



ACCESSORY DWELLING UNIT & JUNIOR ACCESSORY DWELLING UNIT ZONING DIVISION

State Law allows the addition of an **Accessory dwelling unit (ADU)** and/or one **Junior Accessory Dwelling Unit (JADU)** to those properties zoned for residential use which provides complete independent living facilities for one or more persons with an existing or proposed single-family dwelling (SFD).

Applicants are strongly encouraged to contact the appropriate Fire Department ASAP to ensure the ADU complies with the required fire setbacks and to find out if fire sprinklers are required or not.

If your property is within the County, one ADU and one JADU maybe permitted on lots with an existing or proposed SFD (within a residential or mixed-use zone) provided all the following are met:

- The ADU is either attached to an existing SFD or detached and on the same legal lot.
- ADU may be rented but is not intended for sale separate from the primary residence.
- Lot does not have an existing guest living quarters, accessory living quarters, or accessory apartment. A conversion of a guest living quarters, accessory living quarters, or accessory apartment into an ADU is potentially permitted and requires approval of a building permit.
- The total floor area of an attached ADU shall not exceed 50% of the floor area of the SFD, up to a maximum floor area of 1,200 square feet (it could be up to 850 square feet and 1,000 square feet for ADU's with more than one bedroom, independent of the sq. ft. of the existing SFD).
- The total floor area of a detached ADU shall not exceed 1,200 square feet, independent of the square footage of the existing SFD.
- Applicants must provide mathematical computations of the "floor area" for both units on the plot plans, and these calculations must be taken from the exterior dimensions of the outside walls.
- Total floor area of a proposed garage attached to a detached ADU shall not exceed the allowable combined square footages per Section 6156.g of the Zoning Ordinance, or unless authorized by an approved Administrative Permit.
- Any proposed garage and/or carport, attached to an ADU, exceeding 1,000 sq. ft. (combined with all other accessory structures per Section 6156.g) and/or more than 12' in height, are subject to the main building setbacks and height regulations of the Zoning Ordinance.
- An attached or detached patio, deck, and/or balcony is subject to Section 4835 of the Zoning Ordinance.
- An ADU could potentially be attached to an existing and permitted oversized accessory structure, as long as the ADU is placed within the existing accessory structure and the overall footprint is not being changed. The ADU cannot have interior communication to the remaining portions of the existing accessory structure.
- A detached ADU is limited to 24' in height (except for multifamily complexes).

If your property is within the unincorporated area of the County of San Diego, please email us if you have any questions:

PDSZoningPermitCounter@sdcounty.ca.gov

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123

<http://www.sdcounty.ca.gov/pds>



County of San Diego, PDS, Zoning Division
ACCESSORY & JUNIOR ACCESSORY DWELLING UNIT

Continued

- No other rooms, additions, uses, storage areas, workshops, etc. can be attached to the ADU, except a garage, or unless authorized by an approved Administrative Permit.
- No setbacks are required if an existing and permitted accessory structure, or a portion thereof is being converted into an ADU, except for fire safety.
- No additional development standards such as maximum square footage, height, lot coverage, and setbacks are required if an existing and permitted detached or attached accessory structure is being converted into an ADU. Any new addition to the ADU must comply with the setbacks and height regulations outlined on this form.
- A minimum setback of at least 4' from the side, exterior side, and rear lot lines is required for an ADU that is being constructed above a permitted detached accessory structure. The setbacks only apply to the added space above the accessory structure and the ADU can be constructed wholly or partly above the accessory structure, including extending beyond the accessory structure walls.
- All newly constructed detached and/or attached ADU's must comply with the required front yard setbacks and a minimum side, exterior side, and rear setback of at least 4' (except any required fire setbacks). However, a garage, or patio attached to an ADU must comply with the required exterior side yard setbacks.
- An ADU shall provide one parking space. The parking space may be located within the setbacks and in an existing driveway as tandem parking. Parking spaces don't need to be replaced when a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted into an ADU.
- A parking space is not required for the ADU in any of the following instances:
 - (1) The ADU is located within one-half mile of public transit.
 - (2) The ADU is located within an architecturally and historically significant historic district.
- Separate sale or ownership of an ADU is prohibited, unless the lot is subdivided creating a separate lot for each dwelling.
- The ADU shall not be used or rented for less than 30 days.
- Properties that have multiple (2 or more) existing non-conforming single-family residences and are in a residential zone that only allows for a single-family residence, can have an ADU or JADU (not both).
- Properties that have an existing non-conforming single-family residence and are in a zone that does not allow for a single-family residence, can have an ADU or JADU (not both).
- New proposed ADU's on **lots in unincorporated county areas** with an existing & permitted SFD may qualify for the County Fee Waiver Program (through January 2024). Please see the following link: <https://www.sandiegocounty.gov/ADU>.

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Continued

See Junior Accessory Dwelling Units (JADU) requirements below:

- One attached JADU and one detached ADU, may be permitted on lots with an existing or proposed SFD within a residential or mixed-use zone.
- The JADU must be completely contained within an existing or proposed SFD and must have interior access to the residence and a full bathroom. The interior connection to the main living area must be maintained and a separate exterior entry shall be provided to serve the JADU.
- A JADU means a complete independent living facility and shall not exceed 500 square feet.
- The JADU shall include an efficiency kitchen, which shall include all the following:
 - a. A cooking facility with appliances.
 - b. A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.
- No additional parking space is required.
- JADU's, and/or additions for JADU's must comply with main building setbacks, incl. JADU additions for non-conforming SFD's. Please see Section 6886 of the Zoning Ordinance for setback information on non-conforming SFD's.
- The JADU may be rented, but not for less than 30 days, and is not intended for sale separate from the primary residence. The owner is required to live in one of the two units.

Multiple ADU's maybe permitted within portions of an existing multifamily complex within a residential or mixed-use zone if the following requirements are met.

- Only structures/rooms within the existing multifamily complex that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, can potentially be converted at least into one ADU, or multiple ADU's, up to 25% of the existing multifamily dwelling units.
- Up to two detached ADU's maybe permitted, per lot that has an existing multifamily complex if the following requirements are met.
 - a. The detached ADU's are limited to a height of 16 feet and 4' rear yard and side setbacks.
 - b. The addition of two detached ADU's is not subject to any nonconforming regulations.
 - c. A non-conforming multifamily complex can have up to two detached ADU's or may have ADU's created within the existing multifamily complex (not both) and would be subject to all other regulations.
- Multiple ADU's for multifamily complexes do not qualify for the County Fee Wavier Program.

Any structure designed for human habitation that is divided into two or more independent and attached living units on a single lot is considered a multifamily complex (such as duplex, triplex, stacked dwellings, Mobile Home Park, etc.). Multiple detached single-family dwellings on the same lot are not considered a multifamily complex but may qualify for one ADU or JADU (not both).

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