

9. Hold public hearing to consider approving in concept "An Ordinance of the Board of Supervisors of Santa Cruz County Amending Santa Cruz County Code Chapter 13.10 Regarding Accessory Dwelling Units," confirm the proposal is exempt from requirements of the California Environmental Quality Act, and take related actions ()



County of Santa Cruz Board of Supervisors

Agenda Item Submittal

From: Community Development and Infrastructure

Subject: Accessory Dwelling Unit Ordinance Amendments

Meeting Date: June 24, 2025

Formal Title: Hold public hearing to consider approving in concept "An Ordinance of the Board of Supervisors of Santa Cruz County Amending Santa Cruz County Code Chapter 13.10 Regarding Accessory Dwelling Units," confirm the proposal is exempt from requirements of the California Environmental Quality Act, and take related actions

Recommended Actions

1. Hold public hearing to consider proposed amendments to the Santa Cruz County Code Santa Cruz County Code and the Local Coastal Program (LCP);
2. Adopt a resolution finding the proposed amendments are consistent with the General Plan and Local Coastal Program and exempt from further environmental review under the California Environmental Quality Act (CEQA), and directing staff to file the CEQA Notice of Exemption and submit the Local Coastal Program amendments to the California Coastal Commission for certification;
3. ~~OBJ~~ Approve in concept "An Ordinance of the Board of Supervisors of Santa Cruz County Amending Santa Cruz County Code Chapter 13.10 Regarding Accessory Dwelling Units";
4. Direct the Clerk of the Board to publish the Notice of Proposed Ordinance Summary in a newspaper of general circulation at least five days prior to the scheduled second reading and final adoption, no later than July 31, 2025, pursuant to Government Code Section 25124; and
5. Direct the Clerk of the Board to schedule the ordinance for second reading and final adoption on August 5, 2025.

Executive Summary

Updates to the Santa Cruz County Code (SCCC) are proposed for the purpose of aligning the Accessory Dwelling Unit (ADU) regulations with recent updates to State law, resolving points of confusion in existing ADU regulations, further streamlining ADU development in Santa Cruz County, aligning with the ADU Handbook released by the California Department of Housing and Community Development (HCD) and addressing HCD's comments. The Board of Supervisors is requested to hold a public hearing to consider the Planning Commission's recommendation on the proposed ordinance.

Discussion

The County's ADU regulations have been in place for many years and were most recently updated in October 2021, in response to State laws passed in 2019 and 2020. More recently, additional State ADU laws have been enacted that require amendments to local ADU regulations. HCD developed an "ADU Handbook" that clarifies and interprets the provisions of State ADU law and released an updated version in 2025. In addition, there are some aspects of the County's ADU regulations that could be updated to resolve points of confusion for staff and applicants.

The intent of State ADU law is to remove barriers to ADU construction. County Code may be more lenient but may not be more restrictive than State law in terms of allowing for ADU construction. For topics that are not covered by State law, the County has flexibility as to what ADU regulations to impose, although it may be desirable to align County regulations with the overall intent of State law. In the Coastal Zone, ADU regulations must be balanced with provisions of the California Coastal Act.

The County is required to submit a copy of an adopted ADU ordinance to HCD for a determination as to whether the ordinance complies with State ADU law. Prior to final adoption, HCD will review and comment on draft ordinances prior to adoption by a local jurisdiction, and County staff pursued this option in an effort to ensure HCD finds the adopted ordinance in compliance with State law. Based on the consultations with HCD staff and review of the updated ADU Handbook, County staff determined additional changes to the ordinance are necessary compared to the version reviewed by the Planning Commission in October 2024. Because the changes are substantial, another public hearing before the Planning Commission was held on May 14, 2025, and the Planning Commission took action to recommend the Board of Supervisors adopt the proposed Ordinance amending the ADU regulations. The Planning Commission staff report provides a detailed account of the ordinance amendments ([Planning Commission Staff Report](#)). However, a summary of the most significant changes is discussed below.

Definitions

HCD clarified that a tiny home on wheels (THOW) does not meet the definition of an ADU because it is not a permanent structure. Therefore, the reference to a THOW is deleted from the definition of an ADU in the Ordinance. The definition of a Junior ADU (JADU) is updated to be more consistent with State law regarding kitchen facilities. Language in other parts of the Ordinance is updated to clarify other requirements related to JADUs such as location and interior and exterior access for consistency with state JADU law.

Number of ADUs Allowed

Revised language would clarify that under State ADU law, ADU allowances are per lot not per single-family dwelling. Ordinance language is updated to be consistent with guidance in the updated ADU Handbook that would allow one conversion ADU, one JADU and one attached or detached ADU, or up to three ADUs on a lot with an existing or proposed single-family dwelling. The County's ordinance currently allows one ADU (conversion, attached, or detached) and one JADU or up to two ADUs on a lot. In addition, the Ordinance is updated to clarify the number of ADUs allowed on multifamily dwelling sites. On parcels with proposed multifamily dwellings, up to two detached ADUs are allowed. On parcels with existing multifamily dwellings, the number of detached ADUs allowed was increased from two to not more than eight detached ADUs or not more than the existing number of multifamily units, whichever is less. In existing multifamily dwellings conversion of up to 25 percent of existing livable space to ADUs is allowed but language is added to the ordinance that this is only allowed in existing multifamily dwellings, not proposed projects.

ADU Size Summary

Updated Ordinance language would clarify that a percentage (e.g., not greater than 50 percent) of the existing primary dwelling can be used as a maximum unit size for attached ADUs, but only if it does not restrict an ADU's size to less than 850 square feet, or 1,000 square feet for ADUs with more than one bedroom. Revised language is proposed to refer to the larger of the percentage or the minimum square feet allowance.

Throughout the Ordinance, addition language is proposed that references an ADU no more than 800 square feet with 4-foot side and rear setbacks and meeting height standards. These types of ADUs are generally exempt from many of the requirements that apply to other types of ADUs such as parking requirements and other objective standards. These are commonly referred to as Government Code 66323 units.

Objective Standards and Setbacks

While objective standards cannot be applied to 66323 units no more than 800 square feet in size, objective standards can be applied to other types of ADUs. Language is added to the Ordinance referencing objective standards which are defined in state ADU law as standards that:

Involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the applicant or proponent and the public official prior to submittal

They are too numerous to list because they exist throughout the County Code and General Plan, but some examples would be Building and Fire Codes, zoning setbacks, and environmental setbacks contained in Title 16 of the County Code, which contains the environmental and resource protection standards.

Height and Parking

Language is added to reflect new State laws regarding the height of an ADU near transit and the height of a detached ADU associated with a multifamily dwelling. Ordinance language is updated to define ADUs that are exempt from providing parking including JADUs, conversion ADUs, ADUs near transit, car share, within a historic district, and 66323 units.

Nonconforming Conditions

Ordinance language is updated to reflect state ADU law that existing nonconforming conditions cannot be required to be corrected unless there is a threat to public health and safety and they are affected by the construction of the ADU. However, in the Coastal Zone language is added to clarify that if the nonconforming conditions represent a threat to coastal resources, they must be addressed as part of the Coastal Development Permit.

Design

Language in this section is modified to provide a more objective standard for fence height when it is used to screen an ADU and to delete reference to the Water Efficient Landscape Ordinance because ADUs are exempt. Again, outside the Coastal Zone language is added to exempt 66323 units from objective design standards.

Occupancy

Language is added removing the owner-occupancy requirement for ADUs but not for JADUs. All the same language regarding occupancy in the ordinance is retained but for JADUs only. Language is modified to clarify that state ADU law does not restrict a JADU from short-term rental occupancy and provides a reference to the County's short-term rental program that may include the use of a structure with a JADU as a short-term rental.

Application Processing

Language would be amended to clarify the processing of applications for ADUs in the Coastal Zone in terms of referencing the procedure for a combined building permit and Coastal Development Permit with no public hearing, special findings in the Commercial Agriculture (CA), Parks and Recreation (PR), and Timber Production (TP) zone districts, and clarification of permit processing level and code references for ADUs and JADUs in the use charts.

Unpermitted ADUs

Language is added to this section addressing ADUs constructed prior to 2020 without permits. To approve a permit, a local agency can only require correction of conditions that would qualify the structure as a substandard building pursuant to the State Health and Safety Code. However, a permit can be denied if the entire structure is deemed substandard and cannot be brought into compliance through correction of specific conditions.

California Environmental Quality Act

Amendments to the County's ADU regulations that are consistent with State law are exempt from California Environmental Quality Act (CEQA) review per CEQA §15282(h): "adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement provisions of Sections 65852.1 and 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code." Note that Assembly Bill 477 approved by the Governor in March 2024 made organizational changes to the state ADU regulations, relocating the regulations to Government Code Sections 66310 through 66339. Further, Assembly Bill 3057, approved by the Governor in August 2024, expands this CEQA exemption to include the adoption of the ordinance regarding JADUs. A notice of exemption has been prepared.

General Plan and Local Coastal Program Consistency

The proposed amendments will require a Local Coastal Program Amendment because SCCC Chapter 13.10 is an implementing ordinance of the Santa Cruz County Local Coastal Program. After the Board of Supervisors approval, the proposed ordinance will be reviewed at a Coastal Commission public hearing and will become active after certification by the California Coastal Commission.

State ADU law does not supersede or in any way alter or lessen the effect or application of the Coastal Act. Therefore, local agencies may enact different ADU rules in the Coastal Zone from what is required by State law if it can be demonstrated that the statewide rules will have a negative impact on application of the Coastal Act. For this reason, the existing ADU regulations include provisions to retain some off-street ADU parking in coastal access visitor hot spots, for example. In addition, State ADU law does not require the County to hold a public hearing for coastal development permit (CDP) applications for ADUs. However, SCCC 13.20 Coastal Zone Regulations includes provisions for processing CDPs for ADUs with a streamlined process that provides for public notice but no public hearing.

