinance)

Table 13.10.611-2

**LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL
REGULATIONS**

	Nonhabitable	Habitable
		residence, shall not be accessed by a separate driveway or right-of-way, nor constructed on a slope greater than 30 percent, unless a Level IV use approval is obtained

SECTION XI

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

13.10.681 Accessory Dwelling units.

(A) Purpose. The purpose of this section is to provide for and regulate accessory dwelling units 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) "New Construction ADU" shall mean any ADU that does not meet the definition of Conversion ADU.
- (2) "Conversion ADU" shall mean the conversion of any portion of a legal accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating an accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 "R", and any conversion that exceeds that limit, or otherwise does not comply with subsection (E) of this section shall be considered a New Construction ADU for the purposes of this section.
- (3) "Attached", in reference to ADUs throughout the Santa Cruz County Code, shall mean sharing any part of a wall, ceiling or floor with the primary dwelling on the property, with the ADU located above, below, beside, or a combination, the primary dwelling on the property.

Attachment: Clean ADU Ordinance, Non Coastal (ADU Ordinance)

(C) Application Processing. All accessory dwelling units shall be processed in accordance with this section and the requirements of Government Code Section 65852.2 and, for those accessory dwelling units located within the Coastal Zone, the processing requirements of SCCC 13.20.107 and 13.20.108. A building permit only, and no public notice or hearing, shall be required for a new construction or conversion accessory dwelling unit within any residential zone district or on land designated residential in the General Plan, or within the Agriculture Zone District, unless the accessory dwelling unit is located in an area, or is a part of a larger project, that requires a discretionary development permit, or if a variance is requested. Pursuant to Government Code Section 65852.2 applications for ADUs within any residential zone district or on land designated residential in the General Plan, or within the Agriculture Zone District shall be approved or denied ministerially within 120 days of submission of a complete application. All applications for accessory dwelling units in the Commercial Agricultural Zone District shall be subject to review by the Agricultural Policy Advisory Commission.

Accessory dwelling units are subject to the following processes:

- (1) Outside the Coastal Zone: Building permit issuance.
- (2) Inside the Coastal Zone (nonappealable area): ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq require a Building permit.

ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq require issuance of a combined coastal development and building permit, subject to the following noticing requirements:

- (a) Within 10 calendar days of accepting an application for a nonappealable coastal development permit, the County shall provide notice, by first class mail, of pending development approval. 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 residents 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:
 - (i) A statement that the development is within the Coastal Zone;
 - (ii) The date of filing of the application and the name of the applicant;
 - (iii) The number assigned to the application;
 - (iv) A description of development and its proposed location;
 - (v) The general procedure of the local government concerning the submission of public comments either in writing or orally prior to the local decision;

- (vi) A statement that a public comment period of sufficient time to allow for the submission of comments by mail will be held prior to the local decision.

(3) Inside the Coastal Zone (appealable area): ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq require a Building permit.

ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq require issuance of a combined coastal development and building permit, subject to the following noticing requirements:

(a) Within 10 calendar days of accepting an application for an appealable coastal development permit, the local government 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 residents 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:

- (i) Statement that the development is within the Coastal Zone;
- (ii) The date of filing of the application and the name of the applicant;
- (iii) The number assigned to the application;
- (iv) A description of the development and its proposed location;
- (v) A brief description of the general procedure concerning the conduct of local actions;
- (vi) The system 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 conditions of approval and written findings and the procedures for appeal of the local decision to the Coastal Commission.

(c) The County shall include 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.

(D) Requirements for New Construction ADUs. Before a permit for a New Construction ADU or expansion of an existing structure for use as an accessory dwelling unit can be granted, the following requirements shall be met:

Attachment: Clean ADU Ordinance, Non Coastal (ADU Ordinance)

- (1) **Zoning and General Plan.** The accessory dwelling unit shall be located on a parcel allowing single-family uses either by zoning (A, CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R) which contains no more than one existing detached, single-family dwelling, or where one detached single-family dwelling shall be constructed concurrently with the proposed accessory dwelling unit. Subject to applicable discretionary development permit and coastal development permit processes and findings for approval, and after review and approval by the Agricultural Policy Advisory Commission, an accessory dwelling unit may be located on land zoned for Commercial Agriculture (CA) or on a parcel designated for Agricultural use in the General Plan(A);
- (2) **Development Standards.** All development standards for the applicable zone district shall be satisfied; and the development shall be consistent with all County policies and ordinances, except that regardless of any other zone district standards, the following provisions shall apply to New Construction ADUs:

(a) Inside the Urban Services Line, an ADU that is built on the second floor over an existing or new garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding 24 feet for a structure that is detached from the primary dwelling, and not exceeding 24 feet within the area of the zoning district setback for a structure that is attached to the primary dwelling. Outside the Urban Services Boundary, an ADU that is built on the second floor over an existing or new garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding 24 feet within the area of the zoning district setback. Outside of the Urban Services Boundary, ADUs above garages shall have a maximum height of 28 feet when conforming to standard setbacks for the zone district.

(b) Inside the Urban Services Line, the maximum height for a detached New Construction ADU shall be 17 feet with a maximum exterior side wall height of 15 feet measured from finished grade.

(c) ADUs that are attached to the primary dwelling on the property shall be subject to the standards that are otherwise applicable to the primary dwelling based on the zone district including height, stories, setbacks, lot coverage, and FAR, except that:

(i) ADUs that are built above a garage shall be subject to the standards of subsection (D)(2)(a) above.

(ii) Parcels that are 6,000 sf or smaller shall be eligible for additional Floor Area Ratio and Lot Coverage subject to subsection (F)(6) of this code section.

(d) All ADUs shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

- (3) Design. The design, materials and color of the New Construction accessory dwelling unit shall be compatible with that of the main dwelling and shall be consistent with the development standards and guidelines set forth in subsection (6) of this section; and
- (4) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall comply with all applicable requirements of the Environmental Health Officer; and
- (5) In the Coastal Zone, a coastal development permit is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.
- (6) Additional Standards. The following standards shall be applied to every accessory dwelling unit not defined as a Conversion ADU, and shall be conditions for any approval under this section:
- (a) Location of Accessory Dwelling Unit. The accessory dwelling unit may be either attached to the main dwelling or may be detached from it. Inside the urban services line, no accessory dwelling unit shall be accessed by a separate driveway or right-of-way, unless access via a second driveway would result in a superior site plan in terms of safety and protection of environmental resources, and is approved by the Public Works Director or designee. On land designated agriculture by the General Plan, the accessory dwelling unit shall be located within 100 feet of the main dwelling on the property unless another location is approved by the Agricultural Policy Advisory Commission that will meet the on-site and off-site buffering requirements and will meet the goal of preserving agricultural land.
 - (b) Lot Coverage and Floor Area Ratio. No accessory dwelling unit shall be allowed which would, when combined with existing lot coverage and gross floor area, exceed the allowable lot coverage or the allowable floor area ratio for the parcel.
 - (c) Site Standards. All site standards of the zoning district in which the accessory dwelling unit is proposed shall be met, unless expressly superseded by SCCC subsection 13.10.681(D)(2). On land zoned or designated agricultural, all setbacks of the agricultural zone districts shall be met and all accessory dwelling units must meet the buffering requirements of SCCC 16.50.095(F), as determined by the Agricultural Policy Advisory Commission, if applicable.

(E) Requirements for Conversion ADUs. Where an accessory dwelling unit is proposed as a Conversion ADU (as defined in 13.10.681(B)(2)), the following requirements shall be met:

- (1) Zoning and General Plan. The accessory dwelling unit shall be located on a parcel allowing single-family uses either by zoning (A, CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R), or subject to

applicable discretionary development permit and coastal development permit processes and findings for approval, and after review and approval by the Agricultural Policy Advisory Commission an accessory dwelling unit may be located, an accessory dwelling unit may be located within the Commercial Agriculture Zone District, or on land designated for agricultural use in the General Plan (A), which contains an existing single family home.

(2) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall meet applicable requirements of the Environmental Health Officer.

(3) In the Coastal Zone, a coastal development permit is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.

(4) Design and Development standards for Conversion ADUs. The following standards shall be applied to every accessory dwelling unit converted from part of an existing single-family home or existing accessory structure, and shall be conditions for any approval under this section:

(a) The ADU shall have an exterior entrance that is independent of the existing single-family dwelling.

(b) The ADU shall meet setbacks sufficient for fire safety in conformance with the Building Code (SCCC Chapter 12.10) and Fire Code (SCCC Chapter 7.92).

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

(d) Conversion for use as an ADU shall include construction which occupies substantially the same footprint and vertical space as the existing structure upon completion, with additions to the existing structure increasing overall floor area of the conversion ADU by no more than 30% or 150 square feet, whichever is less. Additions to square footage exceeding that level shall be considered under 13.10.681(D) as New Construction ADUs. Proposed additions shall comply with applicable zoning development standards and any existing development permit conditions of approval.

i) For Conversion ADUs on parcels 5,000sf and smaller, the addition of up to 30% of conversion area, not to exceed 150sf, shall be in addition to the 50% of the primary dwelling which may be converted to an ADU per 13.10.681(F)(1) below, so long as in no case does the total habitable area of the ADU exceed 640 square feet.

Attachment: Clean ADU Ordinance, Non Coastal (ADU Ordinance)

(e) The ADU shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

(F) Site standards. For both New Construction ADUs and Conversion ADUs the following site standards apply.

(1) Size of Accessory Dwelling Unit. The total gross floor area as defined in SCCC 13.10.700-F of the habitable portion of an ADU is defined in the tables below, based on location inside or outside the Urban Services Line (USL) and parcel size. In no case shall an ADU on a parcel under 5,000 square feet exceed 640 square feet in size:

New Construction ADUs Outside the USL			
Parcel Size	<10,000 sq. ft.	10,000 sq. ft. to < 1 acre	1 acre or larger
Size of ADU	800sq. ft.	1000 sq. ft.	1,200 sq. ft.

New Construction ADUs Inside the USL			
Parcel Size	<5,000 sq. ft	5,000 – 9,999 sq. ft	10,000+ sq. ft
Size of ADU	10% of Parcel Size	640 sq. ft	800 sq. ft

All Conversion ADUs		
Parcel Size	<5,000 sq ft	5,000+ sq. ft
Size of ADU	Up to 50% of the existing habitable sq. ft of primary dwelling, not to exceed 640 sq ft	Use standards for New Construction ADUs in tables above

(2) Parking. Off-street parking shall be provided to meet the requirements of SCCC 13.10.550 for the main dwelling and one additional space for the accessory dwelling unit, and may be provided as double or triple tandem parking, in any location on the property. 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. Off-street parking shall be

required for any New Construction or Conversion accessory dwelling unit located on a block subject to a permit parking requirement.

In all other locations, required parking for the ADU shall not apply under the circumstances described below, and no parking shall be required for the ADU under these circumstances:

- (a) The accessory dwelling unit is located within the USL or RSL and within one-half mile of public transit stop with at least 30-minute headways (time between buses running on the same route in the same direction).
 - (b) The accessory dwelling unit is located within a designated architecturally and historically significant historic district.
 - (c) The accessory dwelling unit is part of the primary dwelling on the property, or is part of an accessory structure.
 - (d) The accessory dwelling unit is a Conversion ADU.
 - (e) When there is a dedicated parking space reserved for a publicly-available car share vehicle located within one block of the accessory dwelling unit. Applicants shall be required to show the location of the dedicated parking space and confirm the vehicle's availability to future ADU residents.
- (3) **Other Accessory Uses.** Not more than one accessory dwelling unit shall be constructed on any one parcel. An accessory dwelling unit and agricultural caretakers' quarters, except farmworker housing on agricultural parcels greater than 10 acres outside the Coastal Zone, shall not be permitted on the same parcel. Habitable and nonhabitable accessory structures may be allowed subject to all applicable requirements of the underlying zone district and SCCC13.10.611.
- (4) **Service Requirements.** All requirements of the respective service agencies shall be satisfied, and all ADUs shall comply with all sections of the California Fire Code as codified in SCCC 7.92 except that in no case shall fire sprinklers be required for the ADU where they are not also required for the primary dwelling.
- (5) **Fees.** Prior to the issuance of a building permit for the accessory dwelling unit, the applicant shall pay to the County of Santa Cruz capital improvement fees in accordance with the Planning Department's fee schedule as may be amended from time to time, and any other applicable fees.
- (6) **Incentives.** On parcels 6,000sf or smaller, where New Construction ADUs or Conversion ADUs are developed after January 1, 2018, an additional 2% shall be added to maximum Lot Coverage and maximum Floor Area Ratio development standards in order to incentivize the creation of ADUs including within the

Pleasure Point (-PP) Combining Zone District. See Footnotes on Site and Structural Dimensions Charts in Section 13.10.323(B).

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

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

(2) Owner Residency. Unless owned by a public agency, 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 main dwelling or the accessory dwelling unit. If the accessory dwelling unit is newly constructed on a parcel within a subdivision, then the purchaser of said property shall permanently reside in either the main dwelling or the accessory dwelling unit, shall be required to submit a property tax exemption prior to occupancy of the accessory dwelling unit, and shall be subject to the deed restriction noted in subsection (G)(5) of this section.

