



County of Monterey – REF240016 -Coastal ADU Regulation Updates

Planning Commission
September 25, 2024

Photos provided by the Monterey County Convention & Visitors Bureau



Requested Action

It is recommended that the Planning Commission adopt a resolution recommending that the Board of Supervisors:

1. Find the project statutorily exempt pursuant to CEQA Guidelines section 15265; and
2. Adopt a Resolution of Intent to:
 - a. Amend the Big Sur Coast Land Use Plan to add development standards for accessory dwelling units and junior accessory dwelling units, including a 1,000 square foot size limitation on accessory dwelling units and a prohibition on renting accessory dwelling units for less than 90 days;
 - b. Amend the Carmel Area Land Use Plan policies regarding accessory dwelling units and junior accessory dwelling units, including removing a 40 acre minimum lot size requirement as a development standard for accessory dwelling units;
 - c. Amend the North County Land Use Plan to add policies regarding accessory dwelling units and junior accessory dwelling units, including a 1,000 square foot size limitation on accessory dwelling units and incorporation of water conservations standards for accessory dwelling units and junior accessory dwelling units; and
 - d. Adopt an ordinance amending Monterey County Coastal Implementation Plan Part 1, the coastal Zoning Ordinance (Monterey County Code Title 20), to update regulations relating to accessory dwelling units and junior accessory dwelling units; and Part 6, Appendices, to add Appendix 15.



Intent

- State Planning and Zoning Law governing Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) has been updated multiple times over the last several years.



Approach

Update ADU/JADU regulations in a manner that harmonizes the State's housing laws with the Coastal Act.

The diagram consists of two dark blue circles connected by two grey arrows. The top arrow points from the left circle to the right circle, and the bottom arrow points from the right circle back to the left circle, creating a continuous loop.

Protect coastal resources while also reducing barriers to constructing J/ADUs and helping to promote more affordable coastal housing.



Previous Amendments

2011

Replaced references to Caretaker Units with ADUs in Title 20.

2015

Updates to ADU regulations in Title 20 following updates to State housing law.

2020

Updates to ADU and JADU regulations after additional State housing laws. (Not Certified)

Now

Update ADU and JADU regulations in response to State Law and CCC proposed modifications.



ADU & JADU

Accessory Dwelling Unit (ADU)	Junior Accessory Dwelling (JADU)
Up to 1,200 sq ft*	Up to 500 sq ft
Attached; Detached; Conversion of existing structures	Fully contained within the walls of a single family
Independent facilities (Cooking, Sanitation, Sleeping)	May share Bathroom and Central systems but Independent Efficiency Kitchen
No internal circulation with Main Residence	May have internal circulation with Main Residence
No Owner Occupancy	Owner Occupancy Requirement
No Deed Restriction	Deed Restricted



ADU/JADU Regulations – State Highlights Updates

- ✓ Development standards:
 - ✓ Revised height allowances, size requirements and setbacks
- ✓ ADUs cannot be precluded by lot size, parcel density, unit caps requirements
- ✓ No Vacation Rentals (30-day rental minimum)
- ✓ ADUs may now be sold separately from the main residence.
 - ✓ Built or developed by a qualified nonprofit corporation



ADU/JADU Regulations – State Highlights Updates

- ✓ ADUs up to 800 sq. ft. – Local jurisdiction cannot unduly preclude, Lot Coverage, Front Setback, and FAR
- ✓ ADU application cannot be denied due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures on property that do not present a threat to health and safety.
- ✓ ADU Permit processing - 60-day time limit after a complete application has been submitted.



Areas where ADUs & JADUs are Allowed

State law requires ADUs and JADUs be allowed in Zoning Districts that permit Single Family or Multiple Family Residential uses:

- High Density Residential (HDR(CZ)),
- Medium Density Residential (MDR(CZ)),
- Low Density Residential (LDR(CZ)),
- Rural Density Residential (RDR(CZ)),
- Watershed and Scenic Conservation (WSC(CZ)),
- Coastal General Commercial (CGC(CZ)),
- Moss Landing Commercial (MLC(CZ)),
- Visitor-Serving Commercial (VSC(CZ)),
- Coastal Agricultural Preserve (CAP(CZ)), and
- Agricultural Conservation (AC(CZ)).



Square footage Limitations

Location	Unit Type	Size
Carmel Area LUP	<ul style="list-style-type: none"> ➤ Attached or Detached ADUs ➤ Conversions of legally constructed accessory structures built after March 25, 2024 	1,200 sq ft
Del Monte LUP		1,200 sq ft
Big Sur LUP		1,000 sq ft
North County LUP		1,000 sq ft
B-8 Zoning		1,000 sq ft



Square footage Limitations cont.

Location	Unit Type	Size
All Planning Area	JADU	500 sq ft
	ADUs created through conversion of space in an existing main structure	Not allowed to exceed 50 percent of the total square footage of the existing main structure



Limitation on the number of ADUs & JADUs

Parcels with Existing or Proposed Single Family Dwelling:

- (1) ADU
- (1) JADU

Parcels with Proposed Multiple Family Dwelling:

- (2) Detached ADUs

Parcels with Existing Multiple Family Dwelling:

- (2) Detached ADUs
- At least (1) ADU within the multiple family dwelling and be allowed up to 25 percent of the existing multiple family dwelling units.