The County's ADU regulations have previously been found to be in conformity with and adequate to carry out the certified land use plan (LCP). Because the proposed amendments would further align the County ADU regulations with state law and make other clarifying changes without altering or lessening the effect or application of the Coastal Act, the proposed amendments can be found to be in conformity with the certified LCP. The ADU regulations and the proposed amendments are consistent with and implement the goals and policies of the Built Environment Element and the Housing

Element of the General Plan. Policies and programs in the Housing Element encourage and support the development of ADUs in accordance with State law. The proposed amendments will further align local ADU regulations with State ADU law.

Financial Impact

There is no financial impact to the County as a result of the proposed code amendments.

Strategic Initiatives

Operational Plan - Attainable Housing

Submitted By:

Matt Machado, Deputy CEO / Director of Community Development and Infrastructure

Recommended By:

Carlos J. Palacios, County Executive Officer

Artificial Intelligence Acknowledgment:

Artificial Intelligence (AI) did not significantly contribute to the development of this agenda item.

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Supervisor
duly seconded by Supervisor
the following Resolution is adopted:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ FINDING THE PROPOSED AMENDMENTS TO CHAPTER 13.10 REGARDING ACCESSORY DWELLING UNITS ARE CONSISTENT WITH THE COUNTY GENERAL PLAN AND LOCAL COASTAL PROGRAM, FINDING THE PROPOSED AMENDMENTS ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, DIRECTING STAFF TO FILE A NOTICE OF EXEMPTION, AND DIRECTING STAFF TO SUBMIT THE PROPOSED LOCAL COASTAL PROGRAM AMENDMENTS TO THE CALIFORNIA COASTAL COMMISSION FOR CERTIFICATION

WHEREAS, the County of Santa Cruz (“County”) has maintained an accessory dwelling unit (“ADU”) ordinance since 1983; and

WHEREAS, in 2020 and 2021, the Santa Cruz County Code (“SCCC”) was amended to comply with State ADU regulations contained in Government Code Sections 66310 through 66339 (formerly Government Code Sections 65852.2, 65852.22, 65852.23, 65852.150) and Health and Safety Code Section 17980.12; and

WHEREAS, in September 2020, the California Department of Housing and Community Development released the ADU Handbook, which was update in July 2022 and January 2025, and which interpreted and clarified the State ADU regulations; and

WHEREAS, in September 2022 Governor Newsom signed AB 2221 and SB 897, which took effect on January 1, 2023; and

WHEREAS, in October 2023 Governor Newsom signed AB 976, which took effect on January 1, 2024; and

WHEREAS, in May 2024 Governor Newsom signed SB 477, which makes organizational changes to the State ADU regulations, relocating the regulations to Government Code Sections 66310 through 66339; and

WHEREAS, in September 2024 Governor Newsom signed four more ADU bills (AB 2533, Ab 3057, SB 1211, and SB 1077), which took effect on January 1, 2025; and

WHEREAS, the County wishes to amend SCCC 13.10 to comply with updated State ADU regulations, resolve points of confusion in the existing SCCC, and further streamline the ADU permit process; and

WHEREAS, SCCC 13.10 is a Local Coastal Program implementing ordinance; and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 23, 2024 and May 14, 2025, and has reviewed the County's proposed SCCC amendments and finds that they are necessary to implement the State's updated ADU regulations, are consistent with all elements of the General Plan/Local Coastal Program, and comply with the California Coastal Act; and

WHEREAS, the proposed SCCC amendments are exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080.17 because they serve to implement State ADU and JADU regulations and CEQA Guidelines Section 15061(b)(3) because the amendments present no possibility of a significant impact on the environment.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors of the County of Santa Cruz hereby:

1. Incorporates the foregoing recitals as findings as though set forth within the body of this resolution.
2. Finds and determines the proposed amendments to the SCCC and Local Coastal Program implementing ordinances are consistent and compatible with and will not frustrate the objectives, policies, general land uses, and programs specified in the General Plan and Local Coastal Program.
3. Finds and determines the proposed amendments to the Local Coastal Program implementing ordinances are consistent with the Coastal Act, its goals and policies, including the protection of the overall quality of the coastal zone environment and its natural and artificial resources and the implementation of coordinated planning and development for mutually beneficial uses in the coastal zone.
4. Approves and directs staff to file the California Environmental Quality Act Notice of Exemption, attached hereto as Exhibit "A."
5. Directs staff to submit the proposed amendments to the SCCC for accessory dwelling units to the California Coastal Commission for certification, as provided in SCCC 18.60.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this _____ day of _____, 2025 by the following vote:

AYES: SUPERVISORS:
NOES: SUPERVISORS:
ABSENT: SUPERVISORS:
ABSTAIN: SUPERVISORS:

Chair, Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:

Signed by:


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OFFICE OF THE COUNTY COUNSEL

Exhibit A: CEQA Notice of Exemption



County of Santa Cruz

Department of Community Development and Infrastructure

701 Ocean Street, Fourth Floor, Santa Cruz, CA 95060

Planning (831) 454-2580

Public Works (831) 454-2160

sccoplanning.com

dpw.co.santa-cruz.ca.us

Matt Machado –Deputy CAO, Director of Community Development & Infrastructure

NOTICE OF EXEMPTION

To: Clerk of the Board
701 Ocean Street, Room 500
Santa Cruz, CA 95060

Project Name: Accessory Dwelling Unit Regulations Update

Project Location: Countywide

Assessor Parcel No.: N/A

Project Applicant: County of Santa Cruz Planning Department

Project Description: The project updates the Santa Cruz County Code for Accessory Dwelling Units to comply with California state laws and remove areas of confusion in the County regulations.

Agency Approving Project: County of Santa Cruz Board of Supervisors

County Contact: David Carlson

Telephone No. 831-454-3173

Date Completed: [Date]

This is to advise that the County of Santa Cruz Board of Supervisors has approved the above-described project on _____ (date) and found the project to be exempt from CEQA under the following criteria:

Exempt status: (*check one*)

- ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
- ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
- ☐ The proposed activity is exempt from CEQA as specified under CEQA Guidelines Section 15061(b)(3).
- ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.

☒ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type: Public Resources Code Section 21080.17

☐ **Categorical Exemption**

Class 1

Reasons why the project is exempt:

Local ordinances adopted to implement State ADU law are statutorily exempt from California Environmental Quality Act (CEQA) review per Public Resources Code Section 21080.17: which states that CEQA “does not apply to the adoption of an ordinance by a city or county to implement Section 65852.1 of, or Article 2 (commencing with Section 66314) or Article 3 (commencing with Section 66333) of Chapter 13 of Division 1 of Title 7 of, the Government Code.” Chapter 13, Article 2 addresses ADU approvals and Article 3 addresses JADU approvals. The amendments to the County’s ADU Ordinance implement State ADU law and therefore are exempt from CEQA.

Signature: _____ Date: _____ Title: Environmental Coordinator

Certificate Of Completion

Envelope Id: 965190D7-62EB-4322-B62F-2AFC599ECA13		Status: Completed
Subject: Complete with Docusign: BOS Resolution.pdf, Ordinance (Clean).pdf		
Source Envelope:		
Document Pages: 21	Signatures: 2	Envelope Originator:
Certificate Pages: 5	Initials: 0	David Carlson
AutoNav: Enabled		701 Ocean Street
Envelopeld Stamping: Enabled		Santa Cruz, CA 95060
Time Zone: (UTC-08:00) Pacific Time (US & Canada)		David.Carlson@santacruzcountyca.gov
		IP Address: 63.194.190.100


Record Tracking

Status: Original	Holder: David Carlson	Location: DocuSign
5/23/2025 2:34:55 PM	David.Carlson@santacruzcountyca.gov	
Security Appliance Status: Connected	Pool: FedRamp	
Storage Appliance Status: Connected	Pool: County of Santa Cruz	Location: Docusign

Signer Events

Signer Events	Signature	Timestamp
Natalie Kirkish	 Signed by: Natalie Kirkish D52DC6AA0E74498...	Sent: 5/23/2025 2:38:18 PM
Natalie.Kirkish@santacruzcountyca.gov		Viewed: 5/27/2025 8:37:38 AM
County Counsel		Signed: 5/29/2025 2:03:24 PM
Security Level: Email, Account Authentication (None)	Signature Adoption: Pre-selected Style Using IP Address: 98.51.47.121	

Electronic Record and Signature Disclosure:
Accepted: 8/1/2024 2:49:37 PM
ID: b763e46b-8c75-436f-b147-3f5717480ab2

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
David Carlson david.carlson@santacruzcountyca.gov Resource Planner County of Santa Cruz Security Level: Email, Account Authentication (None)		Sent: 5/29/2025 2:03:25 PM
Electronic Record and Signature Disclosure: Accepted: 3/25/2022 10:55:52 AM ID: 53863c02-e62a-4553-bd07-f0a97e788231		
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	5/23/2025 2:38:18 PM

Envelope Summary Events	Status	Timestamps
Envelope Updated	Security Checked	5/29/2025 11:12:48 AM
Envelope Updated	Security Checked	5/29/2025 11:12:48 AM
Certified Delivered	Security Checked	5/27/2025 8:37:38 AM
Signing Complete	Security Checked	5/29/2025 2:03:24 PM
Completed	Security Checked	5/29/2025 2:03:25 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, County of Santa Cruz (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

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At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact County of Santa Cruz:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: nada.algharib@santacruzcounty.us

To advise County of Santa Cruz of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at nada.algharib@santacruzcounty.us and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from County of Santa Cruz

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with County of Santa Cruz

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify County of Santa Cruz as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County of Santa Cruz during the course of your relationship with County of Santa Cruz.