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

(3) Sale. The ADU is not intended for sale separate from the primary residence. An ADU may be rented for periods of 30 days or more.

(4) Vacation Rental or Short Term Rental Use. In no case shall a vacation rental or any other short-term rental use of less than 30 days be permitted in an ADU. A property owner may reside in the ADU and operate a vacation rental in the primary dwelling on the parcel provided that all required permits are obtained.

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

(a) The property owner shall permanently reside, as evidenced by a homeowner's property tax exemption on the parcel or by other satisfactory documentation of owner residence, in either the main

Attachment: Clean ADU Ordinance, Non Coastal (ADU Ordinance)

dwelling or the accessory dwelling unit, unless owned by a public agency that is providing housing for special populations, in which case the declaration of restrictions shall indicate that any subsequent nonpublic agency owner shall abide by the terms of this subsection and subsection (G)(2) of this section.

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

(c) The declaration shall include a provision for the recovery by the County of reasonable attorney's fees and costs in bringing legal action to enforce the declaration together with recovery of any rents collected during any occupancy not authorized by the terms of the agreement or, in the alternative, for the recovery of the reasonable value of the unauthorized occupancy.

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

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

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

SECTION XII

The Santa Cruz County Code is hereby amended such that Section 13.10. 700-A definition of "Accessory Dwelling Unit" shall be revised as follows:

"Accessory Dwelling Unit" means, in compliance with California Government Code Sections 65852 and 65853, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of Kitchen), and sanitation on the same parcel as a single-family dwelling. See also *Conversion ADU* and *New Construction ADU*.

SECTION XIII

The Santa Cruz County Code is hereby amended such that the following shall be added to Section 13.10. 700-C:

“Conversion ADU” shall mean the conversion of any portion of an accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating a new accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 “R”, and any conversion that does not comply with SCCC 13.10.681(E), shall be considered a New Construction ADU.

SECTION XIV

The Santa Cruz County Code is hereby amended such that Section 13.10. 700-D, definition of “Dwelling unit” shall be revised, as follows:

“Dwelling unit” means a structure for human habitation providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, with the restrictions that only one kitchen is allowed in each dwelling unit, and up to one additional limited food preparation area including a sink; a refrigerator; small electric kitchen appliances that do not require electrical service greater than 120 volts; excluding full-sized electric, gas, or propane cooking appliances; and having an appropriately sized preparation counter and storage cabinets, may also be included in any single-family dwelling at a rate of one per parcel, and interior connection shall be maintained throughout the home, and an interior stairway shall be provided between all stories.

SECTION XV

The Santa Cruz County Code is hereby amended such that Section 13.20.061(A) shall now read as follows:

(A) Subject to SCCC 13.20.060, no coastal development permit is required for improvements to existing single-family residences (including to fixtures and other structures directly attached to the residence; structures on the property normally associated with a single-family residence, such as garages, swimming pools in-ground and above-ground, hot tubs, fences, decks, storage sheds, and attached low-profile solar panels, and landscaping on the property, but not including guest houses or self-contained residential units). Allowed improvements that do not require a coastal development permit include additions of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission, remodels, alterations, replacement of existing water storage tanks, wells or septic systems serving an existing single-family residence where there is no expansion of the replaced feature or its capacity, and new accessory structures except for self-contained residential units including accessory dwelling units that result in intensification of a residential use due to conversion of space from non-habitable to habitable or by addition of a bedroom to the parcel, or based on location within any of the areas described in Section 13.20.071(B).

Attachment: Clean ADU Ordinance, Non Coastal (ADU Ordinance)

SECTION XVI

The Santa Cruz County Code is hereby amended such that the introduction to Section 13.20.108 shall now read as follows:

13.20.108 Coastal development permit review of accessory dwelling units (appealable).

All proposed New Construction 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 Chapter 13.20, processed concurrently with a building permit, subject to the following noticing requirements:

SECTION XVII

This ordinance shall take effect outside the Coastal Zone 30 days after adoption by the Board of Supervisors.

PASSED AND ADOPTED this _____ day of _____, 2017, 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:

 County Counsel

Attachment: Clean ADU Ordinance, Non Coastal (ADU Ordinance)

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SECTION XVII

This ordinance shall take effect outside the Coastal Zone 30 days after adoption by the Board of Supervisors.

PASSED AND ADOPTED this _____ day of _____, 2017, 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:

County Counsel

Attachment: Clean ADU Ordinance, Non Coastal (ADU Ordinance)

STRIKEOUT/UNDERLINE OF PROPOSED COASTAL ZONE REGULATIONS FOR ACCESSORY DWELLING UNITS

12.02.020 Definitions

(11) Permits for ~~second~~ accessory dwelling units as provided for in SCC13.10.681.

13.10. 312(B) Uses in agricultural districts:

USE	CA	A	AP
Accessory Dwelling Unit, outside the Coastal Zone , subject to the provisions of SCCC			-
13.10.681			
<u>Outside the Coastal Zone</u>	<u>4</u>	<u>BP</u>	<u>-</u>
<u>Inside the Coastal Zone</u>	<u>5</u>	<u>BP</u>	<u>-</u>

13.10.314 (B):

(B) Residential Uses in the Coastal Zone. For parcels within the CA Commercial Agricultural and AP Agricultural Preserve Zone Districts in the Coastal Zone, the following special findings shall be made in addition to those required by Chapter 18.10 SCCC and subsection (A) of this section in order to approve any discretionary residential use including a single-family residence, an accessory dwelling unit, a permanent caretaker's residence, or habitable accessory structure. These findings shall be based upon a review and determination by the Agricultural Policy Advisory Commission.

13.10. 322 Residential Uses:

(B) Allowed Uses

USE	RA	RR	R-1	RB	RM
Second <u>Accessory Dwelling</u> Unit, subject to the provisions of SCCC 13.10.681	<u>3BP</u>	<u>3BP</u>	<u>3BP</u>	<u>3BP</u>	<u>3BP</u>

13.10. 323 Development standards for residential districts

(B) Site and Structural Dimensions:

Attachment: Proposed Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

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

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	<u>Detached Garages, inside the USL</u>	* _	* _	* _		24				
	<u>Second Units New Construction - Detached from SFD, inside within-USL</u>	*	*	*	*	17 and 15 exterior side wall	*	N/A 1-story	*	*
Accessory Dwelling Units, All Districts	<u>Second Units New Construction - Detached from SFD, outside USL</u>	*	*	*	*	*28	*	*2	*	*
	<u>New Construction - Attached to SFD</u>	*	*	*	*	*	*	*	*	*
	<u>New Construction above a Detached garage - inside USL</u>	* _	5	5	* _	24 and 22 exterior wall	* _	2	* _	* _

Attachment: Proposed Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
RB > or = 4,000 sq. ft.	<u>New Construction</u> above an Attached garage — inside USL	* —	5	5	* —	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	* —	2	* —	* —
	<u>New Construction</u> above a Detached or Attached garage — outside USL <u>Reduced setbacks</u>	* —	5	5	* —	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	* —	2	* —	* —
	<u>New Construction</u> above a Detached or Attached garage — outside USL <u>Standard Setbacks</u>	* —	* —	* —	* —	* —	* —	* —	* —	* —
	<u>Conversion ADUs</u>	±	±	±	±	±	±	±	±	±
	General requirements	10	0&5	10	40%	25; on beach side: 17	0.5:1	2; on beach side: 1	40	40
	Corner lots	10	0&10	10	40%	See above	0.5:1	See above	40	40
	Lots on beach side of street	10	0&5	0	40%	See above	0.5:1	See above	40	40

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
R-1-3.5 to R-1-4.9 0 to <5,000 sq. ft.	Semi-detached dwellings and dwellings adjacent to pedestrian rights-of-way	10	0&5	10						
	General requirements	15	5&5	15	40%	28	0.5:1	2	35	35
	Corner lots—existing parcels —creating new parcels	15	5&10 5&15	15	40%	28	0.5:1	2	35	35
R-1-5 to R-1-5.9 5,000 to <6,000 sq. ft.	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	35	35
	General requirements	20	5&8	15	40%	28	0.5:1	2	50	50
	Corner lots—existing parcels —creating new parcels	20		15	40%	28	0.5:1	2	50	50
R-1-5 to R-1-5.9 5,000 to <6,000 sq. ft.	Parcels 4 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	50	50

Attachment: Proposed Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
R-1-6 to R-1-9.9 6,000 to <10,000 sq. ft.	General requirements	20	5&8	15	40%	28	0.5:1	2	60	60
	Corner lots—existing parcels	20	5&10	15	40%	28	0.5:1	2	60	60
	—creating new parcels		5&20							
	Parcels >4,800 to <5,999 sq. ft.	20	5&8	15	40%	28	0.5:1	2		
R-1-10 to R-1-15.9 10,000 to <16,000 sq. ft.	General requirements	20	10&10	15	40%	28	0.5:1	2	60	60
	Creating new corner lots	20	10&20	15	40%	28	0.5:1	2	60	60
	General requirements	30	15&15	15	20%	28	N/A	2	90	60
	General requirements—1 to <5 acres	40	20&20	20	10%	28	N/A	2	100	60
RR, RA and R-1-1 >1 acre	General requirements—5 acres or more	40	20&20	20	10%	28	N/A	2	150	100

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

* All site standards for the applicable zone district must be met.

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

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

**** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

† See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

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

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO**	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	<u>Detached Garages, inside the USL</u>	* -	* -	* -		24				
Accessory Dwelling Units, All Districts	<u>Second Units New Construction - Detached from SFD, inside within USL</u>	*	*	*	*	17 and 15 exterior side wall	*	N/A 1-story	*	*
	<u>Second Units New Construction - Detached from SFD, outside USL</u>	*	*	*	*	*28	*	*2	*	*
	<u>New Construction - Attached to SFD</u>	*	*	*	*	*	*	*	*	*
	<u>New Construction above a Detached garage - inside USL</u>	* -	5	5	* -	24 and 22 exterior walls	* -	2	* -	* -
	<u>New Construction above an Attached garage - inside USL</u>	* -	5	5	* -	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	* -	2	* -	* -

Attachment: Proposed Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
RM-1.5 to RM-4.9 0 to <5,000 sq. ft.	<u>New Construction</u> above a <u>Detached</u> garage—outside <u>USL</u> <u>Reduced setbacks</u>	* -	5	5	* -	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	* -	2	* -	* -
	<u>New Construction</u> above an <u>Attached</u> garage — outside the <u>USL</u> <u>Reduced Setbacks</u>	* -	5	5	* -	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	* -	2	* -	* -
	<u>New Construction</u> above a <u>Detached</u> or <u>Attached garage</u> — outside <u>USL</u> <u>Standard Setbacks</u>	* -	* -	* -	* -	* -	* -	* -	* -	* -
	<u>Conversion ADUs</u>	+	+	+	+	+	+	+	+	+
	General requirements for all parcels within these zone districts	15	5&5	15	40%	28	0.5:1	Per use permit or 2	35	35
Proposed ADU Ordinance Inside Coastal Zone	Corner lots—existing parcels	15	5&10	15	40%	28	0.5:1		35	35
	—creating new parcels	15	5&15	15	40%	28	0.5:1		35	35

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		35	35
	General requirements and for parcels >6,000 sq. ft.	20	5&8	15	40%	28	0.5:1	Per use permit or 2	50	50
RM-5 to RM-5.9 5,000 to <6,000 sq. ft.	Corner lots—existing parcels	20	5&10	15	40%	28	0.5:1		50	50
	—creating new parcels	20	5&10	15	40%	28	0.5:1		50	50
	Parcels >4,000 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		50	50
RM-6 to RM-9.9 6,000 to <10,000 sq. ft.	General requirements	20	5&8	15	40%	28	0.5:1	Per use permit or 2	60	60
	Corner lots—existing parcels	20	5&10	15	40%	28	0.5:1		60	60
	—creating new parcels	20	5&20	15	40%	28	0.5:1		60	60

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

* All site standards for the applicable zone district must be met.

** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

Proposed ADU Ordinance Inside Coastal Zone

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

† See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

Attachment: Proposed Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

(E) Site and Structural Dimension Exceptions Relating to Structures.

(6) Accessory Structures.

(a) **Water Tanks and Propane Tanks.** Water tanks which are required for fire protection and/or domestic use may be erected to within three feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal, appropriate fire agency or Environmental Health Service. Propane/LP gas tanks may be erected to within five feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal or appropriate fire agency. A landscaped screen shall be provided for any tank located within the required front yard.

(b) **Side and Rear Yards.**

(i) An accessory structure which is attached to the main building shall be considered a part thereof, and shall be required to have the same setbacks as the main structure;

(ii) A detached accessory structure which is located entirely within the required rear yard and which is smaller than 120 square feet in size and 10 feet or less in height may be constructed to within three feet of the side and rear property lines;

(iii) Garden trellises, garden statuary, birdbaths, freestanding barbeques, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems, if not exceeding six feet in height, are not required to maintain side and rear yard setbacks and are excluded from the calculation of allowable lot coverage.

(c) **Separation.** The minimum distance between any two detached structures shall be 10 feet with the following exceptions:

(i) Eaves, chimneys, cantilevered, uncovered, unenclosed balconies, porches, decks and uncovered, unenclosed stairways and landings may encroach three feet into the required 10-foot separation;

(ii) No separation is required between water tanks located on the same parcel;

(iii) No separation is required between garden trellises, garden statuary, birdbaths, freestanding barbecues, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems and other structures located on the same parcel.

