



ADU Regulations in effect January 1, 2020

New state laws Assembly Bill (AB) AB68, AB 881 and Senate Bill (SB) 13 regarding accessory dwelling units (ADUs) are in effect January 1, 2020. The City of Seaside does not have a separate City Code for ADUs and allows all ADU planning decisions to follow the new state law.

How do the new state ADU laws change ADU regulations for the City of Seaside?

Where ADUs are Allowed? ADUs are now allowed on parcels in all zone districts and General Plan designations that allow single-family or multi-family residential development or mixed-use residential and non-residential development.

Junior ADUs. JADUs are now allowed. JADUs are 220-500 square feet, converted from living areas in single family dwelling units, and have an efficiency kitchen and a bathroom that is either independent or shared with the primary dwelling unit.

Number of ADUs Allowed. Lots with single family dwellings may now have one ADU and one JADU. Lots with multifamily dwellings may now have up to two new construction detached ADUs plus up to 25% of units can have conversion ADUs created from areas that are not currently livable space (such as storage rooms).

Owner Occupancy. Owner occupancy of the primary dwelling unit is required for JADUs. Owner occupancy is NOT required for ADUs.

Reduced Fees. Impact fees are not charged for ADUs less than 750 square feet, and impact fees for larger ADUs are proportional to ADU size. Utility connection fees are charged for detached ADUs in proportion to the square footage of the structure or the number of fixtures. ADUs are considered a new residential use for new utility service fees only if constructed in conjunction with a new dwelling unit.

School Fees. In Seaside no School Fees are charges for ADUs under 500 square feet in size. ADUs of 500 square feet or larger must pay a school fee currently set at

ADU Permit Fees. In Seaside no permit fees are charged for ADUs or JADUs

Plan Check Fees. In Seaside plan check fees will still be charged for ADUs and JADUs. Plan Check fees have been eliminated for any ADU application that is using a pre-approved architectural design.

Seaside preparing an ADU prototype design. The City of Seaside is in the process of preparing a prototype design for a 500 square foot detached ADU which should be completed by May, 2020. Once completed these plans will be made available free of charge to anyone wanting to use the plans to build an ADU in Seaside. Stay tuned for more details.

Development Standards. Development standards for ADUs have been relaxed.

- **ADU Size.** Minimum ADU size is 220 square feet. Conversion ADUs still have a maximum size of 50% of the primary dwelling unit. For new construction ADUs on properties less than one acre, maximum sizes are 850 square feet for studios and one-bedroom ADUs and 1,000 square feet for multiple bedroom ADUs. On properties greater than one acre, maximum size for detached new construction ADUs is 1,200 sf and maximum size for attached new construction ADUs is 50% of the main dwelling unit.
- **Setbacks and Height.** Side and rear setbacks for ADUs are now four feet; front yard setbacks have not changed. ADU height is the same as the zone district standard except that detached new construction ADUs within the urban services line shall be maximum 16 feet and ADUs above detached garages shall be 24 feet (20 feet at exterior wall).
- **800-Square-Foot ADU Allowance.** If a property exceeds maximum allowed floor area ratio or lot coverage for the zone district, an ADU up to 800 square feet is allowed, subject to maximum height 16 feet and 4-foot side and rear setbacks.
- **Parking.** ADUs are now exempt from parking requirements if they are within a half-mile walking distance from any transit stop. Also, no parking replacement is required for the main dwelling unit when ADUs are converted from existing covered parking. These parking exemptions may not apply within the Coastal Zone – please check with City Planning staff regarding parking requirements in the Coastal Zone.

Nonconforming Conditions. The City does not require the correction of most nonconforming conditions when approving a building permit for an ADU or JADU.

Code Enforcement. Between January 1, 2020 and January 1, 2030, code enforcement for ADUs may be delayed for up to five years for ADUs built before January 1, 2020.

Building Permit Approval Timeline. ADU and Junior ADU (JADU) building permit applications will be approved or denied within 60 days from the date a complete application is submitted, subject to certain exceptions.