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ AMENDING SANTA CRUZ COUNTY CODE CHAPTER 13.10 REGARDING ACCESSORY DWELLING UNITS

The Board of Supervisors of Santa Cruz County hereby finds and declares the following:

WHEREAS, the County of Santa Cruz (“County”) has maintained an accessory dwelling unit (“ADU”) ordinance since 1983; and

WHEREAS, in 2020 and 2021, the Santa Cruz County Code (“SCCC”) was amended to comply with State ADU regulations contained in Government Code Sections 66310 through 66339 (formerly Government Code Sections 65852.2, 65852.22, 65852.23, and 65852.150) and Health and Safety Code Section 17980.12; and

WHEREAS, in September 2020, the California Department of Housing and Community Development released the ADU Handbook, which was updated in July 2022 and January 2025, and which interpreted and clarified the State ADU regulations; and

WHEREAS, in September 2022 Governor Newsom signed AB 2221 and SB 897, which took effect on January 1, 2023; and

WHEREAS, in October 2023 Governor Newsom signed AB 976, which took effect on January 1, 2024; and

WHEREAS, in May 2024 Governor Newsom signed SB 477, which makes organizational changes to the State ADU regulations, relocating the regulations to Government Code Sections 66310 through 66339; and

WHEREAS, in September 2024 Governor Newsom signed four more ADU bills (AB 2533, AB 3057, SB 1211, and SB 1077), which took effect on January 1, 2025; and

WHEREAS, the County wishes to amend SCCC 13.10 to comply with updated State ADU regulations, resolve points of confusion in the existing SCCC, and further streamline the ADU permit process; and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 23, 2024 and May 14, 2025, and recommended the Board approve the proposed amendments to SCCC 13.10;

NOW THEREFORE, the Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The “Accessory Dwelling Unit” portion of Table 13.10.312-1 in Section 13.10.312 of the Santa Cruz County Code is hereby amended to read as follows:

Table 13.10.312-1: Agricultural Uses Chart

USE	PERMIT REQUIRED BY ZONE		REFERENCES AND NOTES
	CA	A	
Housing - Residential Units			
Accessory Dwelling Unit (ADU)	P ^A	P	13.10.313 13.10.681 13.11.037 13.20.107 & 108 13.10.314 16.50.095

SECTION II

The “Accessory Dwelling Unit” portion of Table 13.10.352-1 in Section 13.10.352 of the Santa Cruz County Code is hereby amended to read as follows:

Table 13.10.352-1: Parks, Recreation and Open Space PR Uses Chart

USE	Permit Required ¹	References and Notes
Residential Units		
Accessory Dwelling Unit (ADU)	P	13.10.681 13.20.107 & 108 13.10.418 13.10.354
Junior ADU	P	13.10.681

SECTION III

The “Accessory Dwelling Unit” portion of Table 13.10.372-1 in Section 13.10.372 of the Santa Cruz County Code is hereby amended to read as follows:

Table 13.10.372-1: Timber Production TP Uses Chart

USE	Permit Required ¹	References and Notes
Residential Units		
Accessory dwelling unit (ADUs) or junior accessory dwelling units (JADUs)	P ^A	13.10.681 13.20.107 & 108 13.10.374

SECTION IV

Section 13.10.681 of the Santa Cruz County Code is hereby amended to read as follows:

13.10.681 Accessory dwelling units.

(A) Purpose. The purpose of this section is to provide for and regulate Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) in order to provide needed housing for County residents and to further the housing goals of the Housing Element of the County General Plan.

(B) Definitions. For the purposes of this section, terms shall be defined as follows:

(1) “Accessory Dwelling Unit” (ADU) shall be defined per SCCC 13.10.700-A: In compliance with California Government Code Section 66313, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of Kitchen), and sanitation.

(2) “Junior Accessory Dwelling Unit” (JADU) shall be defined per SCCC 13.10.700-J: In compliance with California Government Code Section 66313, a residential living area contained within a proposed or existing single-family residence that is no more than 500 square feet in size. JADUs shall include independent provisions for living, sleeping, eating, and cooking (cooking facility with appliances and food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU), and shared or separate sanitation facilities with the main dwelling unit.

(3) “New Construction ADU” shall be defined per SCCC 13.10.700-N: An ADU that does not meet the definition of Conversion ADU.

(4) “Conversion ADU” shall be defined per SCCC 13.10.700-C: The conversion of any portion of a legal accessory structure, or any portion of a single-family dwelling, or any garage, for the purpose of creating an ADU. Conversion ADUs can include demolition and rebuilding of a structure with the same footprint and building envelope. Conversion ADUs can also include additions of up to 150 square feet. Any conversion

that exceeds this limit shall be considered a New Construction ADU for the purposes of this section.

If converting an existing accessory structure constructed after January 1, 2020, applicant must be able to show that the structure was erected with all required permits, or that the structure is legal nonconforming. Structures that were built without benefit of permits are not eligible for conversion under this section and must be processed as a New Construction ADU. Refer to SCCC 13.10.681(K) for structures constructed before January 1, 2020.

(5) “Attached,” in reference to ADUs throughout the Santa Cruz County Code, shall mean sharing any part of a wall, ceiling or floor with the primary dwelling on the property, with the ADU located above, below, beside, or in some combination with the primary dwelling on the property.

(6) “Detached,” in reference to ADUs throughout the Santa Cruz County Code, shall mean any ADU that does not meet the definition of “Attached.”

(C) Accessory Use. ADUs and JADUs are accessory uses to the primary residential dwelling and shall not be considered in calculation of residential density for a parcel.

(D) Site Requirements. Before a permit for an ADU or JADU can be granted, the following requirements shall be met:

(1) Zoning and General Plan. The parcel must allow residential land use either by zoning or General Plan designation.

(2) Presence of Primary Dwelling Unit. A permitted primary dwelling unit must exist or be proposed for construction concurrently with the proposed ADU or JADU. In the case of an unpermitted primary dwelling unit, the primary dwelling unit and the ADU or JADU must be permitted concurrently.

(a) Exception. An ADU may be constructed prior to a primary dwelling in the case of rebuilding after a disaster. The location for the development envelope for the future primary dwelling must be indicated on the plans submitted for the ADU.

(3) Number of ADUs Allowed.

(a) Single-Family Dwellings. On parcels with existing or proposed single-family dwellings: one ADU, one JADU, and one conversion ADU are allowed per lot.

(i) Dwellings that share walls but are located on separate parcels with separate building footprints (such as townhomes or halfplexes) are considered single-family dwellings for the purpose of determining the number of ADUs allowed.

(ii) Properties with dwelling groups (multiple single-family dwellings) are allowed one ADU, one JADU, and one conversion ADU per lot. An

existing dwelling in a dwelling group may be relabeled as an ADU if it meets ADU use and development standards.

(b) Multifamily Dwellings. On parcels with existing or proposed multifamily dwellings, defined as two or more attached dwellings on a single lot, the following are allowed:

(i) On parcels with proposed multifamily dwelling structures, up to two detached ADUs, which may be attached to each other.

(ii) On parcels with existing multifamily dwellings, not more than eight detached ADUs, which may be attached to each other, or not more than the number of existing units on the parcel, whichever is less.

(iii) Conversion ADUs associated with up to 25 percent of existing multifamily units. Conversion ADUs in existing multifamily developments must be converted from areas not used as livable space including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with State building standards for dwellings. Conversion ADUs cannot be proposed simultaneously with new development.

(c) Nonconforming Land Uses. Regardless of existing dwelling conformity with land use and density requirements for a parcel's zone district or General Plan designation, permitted single-family dwellings shall be subject to subsection (D)(3)(a) of this section and permitted multifamily dwellings shall be subject to subsection (D)(3)(b) of this section.

(4) ADU Location on a Parcel.

(a) ADUs may be attached or detached from the primary dwelling unit. JADUs must be constructed within the walls of the proposed or existing single-family residence.

(b) ADUs and JADUs shall be subject to the setback requirements in subsection (D)(7)(a) of this section.

(5) Access. The ADU or JADU shall have an exterior entrance that is independent of the existing primary dwelling. A JADU may also be internally connected to the primary dwelling.

(a) If a JADU does not include a separate bathroom, the JADU shall include a separate entrance from the main entrance to the structure, with an interior entry to the main living area.

(6) Unit Size. The habitable floor area as defined in SCCC 13.10.700-H shall be as follows:

(a) Minimum unit size, JADU or ADU: 150 square feet ("efficiency unit" per California Health and Safety Code Section 17958.1).

- (b) Maximum unit size, JADU: 500 square feet.
- (c) Maximum unit size, ADU:
 - (i) Conversion ADU: No maximum size.
 - (ii) New Construction ADU, Attached:

850 square feet (studio or one bedroom), 1,000 square feet (two or more bedrooms), or, if there is an existing primary dwelling, 50 percent of existing primary dwelling habitable square footage, whichever is larger.
 - (iii) New Construction ADU, Detached:
 - A. Parcel size less than one acre: 850 square feet (studio or one bedroom), 1,000 square feet (two or more bedrooms).
 - B. Parcel size greater than or equal to one acre: 1,200 square feet.
 - (iv) Regardless of subsections (D)(6)(c)(i) through (iii) of this section, an ADU of at least 800 square feet shall be allowed.