Attachment: Proposed Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

(iv) The minimum separation between an Accessory Dwelling Unit and any other structure on a parcel, including encroachments included in subsection (i) above, shall be no less than three feet.

(d) On Reversed Corner Lots. On a reversed corner lot, accessory structures shall be located not closer to the rear property line than the required side yard on the adjoining key lot, and not closer to the side property line adjoining the street than the required front yard of the adjoining key lot.

(e) Distance from Alleys. Detached accessory structures including garages shall not be located within three feet of any alley.

(f) Garages Located in Required Rear and Side Yards.

(i) On residentially zoned parcels smaller than 10,000 square feet, an attached or detached garage ("garage" as defined under SCCC 13.10.700-G but excluding carports) may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines; provided, that:

A. There shall be no windows, doors or other openings on garage walls that are less than five feet from the side or rear property lines.

B. The garage shall have a minimum front setback of 40 feet, or, for parcels less than 80 feet deep, the minimum front setback to the garage shall be 50 percent of the parcel's depth.

C. Eaves or other projections on garages with reduced setbacks shall extend no more than two additional feet closer to the rear and side yard property lines, and no closer than allowed by the California Residential Building Code (CRC).

D. The garage shall have a maximum depth of 30 feet.

(ii) On residential parcels 10,000 square feet or larger in size, an attached or detached garage may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines, subject to subsections (E)(6)(f)(i)(A) through (D) of this section; and provided, that a minor exception is obtained in accordance with SCCC 13.10.235.

(iii) On residential parcels less than 10,000 square feet, a garage may be located up to zero feet from the rear or interior side property line if an administrative site development permit (Level IV approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(iv) A garage located within a required rear or side setback area shall not exceed 17 feet in height or one story, unless an administrative site development permit (Level IV approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(g) Detached New Construction ADUs Inside the Urban Services Boundary With Design Review. Building heights up to 5 feet in excess of an applicable zoning standard, but in no case exceeding 28 feet, may be allowed without increased yards or variance approval, subject to design review and to the coastal view protection standards of Chapter 13.20 (if located in the Coastal Zone), and subject to approval by the Zoning Administrator following a public hearing. Appeals from this decision shall be processed pursuant to Chapter 18.10 SCCC.

13.10.418 Use and development standards in the "D" Designated Park Site Combining District.

(A):

- (1) A building permit for a new single-family dwelling or a new ~~second~~ accessory dwelling unit;
- (2) A coastal development permit for a new single-family dwelling or an new ~~second~~ accessory dwelling unit that is not exempt or excluded pursuant to Chapter 13.20;

13.10.446 Residential development standards in the Pleasure Point Community Design PP Combining District:

In addition to the residential site standards found in SCCC 13.10.323(B), the following standards and incentives apply to residential development in the Pleasure Point Community Design PP Combining District. Where there are differences between this section and SCCC 13.10.323(B), the provisions of this section shall apply, except that for Accessory Dwelling Units built above attached or detached garages the provisions of 13.10.323 and 13.10.681(D)(2)(a) shall apply this section regarding setbacks and second story setbacks; and the additional 2% allowance for Lot Coverage and Floor Area Ratio for any parcel with an ADU on lots 6000 sf or smaller shall also apply:

13.10.552 Schedule of off-street parking space requirements:

(A) Off-street parking spaces for residential uses shall be provided according to the type and size of residence as described below:

(7) ~~Second~~ Accessory dwelling units. One parking space is required for each bedroom in a second unit, ADU unless the ADU is exempted under 13.10.681 (F)2.

13.10.554 Standards of off-street parking facilities:

(B) Each parking space shall be accessible from a street or alley. Tandem parking spaces shall be allowed for the purpose of fulfilling parking requirements set forth in this chapter. For single-family dwelling units, either attached or detached, and for multifamily dwellings where garages are within, attached or immediately adjacent to the dwelling units, tandem parking spaces must be entirely within the subject property and shall consist of no more than two spaces. For mobile homes located within mobile home parks and for parcels with ADUs, tandem parking spaces shall consist of no more than three parking spaces in line. For hotels and restaurants with a valet parking plan where such uses are to be located in existing structures on parcels of such size or shape that preclude the ability to meet current parking requirements for that use, tandem spaces shall be limited to that number in the approved valet parking plan. Such a valet parking plan shall be approved by the appropriate body and be guaranteed to operate full-time during established business hours for the life of the use.

13.10.611 Accessory Structures

(c) Restriction on Accessory Structures.

(3):

- (3) Regulations for level of review, size, number of stories and locational restrictions for accessory structures are as indicated in Table 13.10.611-2:

Table 13.10.611-2

LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL REGULATIONS

	Nonhabitable	Habitable
Size, story and height restrictions and permit required	<p>Within the urban services line (USL): building permit only for up to 640-square-foot size, two story and 28-foot height; <u>Detached Garages limited to two story and 24 foot height</u></p> <p>Outside the USL: building permit only for up to 1,000-square-foot size, three story and 28-foot height</p>	<p>Building permit only for up to 640-square-foot size, one story and 17-foot height</p> <p><u>*Standards for Accessory Dwelling Units can be found in Code Section 13.10.681.</u></p>
Permit required if exceeds size restrictions	Outside the urban services line (USL): Level IV use approval	Level V use approval

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Table 13.10.611-2

**LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL
REGULATIONS**

	Nonhabitable	Habitable
	Inside the USL: Level V use approval	
Permit required if exceeds height restrictions (See SCCC 13.10.323(E)(5) for exceptions)	Variance	Level V use approval for structures exceeding 17 feet, up to 28 feet Variance to exceed 28 feet
Permit required if exceeds story restrictions	Variance	Inside the USL: Level V use approval for two stories Variance for exceeding two stories Outside the USL: Level V use approval for two or three stories Variance for exceeding three stories
Number of accessory structures allowed	No limit, if in compliance with the site regulations of the zone district	One with building permit only Maximum of two with Level V use approval
Locational restrictions	None, if in compliance with the site regulations of the zone district	In addition to the site regulations of the zone district, shall be no more than 100 feet from the main residence, shall not be accessed by a separate driveway or right-of-way, nor constructed on a slope greater than 30 percent, unless a Level IV use approval is obtained

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13.10.681 Second Accessory Dwelling units:

(A) Purpose. The purpose of this section is to provide for and regulate ~~second~~accessory dwelling units 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) "New Construction ADU" shall mean any ADU that does not meet the definition of Conversion ADU.

(2) "Conversion ADU" shall mean the conversion of any portion of a legal accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating an accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 "R", and any conversion that exceeds that limit, or otherwise does not comply with subsection (E) of this section shall be considered a New Construction ADU for the purposes of this section.

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

(BC) Application Processing. ~~Second~~All accessory dwelling units shall be processed in accordance with this section and the requirements of Government Code Section 65852.2 and, for those ~~second~~accessory dwelling units located within the Coastal Zone, the processing requirements of SCCC 13.20.107 and 13.20.108. A building permit only, and no public notice or hearing, shall be required for a new construction or conversion development of a second accessory dwelling unit within any residential zone district or on land designated residential in the General Plan, or outside the Coastal Zone within the Agriculture Zone District, unless the second accessory dwelling unit is located in an area, or is a part of a larger project, that requires a public hearing discretionary development permit, or if a variance is requested. Pursuant to Government Code Section 65852.2 applications for ADUs within any residential zone district or on land designated residential in the General Plan, or within the Agriculture Zone District shall be approved or denied ministerially within 120 days of submission of a complete application. All applications for second accessory dwelling units in the Commercial Agricultural Zone District outside the Coastal Zone shall be subject to review by the Agricultural Policy Advisory Commission.

~~Second~~Accessory dwelling units are subject to the following processes:

(1) Outside the Coastal Zone: Building permit issuance.

Attachment: Proposed Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

(2) Inside the Coastal Zone (nonappealable area): ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq require a Building permit.

ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq require issuance of a combined coastal development and building permit, subject to the following noticing requirements:

(a) Within 10 calendar days of accepting an application for a nonappealable coastal development permit, the County shall provide notice, by first class mail, of pending development approval. 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 residents 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:

- (i) A statement that the development is within the Coastal Zone;
- (ii) The date of filing of the application and the name of the applicant;
- (iii) The number assigned to the application;
- (iv) A description of development and its proposed location;
- (v) The general procedure of the local government concerning the submission of public comments either in writing or orally prior to the local decision;
- (vi) A statement that a public comment period of sufficient time to allow for the submission of comments by mail will be held prior to the local decision.

(3) Inside the Coastal Zone (appealable area): ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq require a Building permit.

ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq require issuance of a combined coastal development and building permit, subject to the following noticing requirements:

(a) Within 10 calendar days of accepting an application for an appealable coastal development permit, the local government 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 residents 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:

- (i) Statement that the development is within the Coastal Zone;
- (ii) The date of filing of the application and the name of the applicant;
- (iii) The number assigned to the application;
- (iv) A description of the development and its proposed location;
- (v) A brief description of the general procedure concerning the conduct of local actions;
- (vi) The system 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 conditions of approval and written findings and the procedures for appeal of the local decision to the Coastal Commission.

(c) The County shall include 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.

(ED) Requirements for New Construction ADUs. Before a permit for a New Construction ADU or expansion of an existing structure beyond the allowance in 13.10.681 (E)(4)(d) for use as an accessory dwelling unit can be granted, the following requirements shall be met:

- (1) Zoning and General Plan. The ~~second-accessory dwelling unit shall be located on a residentially-zoned parcel or on a parcel designated for allowing single-family uses either by zoning (A, CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R) residential use in the General Plan~~ which contains no more than one existing detached, single-family dwelling, or where one detached single-family dwelling shall be constructed concurrently with the proposed ~~second accessory dwelling unit~~. Subject to applicable discretionary development permit and coastal development permit processes and findings for approval, and after review and approval by the Agricultural Policy Advisory Commission, A-an second-accessory dwelling unit may be located on agriculturally-zoned land zoned for Commercial Agriculture (CA) outside the Coastal Zone or on a parcel designated for Agricultural use in the General Plan(A) outside the Coastal Zone;

~~(2) Parcel Size. The size of the parcel, if located within the urban services line, is no smaller than that required by the minimum lot size standards of the respective zoning district. The size of the parcel, if located outside the urban services line, is at least one acre in area, unless the parcel is served by public sewer. Parcels outside of the urban services line (USL) with public sewer service shall meet the requirements of subsection (D)(2) of this section;~~

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

(a) Inside the Urban Services Line, an ADU that is built on the second floor over an existing or new garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding 24 feet for a structure that is detached from the primary dwelling, and not exceeding 24 feet within the area of the zoning district setback for a structure that is attached to the primary dwelling. Outside the Urban Services Boundary, an ADU that is built on the second floor over an existing or new garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding 24 feet within the area of the zoning district setback. Outside of the Urban Services Boundary, ADUs above garages shall have a maximum height consistent with zoning district standards when conforming to standard setbacks for the zone district.

(b) Inside the Urban Services Line, the maximum height for a detached New Construction ADU shall be 17 feet, with a maximum exterior side wall height of 15 feet measured from finished grade. Within the Pleasure Point Combining Zone district, the additional limitations on exterior wall height found in 13.10.446 shall also apply.

(c) ADUs that are attached to the primary dwelling on the property shall be subject to the standards that are otherwise applicable to the primary dwelling based on the zone district including height, stories, setbacks, lot coverage, and FAR, except that:

(i) ADUs that are built above a garage shall be subject to the standards of subsection (D)(2)(a) above and to the site standards of 13.10.323.

(ii) Parcels that are 6,000 sf or smaller shall be eligible for additional Floor Area Ratio and Lot Coverage subject to subsection (F)(6) of this code section.

(d) All ADUs shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

(34) Design. The design, materials and color of the New Construction accessory dwelling unit shall be compatible with that of the main dwelling and The design of the second unit is shall be consistent with the design and development standards and guidelines set forth in subsection (D6) of this section; and

(54) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall comply with all applicable requirements of Chapters 7.38, 7.71 and 7.73 SCCC the Environmental Health Officer; and

(65) In the Coastal Zone, the findings of development permits set forth in SCCC 10.10.230(A), and the a coastal development permit findings of SCCC 13.20.110 must be made is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.

(D6) Design and Development Additional Standards. The following standards shall be applied to every second accessory dwelling unit not defined as a Conversion ADU, and shall be conditions for any approval under this section:

(a) Location of Second Accessory Dwelling Unit. The second accessory dwelling unit may be either attached to the main dwelling or may be detached from it. Inside the urban services line, no second accessory dwelling unit shall be located more than 100 feet from the main dwelling or be accessed by a separate driveway or right-of-way, unless access via a second driveway would result in a superior site plan in terms of safety and protection of environmental resources, and is approved by the Public Works Director or designee. Outside the Coastal Zone, oOn land designated agriculture by the General Plan, the second accessory dwelling unit shall be located within 100 feet of the main dwelling on the property unless another location is approved by the Agricultural Policy Advisory Commission that will meet the on-site and off-site buffering requirements and will meet the goal of preserving agricultural land.

