



ACCESSORY DWELLING UNITS (ADUs) INFORMATION SHEET

1. What is an Accessory Dwelling Unit (a.k.a. *granny flat, in-law unit, second unit*)?

"Accessory Dwelling Unit" (ADU) is a permanent residential dwelling unit providing complete independent living facilities for one or more persons and is accessory to an existing or proposed primary dwelling. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation. An accessory dwelling unit also includes the following:

- a) An efficiency unit, as defined in Section 17958.1 of Health and Safety Code.
- b) A Junior ADU (JADU), as defined in Section 65852.22 of the Government Code.

2. Why allow ADUs?

ADUs create affordable rental housing by putting more rental units on the market, provide an additional source of income for homeowners and allow more options for extended families to reside on a single property. California Government Code Section 65852.2 requires local governments to ease requirements and expedite local permitting processes associated with ADUs. State law is subject to change and these requirements may be updated accordingly.

3. Is there more than one kind of ADU?

Yes. An ADU may be created by constructing a new detached structure or an addition, or by converting the existing permitted interior space of a primary dwelling or accessory structure into an ADU. Properties containing one single-family dwelling will be allowed one attached Junior ADU in addition to one new detached ADU, and properties containing multiple dwellings may be allowed multiple ADU units subject to the Town's, subject to specified requirements described Section 10-6.103(a) and (b).

Examples of ADUs are shown below:



Over the Garage



Garage Conversion



Stand-Alone Unit



Basement or Attic Conversion

4. What is a JADU?

Junior Accessory Dwelling Units (JADUs) are small living units (up to 500 square feet) created out of a space within an existing single-family dwelling or an attached garage.

5. What is the difference between a JADU and an ADU?

The primary difference between a JADU and an ADU is that a JADU must be contained in the existing structure of the main dwelling, which means it can be a converted living space such as a

playroom or a bedroom. It can also be a converted unlivable space that if confined with the main dwelling, such as an attached garage, basement, or attic space. The conversion of a detached garage must be classified as an ADU. Lastly, the JADU has fewer requirements from ADUs such as a JADU is able to share a bathroom with the main dwelling and no parking is required.

6. Where are JADUs and ADUs permitted?

ADUs are permitted in any zoning district that allow single-family or multifamily residential use. ADUs may be denied if their creation would have a negative impact on public safety, or if adequate water and sewer service is not available, as determined by the Town of San Anselmo.

7. Do ADUs require off-street parking?

- a) No additional parking is required when:
 - Property is within ½-mile walking distance of public transit
 - Property is within an architecturally and historically significant historic district
 - ADU is entirely within the existing interior space of the primary dwelling or accessory structure (e.g. sheds, garages, carports, covered parking structures, etc.)
 - On-street parking permits are required but not offered to the ADU occupant
 - A car share vehicle is located within one block of the ADU
 - When the ADU will be constructed in conjunction with a new single-family dwelling or new multifamily dwelling on the same lot, provided the ADU or the lot is consistent with the ADU regulations.
- b) For attached or detached ADUs requiring new construction (e.g. a new accessory building or an addition), one parking space is required per unit or per bedroom, whichever is less. These spaces may be located in setback areas or provided through tandem parking on a driveway as listed in Section 10-6.303(c).

8. What other rules apply to ADUs?

- a) ADUs and JADUs may not be rented for a period of fewer than 30 days.
- b) ADUs and JADUs may not be sold or conveyed separately from the main dwelling, except as otherwise provided in Government Code Section 65852.26.
- c) Owner occupancy is required for all ADUs permitted before January 1, 2020 and JADUs.
- d) Owner occupancy is not required for ADUs permitted between January 1, 2020 and January 1, 2025.
- e) ADUs shall match the exterior material, color, and roof form of the permitted primary dwelling structure.
- f) Unless exempted from an ADU permit pursuant to Section 10-6.103(b), the ADU shall meet Objective Development Design Standards pursuant to Section 10-6.302, such as Building Design, Landscape Design, Entrance, Windows and Doors, Exterior Lighting, Skylights, Historic Preservation Standards for those properties listed on the California Register of Historic Places, and Heritage Trees.
- g) A Deed Restriction is required for both ADUs and JADUs pursuant to Section 10-6.103(m).
- h) A separate exterior access is required for ADUs and JADUs.
- i) ADUs located in a floodplain shall adhere to the Town's floodplain regulations per San Anselmo Municipal Code Title 7, Chapter 11.