(7) Development Standards. All objective development standards for the applicable zone district shall be satisfied and the development shall be consistent with all County policies and ordinances, except that regardless of any other zone district standards, the following objective provisions shall apply to ADUs:

- (a) Setbacks.
 - (i) Conversion ADUs.
 - A. Additions up to 150 square feet shall meet setback requirements for New Construction ADUs and for fire and safety.
 - B. Existing structures with nonconforming setbacks can be demolished and rebuilt with the same setbacks, except where larger setbacks are required pursuant to SCCC 7.92 (Fire Code) or SCCC 12.10 (Building Regulations).
 - (ii) New Construction ADUs. ADUs shall comply with front setbacks for the applicable zone district. Minimum side and rear setbacks shall be four feet or the setback for the applicable zone district, whichever is less, including on double frontage lots and corner lots, with the following exceptions:
 - A. Setbacks shall be sufficient for fire safety in conformance with SCCC 7.92 (Fire Code) and SCCC 12.10 (Building Regulations).

B. ADUs located in the Seascape Beach Estates Combining District shall meet the setback requirements in SCCC 13.10.436.

C. A front setback shall not be imposed if it would preclude construction of an ADU no more than 800 square feet and adheres to 4-foot minimum rear and side setbacks and other setback requirements in this section.

D. ADUs shall be subject to all objective standards in SCCC Title 16 (Environmental and Resource Protection). Outside the Coastal Zone this requirement shall not preclude construction of an ADU no more than 800 square feet which adheres to 4-foot minimum rear and side setbacks and other setback requirements in this section.

(iii) Minimum separation distance between ADUs and other structures shall comply with the Santa Cruz County Building and Fire Codes.

(b) Height.

(i) Conversion ADUs. Additions up to 150 square feet shall meet height standards for New Construction ADUs.

(ii) New Construction ADUs. Height is subject to the applicable zone district height standard with the following exceptions:

A. Inside the urban services line, new construction detached ADUs shall be a maximum of 16 feet. This exception does not apply in the Seascape Beach Estates Combining District (see SCCC 13.10.436).

B. Inside the urban services line, ADUs that are built above detached garages shall be a maximum of 20 feet at exterior wall and 24 feet at roof peak. This exception does not apply in the Pleasure Point or Seascape Beach Estates Combining Zone Districts.

C. Inside the Pleasure Point Combining Zone District, ADUs that are built above attached and detached garages shall be maximum 18 feet at exterior wall and 22 feet at roof peak.

D. Building height up to five feet in excess of an applicable zoning standard, but in no case exceeding 28 feet, may be allowed subject to design review findings (SCCC 18.10.230(A)(2)), development permit findings (SCCC 18.10.230), and the coastal view protection standards of SCCC 13.20.130(B)(7) (if located in the Coastal Zone), and subject to approval by the Zoning Administrator following a public hearing.

F. Notwithstanding Section 13.10.681(D)(7)(b)(ii)A, inside the urban services line, the height of a new construction detached ADU that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor shall be a maximum of 18 feet. An additional two feet in height is allowed to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

G. Inside the urban services line, the height of a detached ADU on a lot with an existing or proposed multifamily, multistory dwelling shall be a maximum of 18 feet.

(c) Lot Coverage and Floor Area Ratio (FAR).

(i) Parcels with ADUs shall meet lot coverage and FAR standards for the applicable zone district, except that ADU square footage up to 800 square feet, whether attached or detached, may be excluded from FAR and lot coverage calculations for both existing and new parcels.

(ii) ADUs and JADUs shall not be counted in large dwelling unit calculations per SCCC 13.10.324.

(d) Parking.

(i) JADUs, Conversion ADUs, and detached new construction ADUs not exceeding 800 square feet with minimum four-foot side and rear setbacks and meeting height standards in SCCC 13.10.681(D)(7)(b): no required off-street parking.

(ii) New Construction ADUs: one off-street parking space per ADU.

A. ADU parking can be provided as double or triple tandem parking.

B. ADU parking may be located within setback areas unless findings are made that parking in setback areas would violate objective standards related to specific site or regional topographical and/or fire and life safety conditions.

C. If the primary dwelling unit has less than the required parking per SCCC 13.16.050, one new parking space must be provided for the ADU but parking for the primary dwelling may remain nonconforming.

D. No additional parking for an ADU shall be required if the ADU is located within one-half mile walking distance of any public transit stop, within a designated historic district, or within one block of a dedicated parking space reserved for a publicly available car share vehicle. This exemption also applies to an ADU

permit application submitted with an application for a single-family or multi-family dwelling on the same lot.

(iii) Parking Permits. Where parking permits are required for on-street parking during any part of the year, permits shall be offered to the occupants of the ADU and/or JADU.

(iv) Replacement Parking. When a garage, carport, covered parking structure, or uncovered surface parking is demolished or converted for construction of an ADU, no replacement parking is required.

(v) Special Coastal Zone Parking Requirements. In the following coastal zone locations, one parking space is required for New Construction ADUs, with no exceptions, and replacement parking is required when existing parking is demolished or converted for construction of an ADU in the following areas:

A. Live Oak Designated Area (LODA) as defined in SCCC 13.10.694(C).

B. Sea Cliff/Aptos/La Selva Designated Area (SALSDA) as defined in SCCC 13.10.694(C).

C. Davenport/Swanton Designated Area (DASDA) as defined in SCCC 13.10.694(C).

D. Opal Cliff Drive between 41st Avenue and the City of Capitola.

(8) Existing Conditions of Approval. Proposed additions of not more than 150 square feet associated with Conversion ADUs shall comply with any existing development permit conditions of approval, except that State ADU law and SCCC 13.10.681 supersede conflicting conditions from a prior approval.

(9) Other Accessory Uses.

(a) Non-ADU habitable and nonhabitable accessory structures may be allowed subject to all applicable requirements of the underlying zone district and SCCC 13.10.611.

(10) Utility, Infrastructure, and Service Requirements.

(a) Life Safety. All requirements of the respective service agencies shall be satisfied, and all ADUs shall comply with all applicable provisions of SCCC 7.92 (Fire Code) and SCCC 12.10 (Building Regulations).

(i) Fire sprinklers shall not be required for an ADU or JADU where they are not also required for the primary dwelling, except sprinklers are required for detached ADUs larger than 1,200 square feet and ADUs that constitute or are part of an addition to the primary dwelling equal to 850

square feet (studio or one bedroom), 1,000 square feet (two or more bedrooms), or more than 50 percent of the existing primary dwelling square footage, whichever is larger, pursuant to SCCC 7.92.903.1 (Fire Code).

(ii) The construction of an ADU shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

(iii) For the purposes of any fire or life protection ordinance or regulation, a JADU shall not be considered a separate or new dwelling unit.

(iv) JADUs that do not have an internal connection to the primary dwelling and ADUs shall maintain a separate street address from the primary dwelling unit.

(v) Change of Occupancy Classification. The construction of an ADU shall not constitute a "Group R" occupancy change under SCCC 12.10 (Building Regulations) unless the Building Official or Fire Code Official makes a written finding based on substantial evidence in the record that the ADU could have a specific, adverse impact on health and safety. This paragraph shall not be interpreted to prevent the Building Official from changing the occupancy code of a space that was non-habitable space or was only permitted for nonresidential use and was subsequently converted for residential use pursuant to this Section.

(b) Utility Connections and Fees.

(i) Conversion ADUs: new utility connection or capacity charges may only be charged for Conversion ADUs built concurrently with a primary dwelling.

(ii) New Construction ADUs: A local agency, special district, or water corporation may require a new or separate utility connection directly between the ADU and the utility, subject to a connection fee or capacity charge proportionate to the burden of the ADU on the water or sewer system, based upon either the square footage of the ADU or its drainage fixture unit values as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials.

(iii) The sewage disposal system and water supply for the parcel shall comply with all applicable requirements of the Environmental Health Officer.

A. As part of the application to create an ADU connected to an on-site water treatment system, a percolation test must be completed within the last five years or, if the percolation test has been recertified, within the last 10 years.

(c) Public Improvements. Frontage improvements and other public right-of-way work cannot be required as a condition of approval for an ADU or JADU, unless required per SCCC 7.92 (Fire Code) or SCCC 12.10 (Building Regulations) or to correct illegal right-of-way encroachments.

(E) Nonconforming Conditions.

(1) Outside the Coastal Zone, correction of existing nonconforming zoning conditions, County Code violations, or unpermitted structures cannot be required as a condition of ADU or JADU approval unless the corrections are required to address a threat to public health and safety and are affected by the construction of the ADU.

(2) Within the Coastal Zone, corrections shall be required in accordance with SCCC 13.20.170(C) unless the scope of development is limited to the ADU itself and all unpermitted development meets requisite coastal resource protection requirements (e.g., ESHA, wetland, and geologic hazard setbacks and associated requirements) and satisfies the Coastal Development Permit Findings set forth in SCCC 13.20.110.

(F) Design.

(1) Architectural Design. Exterior design of ADUs and JADUs that are visible from a road or other public area shall include three or more of the following elements:

(a) Roof pitch matching dominant roof slope of the primary dwelling(s). Dominant roof slope is the slope shared by the largest portion of the roof.

(b) Roof material matching primary dwelling(s).

(c) Primary siding material or color matching primary dwelling(s).

(d) Window and door trim matching primary dwelling(s).

(e) Porch, bay window, or other facade articulation to break up flat wall planes.

(f) Fencing or landscaping to buffer the view of the ADU or JADU from a road or other public area. Fencing shall be the maximum fence height without a permit subject to SCCC 13.10.525, Regulations for fences and retaining walls within required yards.

(2) Historic Preservation. ADUs and JADUs on properties in the L (Historic Landmark) Combining District that do not involve demolition, relocation, or alterations to the exterior of historic buildings shall meet the provisions of SCCC 16.42.060(D) to be reviewed ministerially. ADUs and JADUs that exceed these provisions shall be subject to discretionary review per SCCC 16.42.060.