(b) Lot Coverage and Floor Area Ratio. No second accessory dwelling unit shall be allowed which would, when combined with existing lot coverage and gross floor area, exceed the allowable lot coverage or the allowable floor area ratio for the parcel.

(c) Site Standards. All site standards of the zoning district in which the second accessory dwelling unit is proposed shall be met, unless expressly superseded by SCCC subsection 13.10.681(D)(2). Within the urban services line, second units exceeding 17 feet in height or one story may be constructed if a Level V development permit is obtained, pursuant to Chapter 18.10 SCCC. Outside the Coastal Zone, oOn land

zoned or designated agricultural, all setbacks of the agricultural zone districts shall be met and all second accessory dwelling units must meet the buffering requirements of SCCC 16.50.095(F), as determined by the Agricultural Policy Advisory Commission, if applicable.

(E) Requirements for Conversion ADUs. Where an accessory dwelling unit is proposed as a Conversion ADU (as defined in 13.10.681(B)(2)), the following requirements shall be met:

(1) Zoning and General Plan. The accessory dwelling unit shall be located on a parcel allowing single-family uses either by zoning (A, CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R). Subject to applicable discretionary development permit and coastal development permit processes and findings for approval, and after review and approval by the Agricultural Policy Advisory Commission, an accessory dwelling unit may be located within the Commercial Agriculture Zone District, or on land designated for agricultural use in the General Plan (A), which contains an existing single family home.

(2) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall meet applicable requirements of the Environmental Health Officer.

(3) In the Coastal Zone, a coastal development permit is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.

(4) Design and Development standards for Conversion ADUs. The following standards shall be applied to every accessory dwelling unit converted from part of an existing single-family home or existing accessory structure, and shall be conditions for any approval under this section:

(a) The ADU shall have an exterior entrance that is independent of the existing single-family dwelling.

(b) The ADU shall meet setbacks sufficient for fire safety in conformance with the Building Code (SCCC Chapter 12.10) and Fire Code (SCCC Chapter 7.92).

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

(d) Conversion for use as an ADU shall include construction which occupies substantially the same footprint and vertical space as the existing structure upon completion, with additions to the existing structure increasing overall floor area of the conversion ADU by no more than 30% or 150 square feet, whichever is less. Additions to square footage exceeding that level shall be considered under 13.10.681(D)

Attachment: Proposed Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

as New Construction ADUs. Proposed additions with Conversion ADUs shall comply with applicable zoning development standards and any existing development permit conditions of approval.

(i) For Conversion ADUs on parcels 5,000sf and smaller, the addition of up to 30% of conversion area, not to exceed 150sf, shall be in addition to the 50% of the primary dwelling which may be converted to an ADU per 13.10.681(F)(1) below, so long as in no case does the total habitable area of the ADU exceed 640 square feet.

(e) The ADU shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

(FG) Site standards. For both New Construction ADUs and Conversion ADUs the following site standards apply.

(1) Size of ~~Second-Accessory Dwelling~~ Unit. The total gross floor area as defined in SCCC 13.10.700-F of the habitable portion of an ADU is defined in the tables below, based on location inside or outside the Urban Services Line (USL) and parcel size. In no case shall an ADU on a parcels under 5,000 square feet exceed 640 square feet in size unit shall not exceed the following standards, based on parcel size:

<u>New Construction ADUs Outside the USL</u>			
<u>Parcel Size</u>	<u><10,000 sq. ft.</u>	<u>10,000 sq. ft. to < 1 acre</u>	<u>1 acre or larger</u>
<u>Size of ADU</u>	<u>800sq. ft.</u>	<u>1000 sq. ft.</u>	<u>1,200 sq. ft.</u>

<u>New Construction ADUs Inside the USL</u>			
<u>Parcel Size</u>	<u><5,000 sq. ft</u>	<u>5,000 – 9,999 sq. ft</u>	<u>10,000+ sq. ft</u>
<u>Size of ADU</u>	<u>10% of Parcel Size</u>	<u>640 sq. ft</u>	<u>800 sq. ft</u>

<u>All Conversion ADUs</u>		
<u>Parcel Size</u>	<u><5,000 sq ft</u>	<u>5,000+ sq. ft</u>
<u>Size of ADU</u>	<u>Up to 50% of the existing habitable sq. ft of primary dwelling, not to exceed 640 sq ft</u>	<u>Use standards for New Construction ADUs in tables above</u>

Maximum Gross Floor Area Within the Urban Services Line (USL)		
Type of Sewer Service	Parcel Size	
	<10,000 sq. ft.⁽¹⁾	10,000 sq. ft. or Larger⁽¹⁾
With public sewer	640 sq. ft.	640 sq. ft.
Without public sewer	Not allowed	640 sq. ft. maximum (must meet requirements of Chapter 7.38SCCC)

(1) The size of the parcel must be no smaller than that required by the minimum lot size standards of the zoning district.

Maximum Gross Floor Area Outside of the Urban Services Line (USL)

Type of Sewer Service	Parcel Size			
	<10,000 sq. ft.	10,000 sq. ft. to <1 acre	1 acre or larger to < 2.5 acres	2.5 acres or larger
With Public Sewer	640 sq. ft.	800 sq. ft.	800 sq. ft.	1,200 sq. ft.
Without Public Sewer	Not allowed	Not allowed	800 sq. ft.	1,200 sq. ft.

(52) **Parking.** Off-street parking shall be provided to meet the requirements of SCCC 13.10.550 for the main dwelling and one additional space for ~~each bedroom in the second accessory dwelling unit, and may be provided as double or triple tandem parking, in any location on the property. 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.~~ Off-street parking shall be required for any New Construction or Conversion accessory dwelling unit located on a block subject to a permit parking requirement.

In all other locations, required parking for the ADU shall not apply under the circumstances described below, and no parking shall be required for the ADU under these circumstances:

(a) The accessory dwelling unit is located within the USL or RSL and within one-half mile of public transit stop with at least 30-minute headways (time between buses running on the same route in the same direction).

(b) The accessory dwelling unit is located within a designated architecturally and historically significant historic district.

(c) The accessory dwelling unit is part of the primary dwelling on the property, or is part of an accessory structure.

(d) The accessory dwelling unit is a Conversion ADU.

(e) When there is a dedicated parking space reserved for a publicly-available car share vehicle located within one block of the accessory dwelling unit. Applicants shall be required to show the location of the dedicated parking space and confirm the vehicle's availability to future ADU residents.

~~(6) Design. The design, materials and color of the second unit shall be compatible with that of the main dwelling.~~

~~(73) Other Accessory Uses. Not more than one second-accessory dwelling unit shall be constructed on any one parcel. An second-accessory dwelling unit and agricultural caretakers' quarters, except farmworker housing on agricultural parcels greater than 10 acres outside the Coastal Zone, shall not be permitted on the same parcel. Habitable and nonhabitable accessory structures may be allowed subject to all applicable requirements of the underlying zone district and SCCC13.10.611.~~

~~(84) Service Requirements. . Written acknowledgements shall be provided from the applicable sanitation, water, and fire districts and/or Environmental Health Services indicating that there will be adequate water, sanitation and fire protection services to the project site with the inclusion of a second unit. All requirements of the respective service agencies shall be satisfied, and all ADUs shall comply with all sections of the California Fire Code as codified in SCCC 7.92 except that in no case shall fire sprinklers be required for the ADU where they are not also required for the primary dwelling. .~~

~~(95) Fees. Prior to the issuance of a building permit for the second-accessory dwelling unit, the applicant shall pay to the County of Santa Cruz capital improvement fees in accordance with the Planning Department's fee schedule as may be amended from time to time, and any other applicable fees.~~

(6) Incentives. On parcels 6,000sf or smaller, where New Construction ADUs or Conversion ADUs are developed after January 1, 2018, an additional 2% shall be added to maximum Lot Coverage and maximum Floor Area Ratio development standards in order to incentivize the creation of ADUs, including within the

Pleasure Point (-PP) Combining Zone District. See Footnotes on Site and Structural Dimensions Charts in Section 13.10.323(B).

(EG) Occupancy Standards. The following occupancy standards shall be applied to every ~~second~~ accessory dwelling unit and shall be conditions for any approval under this section:

(1) **Occupancy Restrictions.** The maximum occupancy of ~~aan~~ second-accessory dwelling unit may not exceed that allowed by the State Uniform Housing Code, or other applicable State law ~~based on the unit size and number of bedrooms in the unit.~~

(2) **Owner Residency.** Unless owned by a public agency, 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 main dwelling or the ~~second-accessory dwelling~~ unit. If the ~~second-accessory dwelling~~ unit is newly constructed on a parcel within a subdivision, then the purchaser of said property shall permanently reside in either the main dwelling or the ~~second-accessory dwelling~~ unit, shall be required to submit a property tax exemption prior to occupancy of the ~~second-accessory dwelling~~ unit, and shall be subject to the deed restriction noted in subsection (G)(5) of this section.

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

(3) **Sale.** The ADU is not intended for sale separate from the primary residence. An ADU may be rented for periods of 30 days or more.

(4) **Vacation Rental or Short Term Rental Use.** In no case shall a vacation rental or any other short-term rental use of less than 30 days be permitted in an ADU. A property owner may reside in the ADU and operate a vacation rental in the primary dwelling on the parcel provided that all required permits are obtained.

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

Attachment: Proposed Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

(a) The property owner shall permanently reside, as evidenced by a homeowner's property tax exemption on the parcel or by other satisfactory documentation of owner residence, in either the main dwelling or the ~~second~~-accessory dwelling unit, unless owned by a public agency that is providing housing for special populations, in which case the declaration of restrictions shall indicate that any subsequent nonpublic agency owner shall abide by the terms of this subsection and subsection (G)(2) of this section.

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

(c) The declaration shall include a provision for the recovery by the County of reasonable attorney's fees and costs in bringing legal action to enforce the declaration together with recovery of any rents collected during any occupancy not authorized by the terms of the agreement or, in the alternative, for the recovery of the reasonable value of the unauthorized occupancy.

(FH) Permit Allocations. Each ~~second~~-accessory dwelling unit ~~may be~~ is exempt from the residential permit allocation system of Chapter 12.02 SCCC.

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

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

13.10. 700-A "A" definitions:

"Accessory Dwelling Unit" means, in compliance with California Government Code Sections 65852 and 65853, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of

Kitchen), and sanitation on the same parcel as a single-family dwelling. See also *Conversion ADU* and *New Construction ADU*.

13.10.700-C “C” definitions:

“Conversion ADU” shall mean the conversion of any portion of an accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating an accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 “R”, and any conversion that does not comply with SCCC 13.10.681(E), shall be considered a New Construction ADU.

13.10.700-D “D” definitions:

“Dwelling unit” means a structure for human habitation providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, with the restrictions that only one kitchen ~~or set of food preparation facilities~~ is allowed in each dwelling unit, and up to one additional limited food preparation area including a sink; a refrigerator; small electric kitchen appliances that do not require electrical service greater than 120 volts; excluding full-sized electric, gas, or propane cooking appliances; and having an appropriately sized preparation counter and storage cabinets, may also be included in any single-family dwelling at a rate of one per parcel, and interior connection shall be maintained throughout the home, and an interior stairway shall be provided between all stories.

13.10.700-S “S” definitions:

“Second unit” – see definition for Accessory Dwelling Unit, means a structure for human habitation, subject to the requirements of SCCC 13.10.681 and limited in size to 640 gross square feet within the urban services line (USL) and up to 1,200 square feet outside the USL, providing complete independent living facilities, including permanent provision for living, sleeping, eating, cooking and sanitation, with the restriction that only one kitchen is allowed.

13.20.061 Improvements to existing single-family residences exemption:

(A) Subject to SCCC 13.20.060, no coastal development permit is required for improvements to existing single-family residences (including to fixtures and other structures directly attached to the residence; structures on the property normally associated with a single-family residence, such as garages, swimming pools in-ground and above-ground, hot tubs, fences, decks, storage sheds, and attached low-profile solar panels, and landscaping on the property, but not including guest houses or self-contained residential units). Allowed improvements that do not require a coastal development permit include additions of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission, remodels, alterations, replacement of existing water storage tanks, wells or septic systems serving an existing single-family residence where there is no expansion of the replaced feature or its capacity, and new accessory structures except for self-contained residential units including accessory dwelling second units that result in

intensification of a residential use due to conversion of space from non-habitable to habitable or by addition of a bedroom to the parcel, or based on location within any of the areas described in Section 13.20.071(B) (as defined in SCCC 13.10.700 S; see also SCCC 13.20.107 and 13.20.108).

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

Any proposed ~~second~~ accessory dwelling unit located within the Coastal Zone but located outside of the appealable area, as described in SCCC 13.20.040, 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) Within 10 calendar days of accepting an application for a nonappealable coastal development permit for a proposed ~~second~~ 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:

13.20.108 Coastal development permit review of ~~second~~ accessory dwelling units (appealable).

All proposed ~~second~~ 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 Chapter 13.20.061 et seq., processed concurrently with a building permit, subject to the following noticing requirements:

14.01.107 Applicability.

This chapter shall apply to all subdivisions of land in the unincorporated area of the County of Santa Cruz subject to the following exemptions:

(D) Financing or leasing of ~~second~~ accessory dwelling units pursuant to the provisions of SCCC 13.10.681. This chapter shall apply to the sale or transfer of such ~~second~~ accessory dwelling units.