Proposed Permit Process

Exempt ADU/JADU

- JADU
- Attached or Detached ADU up to 1,000 sq ft.
- Conversion of habitable space.

Coastal Administrative permit

- New ADUs over 1,000 sq ft.

Coastal Development permit

- LCP policy triggers
 - Non-Exempt Development.

Note: ADU involving a risk to coastal resources will be pulled out of the exemptions, will be elevated to CAP/CDP (ESHA, Critical Viewshed, Slopes>30%, etc.)



Scenic Resource Protections Policies

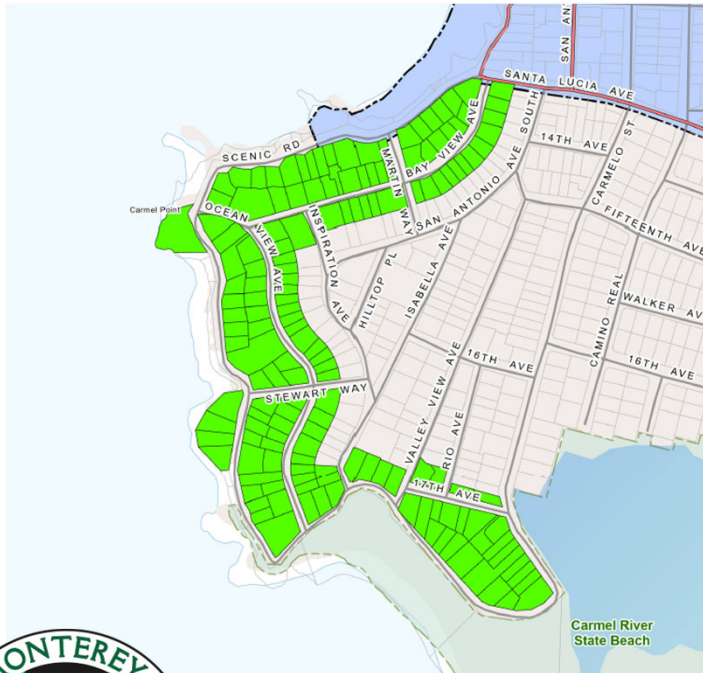
Design Approval Permit

ADU's within the Del Monte Forest, Carmel Area, Big Sur Coast planning areas and areas which have the Design Control "D" combining district will require a Design Approval permit.







Parking Regulations

Carmel Scenic Road



Parcels subject to ADU Parking Requirements

Legend

-  Requires Parking
-  Parcels
-  Major Roads
-  City Limits

*Parcels not within the designated “Requires Parking” area shall not require off-street parking.



Big Sur Coast Land Use Plan

- The text and policies of Chapter 5, Land Use and Development would be updated to add language to encourage JADUs in the plan.
- ADUs will be limited to 1,000 square feet.
- 90-day minimum rental duration of the accessory dwelling units to ensure that the units are used for long-term residential purposes.
- Big Sur Critical Viewshed, ADUs will not be allowed in this area.
- 50-unit cap on ADUs will be removed.



Carmel Area Land Use Plan

- The text and policies updated to add language to encourage JADUs in the plan area as an additional means of providing Low and Moderate Housing Opportunities.
- Removal of the 40-acre parcel size requirement for the construction of an ADU.



North County Land Use Plan

North County Coastal:

- Limit on water use for Bathrooms/Kitchens/Washrooms for ADUs and JADUs.
- All new or replaced landscaping areas will meet the water efficiency standards established in Monterey County Code 16.63.

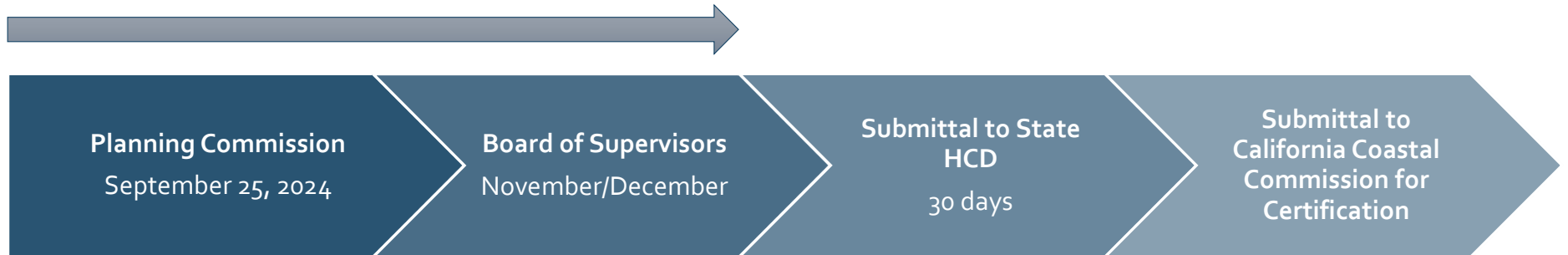
North County Land Use Plan Area

- The text and policies updated to add language to allow ADUs & JADUs to provide Low and Moderate Housing Opportunities.
- ADUs will be limited to 1,000 square feet.
- Incorporation of water conservation standards.
- Do not count for buildout



Next Steps

Coordination with CCC staff



Recommendation

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