(3) Exception. Outside the Coastal Zone, conversion ADUs and detached new construction ADUs that do not exceed four-foot side and rear yard setbacks, do not exceed a total floor area of 800 square feet, and meets the height limitations in SCCC

13.10.681(D)(7)(b) are exempt from architectural design and historic preservation standards.

(G) Occupancy. The following occupancy standards shall be applied to every ADU and JADU and shall be conditions for any approval under this section:

(1) Occupancy Restrictions. The maximum occupancy of an ADU or JADU may not exceed that allowed by the State Uniform Housing Code, or other applicable State law.

(2) Sale. ADUs and JADUs shall not be sold separately from the primary residence with the following exception:

(a) An ADU can be sold or conveyed separately from the primary residence to a qualified buyer if the property was built or developed by a qualified nonprofit corporation and all provisions of California Government Code Section 66341 are met.

(3) Short-Term Rental Use. In no case shall a short-term rental use of 30 days or less be permitted in an ADU. A property with a JADU may be eligible for participation in the short-term rental program, as provided by SCCC 13.10.694.

(4) Owner Residency. The following requirements apply to all JADUs:

(a) Unless owned by a government agency, land trust, or public or nonprofit housing organization, the property owner or relative of the property owner shall permanently reside, as evidenced by a homeowner's property tax exemption, or by other satisfactory documentation of residence, on the parcel in either the primary dwelling unit or JADU. If the JADU is newly constructed on a parcel within a subdivision, then the purchaser or relative of the purchaser of said property shall permanently reside in either the main dwelling or the JADU, shall be required to submit a property tax exemption prior to occupancy of the JADU, and shall be subject to the deed restriction noted in subsection (G)(4)(b) of this section.

(i) Exception. Temporary rental of both a primary dwelling unit and a JADU may be authorized by the Director of the Community Development and Infrastructure Department in the case of sudden and unexpected changes in life circumstances. Property owners may be authorized to rent both the primary dwelling and the JADU if the property owner or relative of the property owner is unable to continue to occupy the property temporarily by reason of illness or absence from the area for other than vacation purposes as determined by the Director of the Community Development and Infrastructure Department in their sole discretion based on reasonable evidence. Evidence shall be submitted to the Community Development and Infrastructure Department in writing, and requests for extension of the absence shall also require evidence in writing. The authorization to rent both units shall be limited to one year and may be extended at the discretion of the Director of the Community Development and Infrastructure Department.

(b) Deed Restriction. Prior to the issuance of a building permit, the property owner shall provide to the Community Development and Infrastructure Department proof of recordation of a declaration of restrictions containing reference to the deed under which the property was acquired by the present owner and containing the following provisions:

- (i) The declaration shall provide that the property owner or relative of the property owner permanently resides in either the primary dwelling or the JADU, as evidenced by a homeowner's property tax exemption on the parcel or by other satisfactory documentation of owner residence. If the property is owned by a government agency, land trust, or public or nonprofit housing organization that is providing housing for special populations, the declaration of restrictions shall indicate that any subsequent nonpublic owner shall abide by the terms of this subsection.
- (ii) The declaration shall be binding on all successors in interest.
- (iii) The declaration shall provide for the recovery by the County of reasonable attorney's fees and costs in bringing legal action to enforce the declaration together with recovery of any rents collected during any unauthorized occupancy or, in the alternative, for the recovery of the reasonable value of the unauthorized occupancy.
- (iv) The declaration shall provide a restriction on the size and attributes of the JADU that conforms with this section.
- (v) The declaration shall provide a prohibition on the sale of the JADU separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.

(H) Application Processing.

(1) Ministerial Review. Pursuant to Government Code Sections 66317 and 66335, applications for ADUs and JADUs shall be approved or denied ministerially with a building permit, and no public notice or hearing shall be required, with the following exceptions:

(a) Exceptions to Ministerial Review.

(i) Inside the coastal zone, the following discretionary review requirements apply:

A. ADUs and JADUs that do not meet the standard for exemption or exclusion under SCCC 13.20.061 or 13.20.071, respectively, require issuance of a combined coastal development permit (CDP) and building permit, with noticing and appeal requirements per SCCC 13.20.107 and 13.20.108, and subject to findings per SCCC 13.20.110.

B. ADUs and JADUs located in the Commercial Agricultural (CA) zone district shall be subject to additional findings per SCCC 13.10.314(B).

C. ADUs in the Parks and Recreation (PR) zone district shall be subject to special conditions per SCCC 13.10.354(B). JADU applications in the PR zone district shall be reviewed ministerially.

D. ADUs and JADUs in the Timber Production (TP) zone district shall be subject to special findings per SCCC 13.10.374(A).

(ii) ADU and JADU applications that do not meet the development standards contained in this section may require a variance (per SCCC 13.10.230), minor exception (per SCCC 13.10.235), or other discretionary approval.

(2) Ministerial Review Time. ADU and JADU applications that are subject to ministerial review must be approved, or a notice of deficiency sent, within 60 days of receipt of a completed building permit application. Such applications resubmitted in response to a notice of deficiency must be approved or a notice of deficiency sent, within 60 days.

(a) Exception to Ministerial Review Time. When a permit application to create an ADU or JADU is submitted along with a permit application for a new primary dwelling, the permit application for the ADU or JADU shall not be subject to a 60-day approval period but shall instead be subject to the approval period for the primary dwelling. If the new primary dwelling application requires discretionary review, the application for the ADU or JADU shall still be considered as a ministerially allowable use/development, unless the application meets one of the exceptions in subsection (H)(1)(a) of this section.

(3) Fees. Prior to the issuance of a building permit for the ADU, the applicant shall pay to the County of Santa Cruz fees in accordance with the Community Development and Infrastructure Department's fee schedule as may be amended from time to time, and any other applicable fees.

(a) The County of Santa Cruz and any other local agency, special district or water corporation shall not impose any impact fee upon the development of a JADU or an ADU less than 750 square feet.

(b) Impact fees charged for ADUs greater than or equal to 750 square feet shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(c) For the purposes of this section, "impact fee" includes "fees" as defined in California Government Code Section 66000(b) and fees specified in California Government Code Section 66477. Impact fees do not include utility connection fees or capacity charges.

- (4) Declarations of Restriction for Nonhabitable Structures. A recorded declaration of restriction limiting an existing accessory structure to nonhabitable use must be rescinded to allow ADUs in these structures.
- (I) Permit Allocations. Each ADU and JADU is exempt from the residential permit allocation system of SCCC 12.02.
- (J) Code Enforcement Amnesty. Per California Government Code Section 17980.12, the following amnesty provisions are available until January 1, 2030, for ADUs and JADUs that were built before January 1, 2020:
- (1) A notice to correct a violation of any provision of any building standard for an ADU or JADU shall include in that notice a statement that the owner of the unit has a right to request a delay in enforcement.
 - (2) The owner of an eligible ADU or JADU who receives a notice to correct violations or abate nuisances related to any building standard may submit a letter to the County of Santa Cruz Community Development and Infrastructure Department, Code Enforcement Division, requesting that enforcement of the violation be delayed for up to five years on the basis that correcting the violation is not necessary to address an imminent hazard or dangerous condition.
 - (3) The County of Santa Cruz shall grant a delay in enforcement if the Community Development and Infrastructure Department Code Enforcement Division, in consultation with the Building Official, determines that correcting the violation is not necessary to protect health and safety. The provisions of SCCC 12.01.070 shall not apply to ADUs for which this delay has been granted.
- (K) Unpermitted ADUs
- (1) Notwithstanding any other law, and except as otherwise provided in SCCC 13.10.681(K)(2), a permit for an unpermitted ADU or unpermitted JADU that was constructed before January 1, 2020, shall not be denied due to either of the following:
 - (a) The ADU or JADU is in violation of building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code (Enforcement of Building and Fire Codes).
 - (b) The ADU does not comply with State or local ADU or JADU laws.
 - (2) Notwithstanding SCCC 13.10.681(K)(1), a permit for an ADU subject to SCCC 13.10.681(K)(1) may be denied if the local agency makes a finding that correcting the violation is necessary to comply with the standards specified in Section 17920.3 of the Health and Safety Code.
 - (3) This section shall not apply to a building that is deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.
- (L) Annual Review of Impacts. As part of the County's annual review of the General Plan and County growth management system, the County shall include a section analyzing the

impacts of the ADU ordinance. The annual analysis shall include the number of ADUs constructed, the size of ADUs and the parking required, and the impacts such construction has created in each planning area, with particular attention to the environmental impacts, the increase in density and population, and the cumulative impacts. JADUs are not required to be accounted for and reported upon in this annual review. The cumulative impact issue areas to be covered include, but are not limited to, traffic, water supply (including the City of Santa Cruz water supply from Laguna, Majors, and Reggiardo Creeks, and the Davenport water supply from Mill and San Vicente Creeks), public views, and environmentally sensitive habitat areas.

SECTION V

The definition of “Accessory dwelling unit” in Section 13.10.700-A is hereby amended to read as follows:

13.10.700-A “A” definitions

“Accessory dwelling unit” or “ADU” means, in compliance with California Government Code Section 66313, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of “kitchen”), and sanitation. See also “junior accessory dwelling unit,” “conversion ADU,” and “new construction ADU.”

SECTION VI

The definition of “Junior accessory dwelling unit” in Section 13.10.700-J is hereby amended to read as follows:

13.10.700-J “J” definitions

“Junior accessory dwelling unit” or “JADU” means, in compliance with California Government Code Section 66313, a residential living area contained within a proposed or existing single-family residence that is no more than 500 square feet in size. JADUs can include additions to an existing structure of no more than 150 square feet. JADUs shall include independent provisions for living, sleeping, eating, and cooking (cooking facility with appliances and food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU), and shared or separate sanitation facilities with the main dwelling unit. See also “Accessory dwelling unit.”