18.10.140 Conformity with the General Plan and other legal requirements.

(B) All proposals for residential development of property within the urban services line, except for ~~second~~ accessory dwelling units and residential remodels, at less than the lowest end of the designated density range of the County General Plan—LCP land use designation where there is the potential that three or more new units could be accommodated on-site at the lowest end of the density range shall be subject to review by the development review group (see SCCC 18.10.210(C)(1)). Following completion of the development review group (DRG) process, the proposal and the information developed as a result of the DRG process shall be referred to the Board of Supervisors

for a preliminary General Plan consistency determination at a public hearing. Proposals of four or fewer lots (or units) shall have their DRG meeting within 45 days from the date of application, and shall be considered by the Board of Supervisors at a public hearing within 60 days from the date of the DRG meeting

Attachment: Proposed Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

13.10.312(B):**USE****CA A AP**Accessory Dwelling Unit, ~~outside the Coastal Zone~~, subject to the provisions of SCCC

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13.10.681Outside the Coastal Zone4 BP -Inside the Coastal Zone5 BP -**13.10.314 (B):**

(B) Residential Uses in the Coastal Zone. For parcels within the CA Commercial Agricultural and AP Agricultural Preserve Zone Districts in the Coastal Zone, the following special findings shall be made in addition to those required by Chapter 18.10 SCCC and subsection (A) of this section in order to approve any discretionary residential use including a single-family residence, an accessory dwelling unit, a permanent caretaker's residence, or habitable accessory structure. These findings shall be based upon a review and determination by the Agricultural Policy Advisory Commission.

13.10.322(B):**USE****RA RR R-1 RB RM**Accessory Dwelling Unit, subject to the provisions of SCCC 13.10.681**BP BP BP BP BP****13.10.323(B):**

Attachment: Proposed Non-Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

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

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	<u>Detached Garages, inside the USL</u>	* -	* -	* -		24				
	Detached New Construction inside USL	*	*	*	*	14 and 17' and 15 exterior side wall	*	N/A	*	*
Accessory Dwelling Units, All Districts	Detached New Construction – outside USL	*	*	*	*	*	*	*	*	*
	Attached New Construction	*	*	*	*	*	*	*	*	*
	New Construction above a <u>Detached</u> garage – inside USL	*	5	5	*	19 and 22' 24 and 22 exterior wall	*	2	*	*

Attachment: Proposed Non-Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	New Construction above an Attached garage – inside USL	*	5	5	*	24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2	*	*
	New Construction above a Detached or Attached garage— outside USL <i>Reduced setbacks</i>		5	5	*	19 and 22' 24 between 5' and zone district setback, with 22 exterior wall; * at zone district setback	*	2		
	New Construction above a Detached or Attached garage— outside USL <i>Standard Setbacks</i>	*	*	*	*	*	*	*	*	*
	Conversions ADUs	†	†	†	†	†	†	†	†	†
RB	General requirements	10	0&5	10	40%	25; on beach side: 17	0.5:1	2; on beach side: 1	40	40
	Corner lots	10	0&10	10	40%	See above	0.5:1	See above	40	40

Attachment: Proposed Non-Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
> or = 4,000 sq. ft.	Lots on beach side of street	10	0&5	0	40%	See above	0.5:1	See above	40	40
	Semi-detached dwellings and dwellings adjacent to pedestrian rights-of- way	10	0&5	10						
	General requirements	15	5&5	15	40%	28	0.5:1	2	35	35
R-1-3.5 to R-1- 4.9 0 to <5,000 sq. ft.	Corner lots—existing parcels —creating new parcels	15	5&10 5&15	15	40%	28	0.5:1	2	35	35
	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	35	35
	General requirements	20	5&8	15	40%	28	0.5:1	2	50	50
	Corner lots—existing parcels —creating new parcels	20		15	40%	28	0.5:1	2	50	50

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
R-1-5 to R-1-5.9 5,000 to <6,000 sq. ft.	Parcels 4 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	50	50
	General requirements	20	5&8	15	40%	28	0.5:1	2	60	60
	Corner lots—existing parcels —creating new parcels	20	5&10 5&20	15	40%	28	0.5:1	2	60	60
R-1-6 to R-1-9.9 6,000 to <10,000 sq. ft.	Parcels >4,800 to <5,999 sq. ft.	20	5&8	15	40%	28	0.5:1	2		
	General requirements	20	10&10	15	40%	28	0.5:1	2	60	60
	Creating new corner lots	20	10&20	15	40%	28	0.5:1	2	60	60
R-1-10 to R-1-15.9 10,000 to <16,000 sq. ft.	General requirements	30	15&15	15	20%	28	N/A	2	90	60
	General requirements—1 to <5 acres	40	20&20	20	10%	28	N/A	2	100	60

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
R-1-16 to R-1- <1 acre 16,000 sq. ft. to <1 acre	General requirements—5 acres or more	40	20&20	20	10%	28	N/A	2	150	100
RR, RA and R- 1-1 >1 acre										

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

* All site standards for the applicable zone district must be met.

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

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

**** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

Proposed ADU Ordinance Outside the Coastal Zone

- ‡ ~~Refers to average height and maximum height, neither standard shall be exceeded.~~
- ‡ See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

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

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	<u>Detached Garages, inside the USL</u>	* -	* -	* -		24				
	Detached New Construction inside USL	*	*	*	*	14 and 17' and 15 exterior side wall	*	N/A	*	*
Accessory Dwelling Units, All Districts	Detached New Construction – outside USL	*	*	*	*	*	*	*	*	*
	Attached New Construction	*	*	*	*	*	*	*	*	*
	New Construction above a Detached garage – inside USL	*	5	5	*	19 and 22' 24 and 22 exterior wall	*	2	*	*

Attachment: Proposed Non-Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
RM-1.5 to RM-4.9 0 to <5,000 sq. ft.	<u>New Construction</u> above an <u>Attached</u> <u>garage — inside USL</u>	* _	5 _	5 _	* _	24 <u>between 5' and</u> <u>zone district</u> <u>setback, with 22</u> <u>exterior wall;</u> <u>* at zone district</u> <u>setback</u>	* _	2	* _	* _
	<u>New Construction</u> above a <u>Detached or</u> <u>Attached garage—</u> <u>outside USL</u> <u>Reduced setbacks</u>		5	5	*	19 <u>and 22+24</u> <u>between 5' and</u> <u>zone district</u> <u>setback, with 22</u> <u>exterior wall;</u> <u>* at zone district</u> <u>setback</u>	*	2		
	<u>New Construction</u> above a <u>Detached or</u> <u>Attached garage—</u> <u>outside USL</u> <u>Standard Setbacks</u>	*	*	*	*	*	*	*	*	*
	<u>Conversions ADUs</u>	†	†	†	†	†	†	†	†	†
	General requirements for all parcels within these zone districts	15	5&5	15	40%	28	0.5:1	Per use permit or 2	35	35

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
	Corner lots— existing parcels	15	5&10	15	40%	28	0.5:1		35	35
	—creating new parcels	15	5&15	15	40%	28	0.5:1		35	35
	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		35	35
	General requirements and for parcels >6,000 sq. ft.	20	5&8	15	40%	28	0.5:1	Per use permit or 2	50	50
RM-5 to RM-5.9 5,000 to <6,000 sq. ft.	Corner lots— existing parcels	20	5&10	15	40%	28	0.5:1		50	50
	—creating new parcels	20	5&10	15	40%	28	0.5:1		50	50
	Parcels >4,000 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		50	50
RM-6 to RM-9.9	General requirements	20	5&8	15	40%	28	0.5:1	Per use permit or 2	60	60

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE **	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO* **	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
6,000 to <10,000 sq. ft.	Corner lots— existing parcels	20	5&10	15	40%	28	0.5:1		60	60
	—creating new parcels	20	5&20	15	40%	28	0.5:1		60	60

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

* All site standards for the applicable zone district must be met.

** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) Lot Coverage shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance. Where New Construction or Conversion ADUs are developed on parcels 6,000 square feet or smaller after January 1, 2018 an additional two percent (2%) FAR shall be available by right, including within the Pleasure Point (-PP) Combining Zone District.

† Refers to average height and maximum height, neither standard shall be exceeded.

‡ See Code Sections 13.10.681(B)2 and (E) for standards governing Conversion ADUs.

13.10.323(E)(6):**(E) Site and Structural Dimension Exceptions Relating to Structures.****(6) Accessory Structures.**

(a) **Water Tanks and Propane Tanks.** Water tanks which are required for fire protection and/or domestic use may be erected to within three feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal, appropriate fire agency or Environmental Health Service. Propane/LP gas tanks may be erected to within five feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal or appropriate fire agency. A landscaped screen shall be provided for any tank located within the required front yard.

(b) Side and Rear Yards.

(i) An accessory structure which is attached to the main building shall be considered a part thereof, and shall be required to have the same setbacks as the main structure;

(ii) A detached accessory structure which is located entirely within the required rear yard and which is smaller than 120 square feet in size and 10 feet or less in height may be constructed to within three feet of the side and rear property lines;

(iii) Garden trellises, garden statuary, birdbaths, freestanding barbeques, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems, if not exceeding six feet in height, are not required to maintain side and rear yard setbacks and are excluded from the calculation of allowable lot coverage.

(c) **Separation.** The minimum distance between any two detached structures shall be 10 feet with the following exceptions:

(i) Eaves, chimneys, cantilevered, uncovered, unenclosed balconies, porches, decks and uncovered, unenclosed stairways and landings may encroach three feet into the required 10-foot separation;

(ii) No separation is required between water tanks located on the same parcel;

(iii) No separation is required between garden trellises, garden statuary, birdbaths, freestanding barbecues, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems and other structures located on the same parcel.

(iv) The minimum separation between an Accessory Dwelling Unit and any other structure on a parcel, including encroachments included in subsection (i) above, shall be no less than three feet.

(d) On Reversed Corner Lots. On a reversed corner lot, accessory structures shall be located not closer to the rear property line than the required side yard on the adjoining key lot, and not closer to the side property line adjoining the street than the required front yard of the adjoining key lot.

(e) Distance from Alleys. Detached accessory structures including garages shall not be located within three feet of any alley.

(f) Garages Located in Required Rear and Side Yards.

(i) On residentially zoned parcels smaller than 10,000 square feet, an attached or detached garage ("garage" as defined under SCCC 13.10.700-G but excluding carports) may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines; provided, that:

A. There shall be no windows, doors or other openings on garage walls that are less than five feet from the side or rear property lines.

B. The garage shall have a minimum front setback of 40 feet, or, for parcels less than 80 feet deep, the minimum front setback to the garage shall be 50 percent of the parcel's depth.

C. Eaves or other projections on garages with reduced setbacks shall extend no more than two additional feet closer to the rear and side yard property lines, and no closer than allowed by the California Residential Building Code (CRC).

D. The garage shall have a maximum depth of 30 feet.

(ii) On residential parcels 10,000 square feet or larger in size, an attached or detached garage may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines, subject to subsections (E)(6)(f)(i)(A) through (D) of this section; and provided, that a minor exception is obtained in accordance with SCCC 13.10.235.

(iii) On residential parcels less than 10,000 square feet, a garage may be located up to zero feet from the rear or interior side property line if an administrative site development permit (Level IV approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(iv) A garage located within a required rear or side setback area shall not exceed 17 feet in height or one story, unless an administrative site development permit (Level IV approval) is obtained pursuant to the provisions of Chapter 18.10 SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(g) Detached New Construction ADUs Inside the Urban Services Boundary With Design Review. Building heights up to 5 feet in excess of the zoning standard, but in no case exceeding 28 feet, may be allowed without increased yards or variance approval, subject to design review and to the coastal view protection standards of Chapter 13.20 (if located in the Coastal Zone), and subject to approval by the Zoning Administrator following a public hearing. Appeals from this decision shall be processed pursuant to Chapter 18.10 SCCC.

13.10.418 Use and development standards in the "D" Designated Park Site Combining District.

- (1) A building permit for a new single-family dwelling or a new accessory dwelling unit;
- (2) A coastal development permit for a new single-family dwelling or an new-accessory dwelling unit that is not exempt or excluded pursuant to Chapter 13.20;

13.10.446 Residential development standards in the Pleasure Point Community Design PP Combining District:

In addition to the residential site standards found in SCCC 13.10.323(B), the following standards and incentives apply to residential development in the Pleasure Point Community Design PP Combining District. Where there are differences between this section and SCCC 13.10.323(B), the provisions of this section shall apply, except that for Accessory Dwelling Units built above attached or detached garages the provisions of 13.10.323 and 13.10.681(D)(2)(a) shall apply regarding setbacks and second story setbacks; and the additional 2% allowance for Lot Coverage and Floor Area Ratio for any parcel with an ADU on lots 6000 sf or smaller shall also apply:

13.10.552 Schedule of off-street parking space requirements.

(A) Off-street parking spaces for residential uses shall be provided according to the type and size of residence as described below:

- (7) Accessory dwelling units. One parking space is required for each bedroom, accessory dwelling unit unless the ADU ~~meets the definition of Conversion ADU under 13.10.681(B)(2) or is otherwise exempted under 13.10.681 (F)2.~~

SECTION IX

The Santa Cruz County Code is hereby amended by changing Section 13.10.554(B) to read as follows:

(B) Each parking space shall be accessible from a street or alley. Tandem parking spaces shall be allowed for the purpose of fulfilling parking requirements set forth in this chapter. For single-family dwelling units, either attached or detached, and for multifamily dwellings where garages are within, attached or immediately adjacent to the dwelling units, tandem parking spaces must be entirely within the subject property and shall consist of no more than two spaces. For mobile homes located within mobile home parks and for parcels with ADUs, tandem parking spaces shall consist of no more than three parking spaces in line. For hotels and restaurants with a valet parking plan where such uses are to be located in existing structures on parcels of such size or shape that preclude the ability to meet current parking requirements for that use, tandem spaces shall be limited to that number in the approved valet parking plan. Such a valet parking plan shall be approved by the appropriate body and be guaranteed to operate full-time during established business hours for the life of the use.

