



ACCESSORY DWELLING UNIT & JUNIOR ACCESSORY DWELLING UNIT ZONING DIVISION

State Law allows the addition of one **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 accessory structure 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 accessory structure, 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.
- A detached ADU is limited to 25' in height (except for multifamily complexes).
- An ADU could potentially be attached to an existing and permitted oversized accessory structure, if the ADU is placed within the existing accessory structure and the overall footprint is not being changed.

Please click [here for Zoning Information](#) if your property is within the unincorporated area of the County of San Diego. If you have any additional zoning questions, please email us at PDSZoningPermitCounter@sdcounty.ca.gov
5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123 <http://www.sdcounty.ca.gov/pds>



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- 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.
- An existing and permitted accessory structure, or a portion of the existing and permitted main residence could potentially be converted into an ADU. Such a conversion would not be subject to any size requirements. For example, an existing & permitted 3,000 sq. ft. barn could be converted into an ADU without any additional requirements, other than compliance with the fire and building standards for dwelling units.
- An ADU could potentially be attached to an existing and permitted, or proposed recreation room, if there is a defined fire and sound separation wall or floor between the ADU and recreation room. Any openings (doors, window, or penetrations) would be required to be fire rated.
- A minimum setback of at least 4' from the side and rear lot lines is required for an ADU that is being constructed above a permitted detached accessory structure. If corner lot, the exterior side yard setback must be at least 4' from the edge of easement/street/and/or property line. 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 and rear setback of at least 4' (except any required fire setbacks).
- If corner lot, the exterior side yard setback must be at least 4' from the edge of easement/street/and/or property line.
- However, a detached and/or attached ADU's may encroach into the required front yard setbacks if it would otherwise prevent the construction of an ADU that is 800 sq. ft. or smaller. If the proposed ADU encroaches into the required front yard setbacks, substantial evidence would be required (such as septic permit/layout, photos, or cross-section drawings of existing grade), explaining/justifying why the proposed ADU (up to 800 sq. ft.) has been placed into the front yard setbacks.
- If the ADU is in the front yard setbacks, it cannot block the driveway, or access of the two required off-street parking spaces for the existing SFD, unless two replacement off-street parking spaces have been provided.
- An accessory structure, or patio attached to an ADU must comply with the required exterior side yard setbacks (if applicable).
- 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.

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- 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 SFD's and are in a residential zone that only allows for one SFD, can have an ADU (JADU is not allowed).
- Properties that have an existing non-conforming SFD and are in a zone that does not allow for a SFD, 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>.

See Junior Accessory Dwelling Units (JADU) requirements below:

- One JADU, which shall not exceed 500 square feet, 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 may include separate sanitation facilities or may share sanitation facilities with the existing structure.
- 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.
- When an existing garage, carport, or covered parking space is being demolished in conjunction with the construction of a JADU or converted into a JADU, the two required parking spaces need to be replaced. An SFD must provide two off-street parking spaces.
- No additional parking space is required for a JADU.
- A JADU must be within an existing or proposed SFD and cannot be attached to an ADU.
- In instances where the JADU shares a bathroom with the SFD, interior entry to the SFD would be necessary.
- 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.
- No separate electric meter will be permitted.

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

- Only structures/rooms within the existing or proposed 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 or proposed multifamily complex if the following requirements are met.
 - a. The addition of two detached ADU's is not subject to any nonconforming regulations.
 - b. 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).

IF YOU HAVE QUESTIONS REGARDING SEPARATE UTILITY CONNECTIONS, SERVICES, OR METERING REQUIREMENTS, PLEASE CONTACT YOUR LOCAL UTILITY AND GUIDANCE PROVIDED THROUGH STATE ([ADU Handbook \(ca.gov\)](http://www.aduhandbook.ca.gov)).

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