9. What are the development requirements for JADU and/or ADU?

<i>ADU Type</i>	<i>Description</i>	<i>Maximum Unit Size</i>	<i>Setbacks and Height Limits</i>
<i>Junior ADU (JADU)</i>	<i>JADUs are created by converting existing, permitted floor area (including attached garage) contained entirely within an existing or proposed single-family dwelling. No detached JADUs are allowed. The property owner may also build a new detached ADU. Property owner must live on the property.</i>	<i>500 sq. ft. for JADU * The minimum size is 150 square feet.</i>	<i>JADUs are contained entirely within the single-family dwelling (including attached garage), and are subject to the same setbacks and development standards as the primary dwelling (including attached garage)</i>
<i>Attached ADU</i>	<i>New construction addition OR conversion of permitted interior space contained within an existing primary residence or related accessory structure</i>	<i>All new construction ADUs, <u>attached and detached</u>, are subject to the maximum unit sizes: 850 sq ft (one bedroom or less) - OR - 1,000 sq ft (more than one bedroom)</i>	<i>Minimum setbacks 4 ft side yard and rear yard for ALL new construction ADUs of any size, attached and detached. - - - Maximum height is 16 feet for a detached ADU</i>
<i>Detached ADU</i>	<i>New freestanding structure OR Detached accessory structure conversion</i>	<i>*Total floor area of an attached or detached ADU shall not exceed 50% of the existing or proposed primary dwelling. **The minimum size is 150 square feet. ***The maximum size shall not exceed 1200 square feet and subject to review pursuant to Section 10-6.305.</i>	<i>Maximum height is 25 feet if attached to a primary dwelling</i>
<i>Multifamily ADU(s)</i>	<i>Conversion of non-livable portions within the existing multifamily dwelling and/or two (2) new detached ADUs. Total number of ADUs shall not exceed 25% of existing multifamily dwelling units (e.g. 20-unit apartment complex is allowed up to 5 ADUs, 2 of which may be detached. A duplex (2-unit) and triplex (3-unit) would only be allowed up to 1 ADU).</i>		

10. Is there a limit to how many ADUs can be on the same property?

- a) Properties containing one existing or proposed single-family dwelling are allowed one ADU and/or Junior ADU (JADU). JADUs are converted from existing floor area (including attached garage) contained entirely within a single-family dwelling. No detached JADUs are allowed.

JADUs can be up to 500 sq. ft. and must include an efficiency kitchen. Some JADUs have their own bathroom, while others share with the primary dwelling. In addition to the JADU described above, the property owner may also build a new detached ADU that does not exceed 800 sq. ft. or 16 ft. in height. JADUs require owner- occupancy and deed restriction. Please refer to Gov. Code Sec. 65852.22 for the full requirements.

- b) ADUs are allowed on multi-Dwelling properties (e.g. duplexes apartments, condos, townhomes, etc.) up to 25 percent of the existing multifamily dwelling units, with at least one ADU guaranteed. Multiple ADUs may be created by constructing a maximum of two (2) new detached ADUs and/or converting non-livable portions of existing multifamily dwelling structures (e.g. storage rooms, boiler rooms, passageways, attics, basements, garages, etc). For example, a duplex (2-unit) would be allowed one ADU at most, whereas a 20-unit apartment building would be allowed up 5 ADUs, 2 of which may be detached and the rest shall be created by conversion of non-living space.

11. What type of permits are required for an ADU?

- A building permit is required for any new construction or building alterations.
- Solar panel installation requirements may apply. Please inquire with the Building Department.
- If the proposal involves any work in the public right-of-way, you will need to obtain an Encroachment Permit.
- If the proposal requires grading, a Grading Permit may be needed. Contact the Building Department.
- A Demolition Permit will be required if the ADU will replace a garage.
- If the ADU requires a new sewer connection, contact the Ross Valley Sanitary District (RVSD). The RVSD has jurisdiction over the new ADU may have applicable fees and permit requirements.
- If the new ADU requires a new water connection, contact the Marin Municipal Water District (MMWD). The MMWD has jurisdiction over the new ADU may have applicable fees and permit requirements.
- Depending on the specific proposal, other permits may be required, electrical, gas or Accessory Dwelling Unit permits if not found to be exempt from Section 10-6.103(b).

12. Are there Planning fees associated with the creation of a new ADU?

- ADUs that are found to be exempt pursuant to Section 10-6.103(b), are not subject to any Planning fees.
- ADUs that are not exempt pursuant to Section 10-6.103(b) will require an ADU Permit. Contact to the Planning Department for the appropriate fee amounts.
- Please contact other agencies for their application and/or impact fees.

13. Are there any other Development or Impact Fees associated with a new ADU?

- Please contact other agencies, such as the RVSD, MMWD, the Ross Valley School District and the Tamalpais Unified School District for their application and/or impact fees.

USEFUL CONTACT INFORMATION:

Planning Department:	(415) 258-4616
Public Works and Building Department:	(415) 258-4616
Marin Municipal Water District:	(415) 461-2961
Ross Valley Fire Department:	(415) 258-4686
Ross Valley School District:	(415) 454-2162
Tamalpais Unified School District:	(415) 945-1000