SECTION VII

The definition of “New construction ADU” in Section 13.10.700-N is hereby amended to read as follows:

13.10.700-N “N” definitions

“New construction ADU” means any ADU that does not meet the definition of conversion ADU.

SECTION VIII

The proposed County Code amendments are exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15282(h): “adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement provisions of Sections 65852.1 and 65852.2 (now Sections 66310 through 66339) of the Government Code as set forth in Section 21080.17 of the Public Resources Code.” Note that Assembly Bill 477 approved by the Governor in March 2024 made organizational changes to the state ADU regulations, relocating the regulations to Government Code Sections 66310 through 66339. Further, Assembly Bill 3057, approved by the Governor in August 2024, expands this CEQA exemption to include the adoption of the ordinance regarding JADUs.

SECTION IX

The Board of Supervisors further finds and determines in its reasonable discretion on the basis of the entire record before it that the proposed amendments to SCCC 13.10 are consistent and compatible with and will not frustrate the objectives, policies, general land uses, and programs specified in the General Plan and Local Coastal Program.

SECTION X

Should any section, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

SECTION XI

This ordinance shall take effect upon final certification by the California Coastal Commission.

PASSED AND ADOPTED this _____ day of _____ 2025, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES:	Supervisors
NOES:	Supervisors
ABSENT:	Supervisors
ABSTAIN:	Supervisors

Chairperson of the Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:

Signed by:


D52DC6AA0E74498...
 Office of the County Counsel

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Signer Events

Natalie Kirkish
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County Counsel
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Signature

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David Carlson david.carlson@santacruzcountyca.gov Resource Planner County of Santa Cruz Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Accepted: 3/25/2022 10:55:52 AM ID: 53863c02-e62a-4553-bd07-f0a97e788231	<div>COPIED</div>	Sent: 5/29/2025 3:21:24 PM
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13.10.312 Uses in agricultural districts.

Table 13.10.312-1: Agricultural Uses Chart

USE	PERMIT REQUIRED BY ZONE		REFERENCES AND NOTES
	CA	A	
Housing - Residential Units			
Accessory Dwelling Unit (ADU) -or Junior ADU- located within 100 feet of the primary dwelling	P ^A	P	13.10.313 13.10.681 13.11.037 13.20.107 & 108 <u>13.10.314</u> 16.50.095

13.10.352 Uses in the Parks, Recreation and Open Space PR District.

Table 13.10.352-1: Parks, Recreation and Open Space PR Uses Chart

USE	Permit Required ¹	References and Notes
Residential Units		
Accessory Dwelling Unit (ADU)	P MUP	P outside coastal zone; MUP inside coastal zone. 13.10.681 <u>13.20.107 & 108</u> <u>13.10.418</u> <u>13.10.354</u>
Junior ADU	P	13.10.681

13.10.372 Uses in the Timber Production TP District.

Table 13.10.372-1: Timber Production TP Uses Chart

USE	Permit Required ¹	References and Notes
Residential Units		
Accessory dwelling unit (ADUs) or junior accessory dwelling units (JADUs)	P ^A MUP^A	13.10.681 <u>13.20.107 & 108</u> <u>13.10.374</u>

13.10.681 Accessory dwelling units.

(A) Purpose. The purpose of this section is to provide for and regulate Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) in order to provide needed housing

for County residents and to further the housing goals of the Housing Element of the County General Plan.

(B) Definitions. For the purposes of this section, terms shall be defined as follows:

(1) “Accessory Dwelling Unit” (ADU) shall be defined per SCCC 13.10.700-A: In compliance with California Government Code Section ~~65852.2~~66313, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of Kitchen), and sanitation. ~~A tiny home on wheels may be used as an ADU.~~

(2) “Junior Accessory Dwelling Unit” (JADU) shall be defined per SCCC 13.10.700-J: In compliance with California Government Code Section ~~65852.22~~66313, a residential living area contained within a proposed or existing single-family residence that is no more than 500 square feet in size. ~~JADUs can include additions to an existing structure of no more than 150 square feet.~~ JADUs shall include independent provisions for living, sleeping, eating, and cooking (~~area meeting the definition of Efficiency Kitchen but not a standard Kitchen~~cooking facility with appliances and food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU), and shared or separate sanitation facilities with the main dwelling unit.

(3) “New Construction ADU” shall be defined per SCCC 13.10.700-N: An ADU that does not meet the definition of Conversion ADU. ~~A tiny home on wheels may be used as a new construction ADU.~~

(4) “Conversion ADU” shall be defined per SCCC 13.10.700-C: The conversion of any portion of a legal accessory structure, or any portion of a single-family dwelling, or any garage, for the purpose of creating an ADU. Conversion ADUs can include demolition and rebuilding of a structure with the same footprint and building envelope. Conversion ADUs can also include additions of up to 150 square feet. Any conversion that exceeds this limit shall be considered a New Construction ADU for the purposes of this section.

If converting an existing accessory structure constructed after January 1, 2020, applicant must be able to show that the structure was erected with all required permits, or that the structure is legal nonconforming. Structures that were built without benefit of permits are not eligible for conversion under this section and must be processed as a New Construction ADU. Refer to SCCC 13.10.681(K) for structures constructed before January 1, 2020.

(5) “Attached,” in reference to ADUs throughout the Santa Cruz County Code, shall mean sharing any part of a wall, ceiling or floor with the primary dwelling on the property, with the ADU located above, below, beside, or in some combination with the primary dwelling on the property.

(6) “Detached,” in reference to ADUs throughout the Santa Cruz County Code, shall mean any ADU that does not meet the definition of “Attached.”

(C) Accessory Use. ADUs and JADUs are accessory uses to the primary residential dwelling and shall not be considered in calculation of residential density for a parcel.

(D) Site Requirements. Before a permit for an ADU or JADU can be granted, the following requirements shall be met:

(1) Zoning and General Plan. The parcel must allow residential land use either by zoning or General Plan designation.

(2) Presence of Primary Dwelling Unit. A permitted primary dwelling unit must exist or be proposed for construction concurrently with the proposed ADU or JADU. In the case of an unpermitted primary dwelling unit, the primary dwelling unit and the ADU or JADU must be permitted concurrently.

(a) Exception. An ADU may be constructed prior to a primary dwelling in the case of rebuilding after a disaster. The location for the development envelope for the future primary dwelling must be indicated on the plans submitted for the ADU.

(3) Number of ADUs Allowed.

(a) Single-Family Dwellings. On parcels with existing or proposed single-family dwellings: one ADU, ~~and one JADU,~~ and one conversion ADU are allowed per ~~lotsingle family dwelling.~~

(i) Dwellings that share walls but are located on separate parcels with separate building footprints (such as townhomes or halfplexes) are considered single-family dwellings for the purposes of determining the number of ADUs allowed.

(ii) Properties with dwelling groups (multiple single-family dwellings) are allowed one ADU, ~~and one JADU,~~ and one conversion ADU per ~~lot, single family dwelling if the dwelling group is conforming with maximum density for the zone district.~~ An existing dwelling in a dwelling group may be relabeled as an ADU if it meets ADU use and development standards. ~~If the dwelling group is nonconforming with maximum density for the zone district, see SCCC 13.10.261(B)(3).~~

(b) Multifamily Dwellings. On parcels with existing or proposed ~~attached~~ multifamily dwellings, ~~such as apartments, condominiums, or a combination of single and multifamily dwellings, defined as two or more attached dwellings on a single lot,~~ the following are allowed:

(i) On parcels with proposed multifamily dwelling structures, Up to two detached ADUs, which may be attached to each other; ~~and.~~

(ii) On parcels with existing multifamily dwellings, not more than eight detached ADUs, which may be attached to each other, or not more than the number of existing units on the parcel, whichever is less.

(~~iiii~~) Conversion ADUs associated with up to 25 percent of existing multifamily units. Conversion ADUs in existing multifamily developments must be converted from areas not ~~previously~~ used as livinglivable space including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with State building standards for dwellings. Conversion ADUs cannot be proposed simultaneously with new development.

(c) Nonconforming Land Uses. Regardless of existing dwelling conformity with land use and density requirements for a parcel's zone district or General Plan designation, permitted single-family dwellings shall be subject to subsection (D)(3)(a) of this section and permitted multifamily dwellings shall be subject to subsection (D)(3)(b) of this section.

(4) ADU Location on a Parcel.

(a) ADUs may be attached or detached from the primary dwelling unit. JADUs must be attachedconstructed within the walls of the proposed or existing single-family residence.

(b) ADUs and JADUs shall be subject to the setback requirements in subsection (D)(7)(a) of this section.

(5) Access. The ADU or JADU shall have an exterior entrance that is independent of the existing primary dwelling. A JADU may also be internally connected to the primary dwelling.

(a) If a JADU does not include a separate bathroom, the JADU shall include a separate entrance from the main entrance to the structure, with an interior entry to the main living area.

(6) Unit Size. The habitable floor area as defined in SCCC 13.10.700-H shall be as follows:

(a) Minimum unit size, JADU or ADU: 150 square feet ("efficiency unit" per California Health and Safety Code Section 17958.1).

(b) Maximum unit size, JADU: 500 square feet.

(c) Maximum unit size, ADU:

(i) Conversion ADU: No maximum size.

(ii) New Construction ADU, Attached:

A. ~~Parcel size less than one acre:~~ 850 square feet (studio or one bedroom), 1,000 square feet (two or more bedrooms), or, if there is an existing primary dwelling, 50 percent of existing primary dwelling habitable square footage, whichever is smallerlarger.