13.10.611 Accessory Structures

(c) Restriction on Accessory Structures:

- (3) Regulations for level of review, size, number of stories and locational restrictions for accessory structures are as indicated in Table 13.10.611-2:

Table 13.10.611-2

**LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL
REGULATIONS**

	Nonhabitable	Habitable
Size, story and height restrictions and permit required	<p>Within the urban services line (USL): building permit only for up to 640-square-foot size, two story and 28-foot height; <u>Detached Garages limited to two story and 24 foot height</u></p> <p>Outside the USL: building permit only for up to 1,000-square-foot size, three story and 28-foot height</p>	<p>Building permit only for up to 640-square-foot size, one story and 17-foot height</p> <p><u>*Standards for Accessory Dwelling Units can be found in Code Section 13.10.681.</u></p>

Table 13.10.611-2

**LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL
REGULATIONS**

	Nonhabitable	Habitable
Permit required if exceeds size restrictions	Outside the urban services line (USL): Level IV use approval Inside the USL: Level V use approval	Level V use approval
Permit required if exceeds height restrictions (See SCCC 13.10.323(E)(5) for exceptions)	Variance	Level V use approval for structures exceeding 17 feet, up to 28 feet Variance to exceed 28 feet
Permit required if exceeds story restrictions	Variance	Inside the USL: Level V use approval for two stories Variance for exceeding two stories Outside the USL: Level V use approval for two or three stories Variance for exceeding three stories
Number of accessory structures allowed	No limit, if in compliance with the site regulations of the zone district	One with building permit only Maximum of two with Level V use approval

Attachment: Proposed Non-Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

Table 13.10.611-2

**LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL
REGULATIONS**

	Nonhabitable	Habitable
Locational restrictions	None, if in compliance with the site regulations of the zone district	In addition to the site regulations of the zone district, shall be no more than 100 feet from the main residence, shall not be accessed by a separate driveway or right-of-way, nor constructed on a slope greater than 30 percent, unless a Level IV use approval is obtained

13.10.681 Accessory Dwelling units.

(A) Purpose. The purpose of this section is to provide for and regulate accessory dwelling units 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) "New Construction ADU" shall mean any ADU that does not meet the definition of Conversion ADU.

(2) "Conversion ADU" shall mean the conversion of any portion of a legal accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating ~~an new~~ accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 "R", and any conversion that exceeds that limit, or otherwise does not comply with subsection (E) of this section shall be considered a New Construction ADU for the purposes of this section.

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

Attachment: Proposed Non-Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

(C) Application Processing. All accessory dwelling units shall be processed in accordance with this section and the requirements of Government Code Section 65852.2 and, for those accessory dwelling units located within the Coastal Zone, the processing requirements of SCCC 13.20.107 and 13.20.108. A building permit only, and no public notice or hearing, shall be required for a new construction or conversion accessory dwelling unit within any residential zone district or on land designated residential in the General Plan, or ~~outside the Coastal Zone~~ within the Agriculture Zone District, unless the accessory dwelling unit is located in an area, or is a part of a larger project, that requires a discretionary development permit, or if a variance is requested. Pursuant to Government Code Section 65852.2 applications for ADUs within any residential zone district or on land designated residential in the General Plan, or ~~outside the Coastal Zone~~ within the Agriculture Zone District shall be approved or denied ministerially within 120 days of submission of a complete application. All applications for accessory dwelling units in the Commercial Agricultural Zone District ~~outside the Coastal Zone~~ shall be subject to review by the Agricultural Policy Advisory Commission.

Accessory dwelling units are subject to the following processes:

- (1) Outside the Coastal Zone: Building permit issuance.
- (2) Inside the Coastal Zone (nonappealable area): ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq require a Building permit.

ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq require issuance of a combined coastal development and building permit, subject to the following noticing requirements:

- (a) Within 10 calendar days of accepting an application for a nonappealable coastal development permit, the County shall provide notice, by first class mail, of pending development approval. 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 residents 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:
 - (i) A statement that the development is within the Coastal Zone;
 - (ii) The date of filing of the application and the name of the applicant;
 - (iii) The number assigned to the application;
 - (iv) A description of development and its proposed location;

(v) The general procedure of the local government concerning the submission of public comments either in writing or orally prior to the local decision;

(vi) A statement that a public comment period of sufficient time to allow for the submission of comments by mail will be held prior to the local decision.

(3) Inside the Coastal Zone (appealable area): ADUs that meet the standard for exemption or exclusion under Section 13.20.050 et seq require a Building permit.

ADUs that do not meet the standard for exemption or exclusion under Section 13.20.050 et seq require issuance of a combined coastal development and building permit, subject to the following noticing requirements:

(a) Within 10 calendar days of accepting an application for an appealable coastal development permit, the local government 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 residents 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:

- (i) Statement that the development is within the Coastal Zone;
- (ii) The date of filing of the application and the name of the applicant;
- (iii) The number assigned to the application;
- (iv) A description of the development and its proposed location;
- (v) A brief description of the general procedure concerning the conduct of local actions;
- (vi) The system 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 conditions of approval and written findings and the procedures for appeal of the local decision to the Coastal Commission.

Attachment: Proposed Non-Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

(c) The County shall include 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.

(D) Requirements for New Construction ADUs. Before a permit for a New Construction ADU or expansion of an existing structure for use as an accessory dwelling unit can be granted, the following requirements shall be met:

(1) Zoning and General Plan. The accessory dwelling unit shall be located ~~on a residentially-zoned parcel or on a parcel designated for allowing single-family uses either by zoning (A, CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R) residential use in the General Plan~~ which contains no more than one existing detached, single-family dwelling, or where one detached single-family dwelling shall be constructed concurrently with the proposed accessory dwelling unit. Subject to applicable discretionary development permit and coastal development permit processes and findings for approval, and after review and approval by the Agricultural Policy Advisory Commission, ~~An~~ accessory dwelling unit may be located on ~~agriculturally-zoned land zoned for Commercial Agriculture (CA) outside the Coastal Zone~~ or on a parcel designated for ~~Agricultural use in the General Plan (A) outside the Coastal Zone;~~

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

(a) Inside the Urban Services Line, ~~A~~ an ADU that is built on the second floor over an existing detached or new detached garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding ~~of 22~~ 24 feet for a structure that is detached from the primary dwelling, and not exceeding 24 feet within the area of the zoning district setback for a structure that is attached to the primary dwelling. ~~and an average height no greater than 19 feet when located inside the Urban Services Boundary, or when located o~~ Outside the Urban Services Boundary, an ADU that is built on the second floor over an existing or new garage shall be permitted to maintain minimum side and rear setbacks of 5 feet, with a maximum exterior wall height of 22 feet measured from finished grade and a height not exceeding 24 feet within the area of the zoning district setback. Outside of the Urban Services Boundary, ADUs above garages shall have a maximum height of 28 feet when conforming to standard setbacks for the zone district. Within the Pleasure Point Combining Zone district, the additional limitation on exterior wall height at 22' shall also apply.

(b) Inside the Urban Services Line, the maximum height for a detached New Construction ADU shall be 17 feet, ~~and the average height no greater than 14 feet with a maximum exterior side wall height of 15~~

Attachment: Proposed Non-Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

feet measured from finished grade. Within the Pleasure Point Combining Zone district, the additional limitations on exterior wall height found in 13.10.446 shall also apply.

(c) ADUs that are attached to the primary dwelling on the property shall be subject to the standards that are otherwise applicable to the primary dwelling based on the zone district including height, stories, setbacks, lot coverage, and FAR, except that:

(i) ADUs that are built above a garage shall be subject to the standards of subsection (D)(2)(a) above.

(ii) Parcels that are 6,000 sf or smaller shall be eligible for additional Floor Area Ratio and Lot Coverage subject to subsection (F)(6) of this code section.

(d) All ADUs shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

(3) Design. The design, materials and color of the New Construction accessory dwelling unit shall be compatible with that of the main dwelling and shall be consistent with the development standards and guidelines set forth in subsection (6) of this section; and

(4) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall comply with all applicable requirements of the Environmental Health Officer; and

(5) In the Coastal Zone, a coastal development permit is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed New Construction ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.

(6) Additional Standards. The following standards shall be applied to every accessory dwelling unit not defined as a Conversion ADU, and shall be conditions for any approval under this section:

(a) Location of Accessory Dwelling Unit. The accessory dwelling unit may be either attached to the main dwelling or may be detached from it. Inside the urban services line, no accessory dwelling unit shall be ~~located more than 100 feet from the main dwelling or be accessed by a separate driveway or right-of-way,~~ unless access via a second driveway would result in a superior site plan in terms of safety and protection of environmental resources, and is approved by the Public Works Director or designee. ~~Outside the Coastal Zone, on~~ On land designated agriculture by the General Plan, the accessory dwelling unit shall be located within 100 feet of the main dwelling on the property unless another location is

approved by the Agricultural Policy Advisory Commission that will meet the on-site and off-site buffering requirements and will meet the goal of preserving agricultural land.

(b) Lot Coverage and Floor Area Ratio. No accessory dwelling unit shall be allowed which would, when combined with existing lot coverage and gross floor area, exceed the allowable lot coverage or the allowable floor area ratio for the parcel.

(c) Site Standards. All site standards of the zoning district in which the accessory dwelling unit is proposed shall be met, unless expressly superseded by SCCC subsection 13.10.681(D)(2). ~~Outside the Coastal Zone, on~~ On land zoned or designated agricultural, all setbacks of the agricultural zone districts shall be met and all accessory dwelling units must meet the buffering requirements of SCCC 16.50.095(F), as determined by the Agricultural Policy Advisory Commission, if applicable.

(E) Requirements for Conversion ADUs. Where an accessory dwelling unit is proposed as a Conversion ADU (as defined in 13.10.681(B)(2)), the following requirements shall be met:

(1) Zoning and General Plan. The ADU accessory dwelling unit shall be located on a parcel allowing single-family uses either by zoning (A, CA, R-1, RA, RM, RR, PR, TP) or General Plan designation (R) within any residential zone district or on land designated residential in the General Plan, or outside the Coastal Zone subject to applicable discretionary development permit and coastal development permit processes and findings for approval, and after review and approval by the Agricultural Policy Advisory Commission an accessory dwelling unit may be located within the Agriculture-Commercial Agriculture Zone District, or on land designated for agricultural use in the General Plan (A), which contains an existing single family home.

(2) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall meet applicable requirements of the Environmental Health Officer.

(3) In the Coastal Zone, the requirements of 13.10.681(C)(2) and (C)(3) shall apply a coastal development permit is required pursuant to the requirements of SCCC 13.20.107 et seq, unless the proposed ADU meets the standard for exemption or exclusion under 13.20.050 et seq, in which case no Coastal Development permit shall be required.

(4) Design and Development standards for Conversion ADUs. The following standards shall be applied to every accessory dwelling unit converted from part of an existing single-family home or existing accessory structure, and shall be conditions for any approval under this section:

(a) The ADU shall have an exterior entrance that is independent of the existing single-family dwelling.

(b) The ADU shall meet setbacks sufficient for fire safety in conformance with the Building Code (SCCC Chapter 12.10) and Fire Code (SCCC Chapter 7.92).

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

(d) Conversion for use as an ADU shall include construction which occupies substantially the same footprint and vertical space as the existing structure upon completion, with additions to the existing structure increasing overall floor area of the conversion ADU by no more than 30% or 150 square feet, whichever is less. No additional square footage is permitted by this section, however added Additions to square footage beyond that limit exceeding that level shall ~~may~~ be considered under 13.10.681(D) Requirements for as New Construction ADUs. Proposed additions shall comply with applicable zoning development standards and any existing development permit conditions of approval.

i) For Conversion ADUs on parcels 5,000sf and smaller, the addition of up to 30% of conversion area, not to exceed 150sf, shall be in addition to the 50% of the primary dwelling which may be converted to an ADU per 13.10.681(F)(1) below, so long as in no case does the total habitable area of the ADU exceed 640 square feet.

(e) The ADU shall comply with all applicable provisions of SCCC Chapter 12.10 Building Code and 7.92 Fire Code, except that fire sprinklers shall not be required for an ADU where they are not required for the primary residence.

(F) Site standards. For both New Construction ADUs and Conversion ADUs the following site standards apply.