~~B. Parcel size greater than or equal to one acre and where there is an existing primary dwelling: 50 percent of primary dwelling habitable square footage.~~

(iii) New Construction ADU, Detached:

A. Parcel size less than one acre: 850 square feet (studio or one bedroom), 1,000 square feet (two or more bedrooms).

B. Parcel size greater than or equal to one acre: 1,200 square feet.

(iv) Regardless of subsections (D)(6)(c)(i) through (iii) of this section, an ADU of at least 800 square feet shall be allowed.

(7) Development Standards. All objective development standards for the applicable zone district shall be satisfied and the development shall be consistent with all County policies and ordinances, except that regardless of any other zone district standards, the following objective provisions shall apply to ADUs:

(a) Setbacks.

(i) ~~JADUs and~~ Conversion ADUs.

A. Additions up to 150 square feet shall meet setback requirements for New Construction ADUs and for fire and safety.

B. Existing structures with nonconforming setbacks can be demolished and rebuilt with the same setbacks, except where larger setbacks are required pursuant to ~~Chapter SCCC 7.92 SCCC (Fire Code)~~ or, Chapter SCCC 12.10 SCCC (Building Regulations), ~~or SCCC Title 16 (Environmental and Resource Protection)~~.

(ii) New Construction ADUs. ADUs shall comply with front setbacks for the applicable zone district. Minimum side and rear setbacks shall be four feet or the setback for the applicable zone district, whichever is less, including on double frontage lots and corner lots, with the following exceptions:

~~A. An eight foot rear yard setback is required for any portion of an ADU that is more than 16 feet tall. Stairways may encroach into the rear yard setback if stairway windows are minimum 52 inches from floor level.~~

~~B.A.~~ Setbacks shall be sufficient for fire safety in conformance with ~~Chapter SCCC 7.92 SCCC (Fire Code)~~ and ~~Chapter SCCC 12.10 SCCC (Building Regulations)~~.

~~C. ADUs shall be subject to environmental buffers and constraints identified per all objective standards contained in SCCC~~

~~Title 16 (Environmental and Resource Protection), including but not limited to riparian corridors, geologic hazards, sensitive habitats, and agricultural buffers.~~

~~D. On parcels zoned or designated agricultural, a detached ADU shall be located within 100 feet of the primary dwelling on the property unless additional distance is required to meet the minimum agricultural buffer setback standards in SCCC 16.50.095.~~

~~EB.~~ ADUs located in the Seascape Beach Estates Combining District shall meet the setback requirements in SCCC 13.10.436.

~~C. A front setback shall not be imposed if it would preclude construction of an ADU no more than 800 square feet and adheres to 4-foot minimum rear and side setbacks and other setback requirements in this section.~~

~~D. ADUs shall be subject to all objective standards in SCCC Title 16 (Environmental and Resource Protection).; Outside the Coastal Zone this requirement shall not preclude construction of an ADU no more than 800 square feet which adheres to 4-foot minimum rear and side setbacks and other setback requirements in this section.~~

(iii) Minimum separation distance between ADUs and other structures shall ~~be three feet~~comply with the Santa Cruz County Building and Fire Codes.

(b) Height.

(i) ~~JADUs and~~ Conversion ADUs. Additions up to 150 square feet shall meet height standards for New Construction ADUs.

(ii) New Construction ADUs. Height is subject to the applicable zone district height standard with the following exceptions:

A. Inside the urban services line, new construction detached ADUs shall be a maximum of 16 feet. This exception does not apply in the Seascape Beach Estates Combining District (see SCCC 13.10.436).

B. Inside the urban services line, ADUs that are built above detached garages shall be a maximum of 20 feet at exterior wall and 24 feet at roof peak. This exception does not apply in the Pleasure Point or Seascape Beach Estates Combining Zone Districts.

C. Inside the Pleasure Point Combining Zone District, ADUs that are built above attached and detached garages shall be maximum 18 feet at exterior wall and 22 feet at roof peak.

D. Building height up to five feet in excess of an applicable zoning standard, but in no case exceeding 28 feet, may be allowed subject to design review findings (SCCC 18.10.230(A)(2)), development permit findings (SCCC 18.10.230), and the coastal view protection standards of SCCC 13.20.130(B)(7) (if located in the ~~C~~oastal ~~Z~~one), and subject to approval by the Zoning Administrator following a public hearing.

F. Notwithstanding Section 13.10.681(D)(7)(b)(ii)A, inside the urban services line, the height of a new construction detached ADU that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor shall be a maximum of 18 feet. An additional two feet in height is allowed to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

G. Inside the urban services line, the height of a detached ADU on a lot with an existing or proposed multifamily, multistory dwelling shall be a maximum of 18 feet.

(c) Lot Coverage and Floor Area Ratio (FAR).

(i) Parcels with ADUs ~~and JADUs~~ shall meet lot coverage and FAR standards for the applicable zone district, except that ~~JADU and/or~~ ADU square footage up to 800 square feet, whether attached or detached, may be excluded from FAR and lot coverage calculations for both existing and new parcels.

(ii) ADUs and JADUs shall not be counted in large dwelling unit calculations per ~~SCCC 13.10.325~~ SCCC 13.10.324.

(d) Parking.

(i) ~~JADUs, and~~ Conversion ADUs, and detached new construction ADUs not exceeding 800 square feet with minimum four-foot side and rear setbacks and meeting height standards in SCCC 13.10.681(D)(7)(b): no required off-street parking ~~for the JADU and/or Conversion ADU~~.

(ii) New Construction ADUs: one off-street parking space per ADU.

A. ADU parking can be provided as double or triple tandem parking.

B. ADU parking may be located within setback areas unless findings are made that parking in setback areas ~~is not feasible~~.

~~based upon~~ would violate objective standards related to specific site or regional topographical and/or fire and life safety conditions.

C. If the primary dwelling unit has less than the required parking per SCCC 13.16.050, one new parking space must be provided for the ADU but parking for the primary dwelling may remain nonconforming.

D. No additional parking for an ADU shall be required if the ADU is located within one-half mile walking distance of any public transit stop, within a designated historic district, or within one block of a dedicated parking space reserved for a publicly available car share vehicle. This exemption also applies to an ADU permit application submitted with an application for a single-family or multi-family dwelling on the same lot.

(iii) Parking Permits. Where parking permits are required for on-street parking during any part of the year, permits shall be offered to the occupants of the ADU and/or JADU.

(iv) Replacement Parking. When a garage, carport, covered parking structure, or uncovered surface parking is demolished or converted for construction of an ADU ~~or JADU~~, no replacement parking is required ~~for the primary dwelling unit.~~

(v) Special Coastal Zone Parking Requirements. ~~In the following coastal zone locations, o~~One parking space is required for New Construction ADUs, with no exceptions, and replacement parking is required when existing parking is demolished or converted for construction of an ADU in the following Coastal Zone areas:

A. Live Oak Designated Area (LODA) as defined in SCCC 13.10.694(C).

B. Sea Cliff/Aptos/La Selva Designated Area (SALSDA) as defined in SCCC 13.10.694(C).

C. Davenport/Swanton Designated Area (DASDA) as defined in SCCC 13.10.694(C).

D. Opal Cliff Drive between 41st Avenue and the City of Capitola.

(8) Existing Conditions of Approval. Proposed additions of not more than 150 square feet associated with Conversion ADUs shall comply with any existing development permit conditions of approval, ~~that are not otherwise superseded by provisions of SCCC 13.10.681.~~ except that State ADU law and SCCC 13.10.681 supersede conflicting conditions from a prior approval.

(9) Other Accessory Uses.

~~(a) — One ADU may be associated with a single family dwelling unit on a parcel that also has farmworker housing as defined in SCCC 13.10.631.~~

~~(b)~~ Non-ADU habitable and nonhabitable accessory structures may be allowed subject to all applicable requirements of the underlying zone district and SCCC 13.10.611.

(10) Utility, Infrastructure, and Service Requirements.

(a) Life Safety. All requirements of the respective service agencies shall be satisfied, and all ADUs shall comply with all applicable provisions of ~~Chapter-SCCC~~ 7.92 ~~SCCC~~ (Fire Code) and ~~Chapter-SCCC~~ 12.10 ~~SCCC~~ (Building Regulations).

(i) Fire sprinklers shall not be required for an ADU or JADU where they are not also required for the primary dwelling, except sprinklers are required for detached ADUs larger than 1,200 square feet and ADUs that constitute or are part of an addition to the primary dwelling equal to 850 square feet (studio or one bedroom), 1,000 square feet (two or more bedrooms), or more than 50 percent of the existing primary dwelling square footage, whichever is larger, per California Residential Code Section R313.2, pursuant to SCCC 7.92.903.1 (Fire Code).

(ii) The construction of an ADU shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling. except sprinklers are required for the primary dwelling if the attached ADU exceeds 50 percent of the existing primary dwelling square footage pursuant to SCCC 7.92.903.1 (Fire Code).

(iii) For the purposes of any fire or life protection ordinance or regulation, a JADU shall not be considered a separate or new dwelling unit ~~if an internal connection to the primary dwelling unit is maintained.~~

~~(iiiiv)~~ ~~ADUs and~~ JADUs that do not have an internal connection to the primary dwelling and ADUs shall maintain a separate street address from the primary dwelling unit.

(v-) Change of Occupancy Classification. The construction of an ADU shall not constitute a "Group R" occupancy change under SCCC Chapter 12.10 (Building Regulations) unless the Building Official or Fire Code Official makes a written finding based on substantial evidence in the record that the ADU could have a specific, adverse impact on health and safety. This paragraph shall not be interpreted to prevent the Building Official from changing the occupancy code of a space that was non-habitable space or was only permitted for nonresidential use and was subsequently converted for residential use pursuant to this Section.

(b) Utility Connections and Fees.

(i) ~~JADUs and~~ Conversion ADUs: new utility connection or capacity charges may only be charged for Conversion ADUs ~~and JADUs~~ built concurrently with a primary dwelling.