(1) Size of Accessory Dwelling Unit. The total gross floor area as defined in SCCC 13.10.700-F of the habitable portion of an ADU is defined in the tables below, based on location inside or outside the Urban Services Line (USL) and parcel size. ~~Where multiple standards apply on urban lots below 5,000 square feet, ADUs shall comply with whichever standard allows a larger ADU, except that~~ In no case shall an ADU on these a parcels under 5,000 square feet exceed 640 square feet in size:

New Construction ADUs Outside the USL			
Parcel Size	<10,000 sq. ft.	10,000 sq. ft. to < 1 acre	1 acre or larger
Size of ADU	640-800 sq. ft.	800-1000 sq. ft.	1,200 sq. ft.

New Construction ADUs Inside the USL

<u>Parcel Size</u>	<u><5,000 sq. ft</u>	<u>5,000 – 9,999 sq. ft</u>	<u>10,000+ sq. ft</u>
<u>Size of ADU</u>	<u>10% of Parcel Size</u>	<u>640 sq. ft</u>	<u>800 sq. ft</u>

All Conversion ADUs		
<u>Parcel Size</u>	<u><5,000 sq ft</u>	<u>5,000+ sq. ft</u>
<u>Size of ADU</u>	<u>Up to 50% of the existing habitable sq. ft of primary dwelling, not to exceed 640 sq ft</u>	<u>Use standards for New Construction ADUs in tables above</u>

(2) **Parking.** Off-street parking shall be provided to meet the requirements of SCCC 13.10.550 for the main dwelling and one additional space for ~~each bedroom in~~ the accessory dwelling unit, and may be provided as double or triple tandem parking, in any location on the property. 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. Off-street parking shall be required for any New Construction or Conversion accessory dwelling unit located on a block subject to a permit parking requirement.

In all other locations, ~~Required parking for the ADU~~ shall not apply under the circumstances described below, and no parking shall be required for the ADU under these circumstances:

- (a) The accessory dwelling unit is located within the USL or RSL and within one-half mile of public transit stop with at least 30-minute headways (time between buses running on the same route in the same direction).
- (b) The accessory dwelling unit is located within a designated architecturally and historically significant historic district.
- (c) The accessory dwelling unit is part of the primary dwelling on the property, or is part of an accessory structure.
- (ed) The accessory dwelling unit is a Conversion ADU, ~~including conversion of any portion of an accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage.~~

(e) When there is a dedicated parking space reserved for a publicly-available car share vehicle located within one block of the accessory dwelling unit. Applicants shall be required to show the location of the dedicated parking space and confirm the vehicle's availability to future ADU residents.

(3) Other Accessory Uses. Not more than one accessory dwelling unit shall be constructed on any one parcel. An accessory dwelling unit and agricultural caretakers' quarters, except farmworker housing on agricultural parcels greater than 10 acres outside the Coastal Zone, shall not be permitted on the same parcel. Habitable and nonhabitable accessory structures may be allowed subject to all applicable requirements of the underlying zone district and SCCC13.10.611.

(4) Service Requirements. All requirements of the respective service agencies shall be satisfied, and all ADUs shall comply with all sections of the California Fire Code as codified in SCCC 7.92 except that in no case shall fire sprinklers be required for the ADU where they are not also required for the primary dwelling.

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

(6) Incentives. On parcels 6,000sf or smaller, where New Construction ADUs or Conversion ADUs are developed after January 1, 2018, an additional 2% shall be added to maximum Lot Coverage and maximum Floor Area Ratio development standards in order to incentivize the creation of ADUs including within the Pleasure Point (-PP) Combining Zone District. See Footnotes on Site and Structural Dimensions Charts in Section 13.10.323(B).

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

(1) Occupancy Restrictions. The maximum occupancy of ~~aan~~ accessory dwelling unit may not exceed that allowed by the State Uniform Housing Code, or other applicable State law.

(2) Owner Residency. Unless owned by a public agency, 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 main dwelling or the accessory dwelling unit. If the accessory dwelling unit is newly constructed on a parcel within a subdivision, then the purchaser of said property shall permanently reside in either the main dwelling or the accessory dwelling unit, shall be required to submit a property tax exemption prior to occupancy of the accessory dwelling unit, and shall be subject to the deed restriction noted in subsection (G)(5) of this section.

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

(3) Sale. The ADU is not intended for sale separate from the primary residence. An ADU ~~and~~ may be rented for periods of 30 days or more.

(4) Vacation Rental or Short Term Rental Use. In no case shall a vacation rental or any other short-term rental use of less than 30 days be permitted in an ADU, ~~per SCCC 13.10.694(B).~~ A property owner may reside in the ADU and operate a vacation rental in the primary dwelling on the parcel provided that all required permits are obtained.

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

(a) The property owner shall permanently reside, as evidenced by a homeowner's property tax exemption on the parcel or by other satisfactory documentation of owner residence, in either the main dwelling or the accessory dwelling unit, unless owned by a public agency that is providing housing for special populations, in which case the declaration of restrictions shall indicate that any subsequent nonpublic agency owner shall abide by the terms of this subsection and subsection (G)(2) of this section.

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

(c) The declaration shall include a provision for the recovery by the County of reasonable attorney's fees and costs in bringing legal action to enforce the declaration together with recovery of any rents collected during any occupancy not authorized by the terms of the agreement or, in the alternative, for the recovery of the reasonable value of the unauthorized occupancy.

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

(I) Annual Review of Impacts. As part of the County's annual review of the General Plan and County growth management system, the County shall include a section analyzing the impacts of the accessory dwelling unit

Attachment: Proposed Non-Coastal Strikeout/Underline ADU Ordinance

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

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

13.10. 700-A Definitions:

"Accessory Dwelling Unit" means, in compliance with California Government Code Sections 65852 and 65853, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of Kitchen), and sanitation on the same parcel as ~~the a~~ single-family dwelling ~~is situated~~. See also *Conversion ADU* and *New Construction ADU*.

13.10. 700-C Definitions:

"Conversion ADU" shall mean the conversion of any portion of an accessory structure built or issued a building permit prior to January 1, 2017, or any portion of a single-family dwelling, or any garage, for the purpose of creating a new accessory dwelling unit. Conversion ADUs shall comply with the limit set forth for reconstruction, as defined in 13.10.700 "R", and any conversion that ~~exceeds that limit, or otherwise~~ does not comply with SCCC 13.10.681(E), shall be considered a New Construction ADU.

13.10. 700-D Definitions:

"Dwelling unit" means a structure for human habitation providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, with the restrictions that only one kitchen ~~or set of food preparation facilities~~ is allowed in each dwelling unit, and up to one additional limited food preparation area including a sink; a refrigerator; small electric kitchen appliances that do not require electrical service greater than 120 volts; excluding full-sized electric, gas, or propane cooking appliances; and having an appropriately sized preparation counter and storage cabinets, may also be included in any single-family dwelling at

a rate of one per parcel, and interior connection shall be maintained throughout the home, and an interior stairway shall be provided between all stories.

13.20.061 Improvements to existing single-family residences exemption.

(A) Subject to SCCC 13.20.060, no coastal development permit is required for improvements to existing single-family residences (including to fixtures and other structures directly attached to the residence; structures on the property normally associated with a single-family residence, such as garages, swimming pools in-ground and above-ground, hot tubs, fences, decks, storage sheds, and attached low-profile solar panels, and landscaping on the property, but not including guest houses or self-contained residential units). Allowed improvements that do not require a coastal development permit include additions of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission, remodels, alterations, replacement of existing water storage tanks, wells or septic systems serving an existing single-family residence where there is no expansion of the replaced feature or its capacity, and new accessory structures except for self-contained residential units including accessory dwelling ~~second~~ units that result in intensification of a residential use due to conversion of space from non-habitable to habitable or by addition of a bedroom to the parcel, or based on location within any of the areas described in Section 13.20.071(B) (as defined in SCCC 13.10.700 S; see also SCCC 13.20.107 and 13.20.108).

13.20.108 Coastal development permit review of accessory dwelling units (appealable).

All proposed ~~second~~-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 Chapter 13.20, processed concurrently with a building permit, subject to the following noticing requirements:

Attachment: Proposed Non-Coastal Strikeout/Underline ADU Ordinance (ADU Ordinance)

F. Link to State Legislation AB 494:

https://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=201720180AB494

Attachment: Link to State Legislation AB 494 (ADU Ordinance)

EXHIBIT G

Packet Pg. 1041

- G. Link to State Legislation SB 229:
https://leginfo.ca.gov/faces/billCompareClient.xhtml?bill_id=201720180SB229

Attachment: Link to State Legislation SB 229 (ADU Ordinance)

EXHIBIT G

Packet Pg. 1042

CALIFORNIA COASTAL COMMISSION

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 SAN FRANCISCO, CA 94105-2219
 VOICE (415) 904-5200
 FAX (415) 904-5400
 TDD (415) 597-5885

TO: Planning Directors of Coastal Cities and Counties

FROM: John Ainsworth, Executive Director

RE: New Accessory Dwelling Unit Legislation

DATE: April 18, 2017

New State requirements regarding local government regulation of “accessory dwelling units” (ADUs) became effective on January 1, 2017. The Legislature amended Government Code section 65852.2 to modify the requirements that local governments may apply to ADUs, most notably with respect to parking. The Legislature further specified that local ADU ordinances enacted prior to 2017 that do not meet the requirements of the new legislation are null and void. (Gov. Code, § 65852.2, subd. (a)(4).) Significantly, however, the Legislature further directed that the statute shall not be interpreted to “supersede or in any way alter or lessen the effect or application of the California Coastal Act . . . except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.” (Gov. Code, § 65852.2, subd. (j).) The Legislature also enacted Government Code section 65852.22, which establishes streamlined review of “junior” ADUs in jurisdictions that adopt ordinances that meet certain specified criteria. Unlike Government Code section 65852.2, the junior ADU statute does not specifically address or refer to the Coastal Act.

The Coastal Act requires the Coastal Commission to encourage housing opportunities for low and moderate income households and calls for the concentration of development in existing developed areas. (Pub. Resources Code, §§ 30250, subd. (a); 30604, subd. (f).) The creation of new ADUs in existing residential areas is a promising strategy for increasing the supply of lower-cost housing in the coastal zone in a way that avoids significant adverse impacts on coastal resources.

Some local governments have requested guidance from the Coastal Commission regarding how to implement the ADU and junior ADU statutes in light of Coastal Act requirements. This memorandum is intended to provide general guidance for local governments with fully certified local coastal programs (LCPs). The Coastal Commission is generally responsible for Coastal Act review of ADUs in areas that are not subject to fully certified LCPs. Local governments that have questions about specific circumstances not addressed in this memorandum should contact the appropriate district office of the Coastal Commission.

1) Update Local Coastal Programs

The Coastal Commission strongly recommends that local governments amend their LCPs to address the review of coastal development permit (CDP) applications for ADUs in light of the new



EXHIBIT G

Packet Pg. 1043

Attachment: Memo of John Ainsworth, Executive Director of the California Coastal Commission, Dated April 18, 2017 (ADU Ordinance)

legislation. Currently certified provisions of LCPs, including specific LCP ADU sections currently in place, are not superseded by Government Code section 65852.2 and continue to apply to CDP applications for ADUs. Any conflicts between those LCP provisions and the new statutory requirements as they apply to *local permits other than CDPs*, however, may cause confusion that unnecessarily thwarts the Legislature's goal of encouraging ADUs. Government Code section 65852.2 expressly allows local governments to adopt local ordinances that include criteria and standards to address a wide variety of concerns, including potential impacts to coastal resources, and thus the coastal resource context applicable to any particular local government jurisdictional area needs to be addressed in any proposed LCP ADU sections. Coastal Commission staff anticipates that LCP amendments to implement the ADU legislation will reconcile Coastal Act requirements with the ADU statutes, thus allowing accomplishment of the Legislature's goals both with respect to coastal protection and encouragement of ADUs.

When evaluating what specific changes to make to an LCP, consider whether amendments to the land use plan component of the LCP are necessary in order to allow proposed changes to the implementation plan component. LCP amendments that involve purely procedural changes, that do not propose changes in land use, and/or that would have no impact on coastal resources may be eligible for streamlined review as minor or de minimis amendments. (Pub. Resources Code, § 30514, subd. (d); Cal. Code Regs., § 13554.)

2) Review of ADU Applications

- A) **Check CDP History for the Site.** The ADU statutes apply to residentially zoned lots that currently have a legally established single-family dwelling. Determine whether a CDP was previously issued for development of the lot and whether that CDP limits, or requires a CDP or CDP amendment for, changes to the approved development or for future development or uses of the site. In such cases, previous CDP requirements must be understood in relation to the proposed ADU, and they may restrict the proposal. If an ADU application raises questions regarding a Coastal Commission CDP, including if an amendment to a CDP issued by the Coastal Commission may be necessary, instruct the applicant to contact the appropriate district office of the Coastal Commission.
- B) **Determine Whether the Proposed ADU Qualifies As Development.** The Coastal Act's permitting requirements apply to development performed or undertaken in the coastal zone. (Pub. Resources Code, § 30600, subd. (a).) Minor changes to an existing legally established residential structure that do not involve the removal or replacement of major structural components (e.g., roofs, exterior walls, foundations) and that do not change the size or the intensity of use of the structure do not qualify as development with the meaning of the Coastal Act. A junior ADU that complies with the requirements of an ordinance enacted pursuant to Government Code section 65852.22 generally will not constitute development because it will not change the building envelope and because it must contain at least one bedroom that was previously part of the primary residence. Such minor changes do not require a Coastal Act approval such as a CDP or waiver unless specified in a previously issued CDP for existing development on the lot. If questions arise regarding whether a

proposed ADU qualifies as development, please contact the appropriate district office of the Coastal Commission.

C) If the Proposed ADU Qualifies As Development, Determine Whether It Is Exempt.

Improvements such as additions to existing single-family dwellings are generally exempt from Coastal Act permitting requirements except when they involve a risk of adverse environmental effects as specified in the Coastal Commission's regulations. (Pub. Resources Code, § 30610, subd. (a); Cal. Code Regs., tit. 14, § 13250.) Improvements that qualify as exempt development under the Coastal Act and its implementing regulations do not require Coastal Act approval unless required pursuant to a previously issued CDP. (Cal. Code Regs., tit. 14, § 13250, subd. (b)(6).)

An improvement does not qualify as an exempt improvement if the improvement or the existing dwelling is located on a beach, in a wetland, seaward of the mean high tide line, in an environmentally sensitive habitat area, in an area designated as highly scenic in a certified land use plan, or within 50 feet of the edge of a coastal bluff. Improvements that involve significant alteration of land forms as specified in section 13250 of the Commission's regulations also are not exempt. In addition, the expansion or construction of water wells or septic systems are not exempt. Finally, improvements to structures located between the first public road and the sea or within 300 feet of a beach or the mean high tide line are not exempt if they either increase the interior floor area by 10 percent or more or increase the height by more than 10 percent. (Cal. Code Regs., tit. 14, § 13250, subd. (b).)

To qualify as an exempt improvement to a single-family dwelling, an ADU must be contained within or directly attached to the existing single-family structure. "[S]elf-contained residential units," i.e., detached residential units, do not qualify as part of a single-family residential structure and construction of or improvements to them are therefore not exempt development. (Cal. Code Regs., tit. 14, § 13250, subd. (a)(2).) Again, if questions arise regarding CDP exemption requirements, please contact the appropriate district office of the Coastal Commission.

D) If the Proposed ADU Is Not Exempt From CDP Requirements, Determine Whether A CDP Waiver is Appropriate.

If a proposed ADU qualifies as an improvement to a single-family dwelling but is not exempt, a local government may waive the requirement for a CDP if the LCP includes a waiver provision and the proposed ADU meets the criteria for a CDP waiver. Such provisions generally allow a waiver if the local government finds that the impact of the ADU on coastal resources or coastal access would be insignificant. (See Cal. Code Regs., tit. 14, § 13250, subd. (c).) In addition, they generally allow a waiver if the proposed ADU is a detached structure and the local government determines that the ADU involves no potential for any adverse effect on coastal resources and that it will be consistent with the Chapter 3 policies of the Coastal Act. (See Pub. Resources Code, § 30624.7.) Some LCPs do not provide for waivers, but may allow similar expedited approval procedures. Those other expedited approval procedures may apply. If an LCP does not include provisions

regarding CDP waivers or other similar expedited approvals, the local government may submit an LCP amendment to authorize those procedures.

- E) If a Waiver Would Not Be Appropriate, Review CDP Application for Consistency With Certified LCP Requirements.** If a proposed ADU constitutes development, is not exempt, and is not subject to a waiver or similar expedited Coastal Act approval authorized in the certified LCP, it requires a CDP. The CDP must be consistent with the requirements of the certified LCP and, where applicable, the public access and recreation policies of the Coastal Act, except that no local public hearing is required. (Gov. Code, § 65852.2, subd. (j).) Provide the required public notice for any CDP applications for ADUs, and process the CDP application according to LCP requirements. Once a final decision on the CDP application has been taken, send the required final local action notice to the appropriate district office of the Coastal Commission. (Cal. Code Regs., tit. 14, §§ 13565-13573.) If the ADU qualifies as appealable development, a local government action to approve a CDP for the ADU may be appealed to the Coastal Commission. (Pub. Resources Code, § 30603.)

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TO: Planning Directors of Coastal Cities and Counties
 FROM: John Ainsworth, Executive Director
 RE: Implementation of New Accessory Dwelling Unit Law
 DATE: November 20, 2017

On April 18, 2017, we circulated a memo intended to help local governments interpret and implement new state requirements regarding regulation of “accessory dwelling units” (ADUs) in the coastal zone. Following the enactment of AB 2299 (Bloom) and SB 1069 (Wiekowski), changes to Government Code 65852.2 now impose specific requirements on how local governments can and cannot regulate ADUs, with the goal of increasing statewide availability of smaller, more affordable housing units. Our earlier memo was intended to help coastal jurisdictions and members of the public understand how to harmonize the new ADU requirements with LCP and Coastal Act policies. This memo is meant to provide further clarification and reduce confusion about whether and how to amend LCPs in response to these changes.

Although Government Code Section 65852.2(j) states that it does not supersede or lessen the application of the Coastal Act, it would be a mistake for local governments with certified LCPs to interpret this as a signal that they can simply disregard the new law in the coastal zone. The Commission interprets the effect of subdivision (j) as preserving the authority of local governments to protect coastal resources when regulating ADUs in the coastal zone, while also complying with the standards in Section 65852.2 to the greatest extent feasible. In other words, ADU applications that are consistent with the standards in Section 65852.2 should be approved administratively, provided they are also consistent with Chapter 3 of the Coastal Act as implemented in the LCP. Where LCP policies and ordinances are already flexible enough to implement the provisions of Section 65852.2 directly, local governments should do so. Where LCP policies directly conflict with the new provisions or require refinement, those LCPs should be updated to be consistent with the new ADU statute to the greatest extent feasible while still complying with Coastal Act requirements.

Bear in mind that Section 65852.2 still preserves a meaningful level of local control by authorizing local governments to craft policies that address local realities. It allows local governments to designate areas where ADUs are allowed based on criteria such as the adequacy of public services and public safety considerations. It also explicitly allows local governments to adopt ordinances that impose certain standards, including but not limited to standards regarding height, setbacks, lot coverage, zoning density, and maximum floor area. In the coastal zone, local governments can incorporate such standards in LCP policies in order to protect Chapter 3 resources while still streamlining approval of ADUs.

Therefore, the Commission reiterates its previous recommendation that local governments amend their LCPs accordingly, using Section 65852.2 as a blueprint for crafting objective

Attachment: Memo of John Ainsworth, Executive Director of the California Coastal Commission, dated November 20, 2017 (ADU Ordinance)

EXHIBIT G

Packet Pg. 1047

standards related to design, floor area, parking requirements and processing procedures for ADUs in a manner that protects wetlands, sensitive habitat, public access, scenic views of the coast, productive agricultural soils, and the safety of new ADUs and their occupants. Depending on the individual LCP, such amendments might include:

- Updating the definition of an ADU (variously referred to in existing LCPs as second units, granny units, etc.)
- Implementing an administrative review process for ADUs that includes sufficient safeguards for coastal resources
- Re-evaluating the minimum and maximum ADU floor area and related design standards
- Specifying that ADUs shall not be required to install new or separate utility connections
- For ADUs contained within existing residences or accessory structures, eliminating local connection fees or capacity charges for utilities, water and sewer services.
- Providing for ministerial approval of Junior Accessory Dwelling Units (JADUs)
- Clarifying that no more than one additional parking space per bedroom is required
- Eliminating off-street parking requirements for ADUs located within a ½ mile of public transit, an architecturally significant historic district, an existing primary residence or accessory structure, one block of a car share vehicle, or where on-street parking permits are required but not offered to the occupant of an ADU

This is just a partial list, as specific changes will depend on existing LCP policies as well as unique local resource constraints. See our earlier memo for additional recommendations.

We are currently conducting a survey to identify the number of local governments which have already initiated the amendment process. For those that have not, Commission staff strongly urges those jurisdictions to do so in the very near future.

To expedite the process, the Commission will process ADU-specific LCPAs as minor or de minimis amendments whenever possible. We realize that procedural requirements for public review and participation can be time consuming, and will strive to complete the Commission's review process expeditiously. In the interim, we urge local governments to consider which provisions of Section 65852.2 might be implemented administratively, through existing procedures, definitions, or variances. Because each LCP is distinct and unique to its particular jurisdiction, some are inherently more flexible than others. We strongly suggest applying any existing discretion in a manner that conforms to Section 65852.2 as well as your LCP.

We acknowledge that because of the nature of our state/local partnership the Commission cannot compel local governments to undertake these amendments. The foregoing advice is offered in the spirit of our mutual goals and responsibilities of preserving both Coastal Act objectives and local control of planning and permitting decisions. We are grateful that the Legislature elected to preserve the integrity of the Coastal Act when it passed these bills. We are also mindful that this did not reflect any intent to discourage ADUs in the coastal zone, but rather to ensure that new ADU incentives are implemented in a way that does not harm coastal resources. In order to maintain the Legislature's continued support for this approach, and avoid the imposition of unilateral coastal standards for ADUs in the future, it is essential to demonstrate that these housing policies can and will be responsibly implemented in the coastal zone.

My staff and I remain ready and available to assist in this effort.

11/14/2017

Supervisor Friend:

I am writing you this letter to voice my concern over the housing crisis and how it is negatively affecting my life.

Studying to enter the medical industry is very difficult and takes a total commitment. The added stress of worrying about the high costs of rent and it's availability has been a wear on me for the last couple years.

Finding a nice place to live here is harder than my biology or anatomy classes!

I am hoping that you introduce policy that allows multiple granny units per property.

Sincerely,

Dan Baek
Your future medical practitioner

A handwritten signature in dark ink, appearing to read 'Dan Baek', with a long horizontal line extending to the right.

To whom it may concern
 The cost of living in
 California is becoming too high;
 for a college student, such as
 myself especially. With prices
 increasing for food, housing,
 tuition, etc. it's becoming increasingly
 difficult to seek out
 higher education. Currently the
 housing takes a great majority
 of my money. It would be
 a huge help to encourage the
 housing costs to lower. Offering
 more rentable space would
 help tremendously. Offering
 more rentable space to
 be built would help to
 equal the supply and demand
 resulting in big amounts of
 help financially.

Sincerely,
 Jacob Terrell

November 18, 2017

Dear Supervisor District 2,

I recently moved here from the state of Vermont to take a job in this area's well known agriculture industry.

Even with a college degree and a great salary working in California's leading industry I have found housing to be extraordinarily difficult. I moved here with the expectation that my new position would provide me with a reasonable standard of living. To this point I am paying the same price to rent a room as most people in the nation pay for an entire house. The horrible cost to income ratio is hurting all of our industries, and making less competitive in the global marketplace.

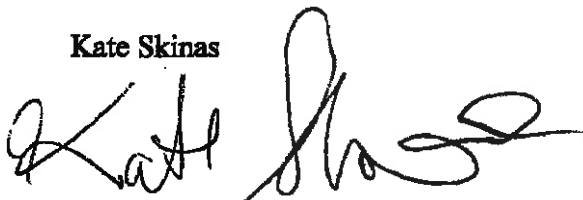
I recently viewed an in-law unit and thought it would be a perfect fit for me. However the competition for these small detached homes is beyond fierce.

Having now visited a large part of this county it is easy to see that most of the area's properties outside of the city centers are large parcels which could easily provide multiple in-law units per parcel if the local government would allow it.

I ask that you move to allow this in a quick manner.

Thank you,

Kate Skinas

A handwritten signature in black ink, appearing to read 'Kate Skinas', written over the printed name.

11/18/17

11-19-2017

To Supervisor Zach Friend;

Recently the State has passed laws with the goal of creating more housing, specifically to encourage the building of ADU's.

Notably these new laws allow for many positive changes concerning building ADU's. The state memorandum on ADU states;

1. Communities may now allow more than one ADU per lot.
2. ADU's are no longer to be considered a unit for density/zoning,
3. ADU construction may now exceed the General Plan, and all ADU permits are to be granted ministerial without public hearing.
4. The state even goes as far to allow any accessory structure even a pool shed to be converted to an ADU.

For decades an entire generation of this counties citizens have suffered under the no growth policy, leading to a massive exodus of talent and severely limiting every aspect of our community. Creating one of the greatest income to rent disparities in the world.

As a result Santa Cruz County is not facing a housing shortage but a housing CRISIS....and it would be beyond foolish for us to not take advantage of the opportunity that the state has given us to build more than one ADU per lot, especially for properties that are greater than one acre.

Sincerely,



Mando Morlos

November 19, 2017

Dear Supervisor Zack Friend:

I am currently studying music at Cabrillo College and work part time as a DJ and festival promoter.

Santa Cruz used to have a great music scene. It was one of the reasons why I chose to live here. Cabrillo has made a multi-million dollar investment in building first class music facilities. The housing crisis has completely undermined this investment and forced even the most professional acts to move out of the area. Many of us would love to be able to rent a private detached granny unit where we could live, record music and perform in any number of outstanding local music venues.

Please do everything in your power to allow granny units to be built. This would go a long way in helping to restore our dying arts community.

Sincerely,

Tyler Diamond