(ii) New Construction ADUs: A local agency, special district, or water corporation may require a new or separate utility connection directly between the ADU and the utility, subject to a connection fee or capacity charge proportionate to the burden of the ADU on the water or sewer system, based upon either the square footage of the ADU or its drainage fixture unit values as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials.

(iii) The sewage disposal system and water supply for the parcel shall comply with all applicable requirements of the Environmental Health Officer.

A. As part of the application to create an ADU connected to an on-site water treatment system, a percolation test must be completed within the last five years or, if the percolation test has been recertified, within the last 10 years.

(c) Public Improvements. Frontage improvements and other public right-of-way work cannot be required as a condition of approval for an ADU or JADU, unless required per ~~Chapter SCCC~~ 7.92 ~~SCCC~~ (Fire Code) or ~~Chapter SCCC~~ 12.10 ~~SCCC~~ (Building Regulations) or to correct illegal right-of-way encroachments.

(E) Nonconforming Conditions.

(1) Outside the Coastal Zone, ~~Correction~~ of existing nonconforming zoning conditions, ~~County Code violations, or unpermitted structures~~ cannot be required as a condition of ADU or JADU approval ~~unless the corrections are required to address a threat to public health and safety and are affected by the construction of the ADU.~~

(2) Within the Coastal Zone, corrections shall be required in accordance with SCCC 13.20.170(C) unless the scope of development is limited to the ADU itself and all unpermitted development meets requisite coastal resource protection requirements (e.g., ESHA, wetland, and geologic hazard setbacks and associated requirements) and satisfies the Coastal Development Permit Findings set forth in SCCC 13.20.110.

(F) Design.

(1) Architectural Design. Exterior design of ADUs and JADUs that are visible from a road or other public area shall include three or more of the following elements:

- (a) Roof pitch matching dominant roof slope of the primary dwelling(s). Dominant roof slope is the slope shared by the largest portion of the roof.
- (b) Roof material matching primary dwelling(s).
- (c) Primary siding material or color matching primary dwelling(s).
- (d) Window and door trim matching primary dwelling(s).
- (e) Porch, bay window, or other facade articulation to break up flat wall planes.
- (f) Fencing or landscaping to buffer the view of the ADU or JADU from a road or other public area. Fencing shall be the maximum fence height without a permit subject to SCCC 13.10.525, Regulations for fences and retaining walls within required yards. ~~Landscaping shall be subject to Chapter 13.13 SCCC, Water Conservation—Water Efficient Landscaping.~~

(2) Historic Preservation. ADUs and JADUs on properties in the L (Historic Landmark) Combining District that do not involve demolition, relocation, or alterations to the exterior of historic buildings shall meet the provisions of SCCC 16.42.060(D) to be reviewed ministerially. ADUs and JADUs that exceed these provisions shall be subject to discretionary review per SCCC 16.42.060.

(3) Exception. Outside the Coastal Zone, conversion ADUs and detached new construction ADUs that do not exceed four-foot side and rear yard setbacks, do not exceed a total floor area of 800 square feet, and meets the height limitations in SCCC 13.10.681(D)(7)(b) are exempt from architectural design and historic preservation standards.

(G) Occupancy. The following occupancy standards shall be applied to every ADU and JADU and shall be conditions for any approval under this section:

(1) Occupancy Restrictions. The maximum occupancy of an ADU or JADU may not exceed that allowed by the State Uniform Housing Code, or other applicable State law.

(2) Sale. ADUs and JADUs shall not be sold separately from the primary residence with the following exception:

- (a) An ADU can be sold or conveyed separately from the primary residence to a qualified buyer if the property was built or developed by a qualified nonprofit corporation and all provisions of California Government Code Section ~~65852.26~~66341 are met.

(3) Short-Term Rental Use. In no case shall a short-term rental use of ~~less than~~ 30 days or less be permitted in an ADU ~~or JADU~~. A property with an ~~ADU or JADU~~ shall ~~not~~may be eligible for participation in the ~~vacation rental or hosted rental programs~~ short-term rental program, as provided by SCCC 13.10.694.

(4) Owner Residency. The following requirements apply to all JADUs~~and apply to all ADUs except those permitted between January 1, 2020, and January 1, 2025:~~

(a) Unless owned by a government agency, land trust, or public or nonprofit housing organization, the property owner or relative of the property owner shall permanently reside, as evidenced by a homeowner's property tax exemption, or by other satisfactory documentation of residence, on the parcel in either the primary dwelling unit, ~~ADU~~ or JADU. If the ~~ADU or~~ JADU is newly constructed on a parcel within a subdivision, then the purchaser or relative of the purchaser of said property shall permanently reside in either the main dwelling or the ~~ADU or~~ JADU, shall be required to submit a property tax exemption prior to occupancy of the ~~ADU or~~ JADU, and shall be subject to the deed restriction noted in subsection (G)~~(5)(4)(b)~~ of this section.

(i) Exception. Temporary rental of both a primary dwelling unit and an ~~ADU or~~ JADU may be authorized by the Planning Director of the Community Development and Infrastructure Department in the case of sudden and unexpected changes in life circumstances. Property owners may be authorized to rent both the primary dwelling and the ~~ADU or~~ JADU if the property owner or relative of the property owner is unable to continue to occupy the property temporarily by reason of illness or absence from the area for other than vacation purposes as determined by the Planning Director of the Community Development and Infrastructure Department in their sole discretion based on reasonable evidence. Evidence shall be submitted to the Planning Community Development and Infrastructure Department in writing, and requests for extension of the absence shall also require evidence in writing. The authorization to rent both units shall be limited to one year and may be extended at the discretion of the Planning Director of the Community Development and Infrastructure Department.

(b) Deed Restriction. Prior to the issuance of a building permit, the property owner shall provide to the Community Development and Infrastructure Planning Department proof of recordation of a declaration of restrictions containing reference to the deed under which the property was acquired by the present owner and containing the following provisions:

(i) The declaration shall provide that the property owner or relative of the property owner permanently resides in either the primary dwelling or the JADU, as evidenced by a homeowner's property tax exemption on the parcel or by other satisfactory documentation of owner residence. If the property is owned by a government agency, land trust, or public or nonprofit housing organization that is providing housing for special populations, the declaration of restrictions shall indicate that any subsequent nonpublic owner shall abide by the terms of this subsection.

(ii) The declaration shall be binding on all successors in interest.

(iii) The declaration shall provide for the recovery by the County of reasonable attorney's fees and costs in bringing legal action to enforce the declaration together with recovery of any rents collected during any unauthorized occupancy or, in the alternative, for the recovery of the reasonable value of the unauthorized occupancy.

(iv) The declaration shall provide a restriction on the size and attributes of the ~~ADU or~~ JADU that conforms with this section.

(v) ~~JADUs only~~. The declaration shall provide a prohibition on the sale of the JADU separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.

(H) Application Processing.

(1) Ministerial Review. Pursuant to Government Code Sections ~~65852.26~~ 6317 and 66335, applications for ADUs and JADUs shall be approved or denied ministerially with a building permit, and no public notice or hearing shall be required, with the following exceptions:

(a) Exceptions to Ministerial Review.

(i) Inside the coastal zone, the following discretionary review requirements apply:

A. ADUs and JADUs that do not meet the standard for exemption or exclusion under SCCC ~~13.20.050~~ 13.20.061 or ~~13.20.051~~ 13.20.071, respectively, require issuance of a combined coastal development permit (CDP) and building permit, with noticing and appeal requirements per SCCC 13.20.107 and 13.20.108, and subject to findings per SCCC 13.20.110.

~~B. CDPs for~~ ADUs and JADUs located in the Commercial Agricultural (CA) zone district shall be subject to additional findings per SCCC 13.10.314 ~~(A) and~~ (B).

~~BC.~~ ADUs ~~applications in the coastal zone~~ in the Parks and Recreation (PR) zone district shall be ~~processed per SCCC 13.10.352(B)~~, subject to special findings ~~conditions~~ per SCCC 13.10.35 ~~4(B)~~. JADU applications in the PR zone district shall be reviewed ministerially.

~~CD.~~ ADUs and JADUs ~~applications in the coastal zone~~ in the Timber Production (TP) zone district shall be ~~processed per SCCC 13.10.372(B), with~~ subject to special findings per SCCC 13.10.37 ~~54~~ (A).

(ii) ADU and JADU applications that do not meet the development standards contained in this section may require a variance (per SCCC 13.10.230), minor exception (per SCCC 13.10.235), or other discretionary approval.

(2) Ministerial Review Time. ADU and JADU applications that are subject to ministerial review must be approved, or a notice of deficiency sent, within 60 days of receipt of a completed building permit application. Such applications resubmitted in response to a notice of deficiency must be approved or a notice of deficiency sent, within 60 days.

(a) Exception to Ministerial Review Time. When a permit application to create an ADU or JADU is submitted along with a permit application for a new primary dwelling, the permit application for the ADU or JADU shall not be subject to a 60-day approval period but shall instead be subject to the approval period for the primary dwelling. If the new primary dwelling application requires discretionary review, the application for the ADU or JADU shall still be considered as a ministerially allowable use/development, unless the application meets one of the exceptions in subsection (H)(1)(a) of this section.

(3) Fees. Prior to the issuance of a building permit for the ADU, the applicant shall pay to the County of Santa Cruz fees in accordance with the Community Development and Infrastructure Planning Department's fee schedule as may be amended from time to time, and any other applicable fees.

(a) The County of Santa Cruz and any other local agency, special district or water corporation shall not impose any impact fee upon the development of a JADU or an ADU less than 750 square feet.

(b) Impact fees charged for ADUs greater than or equal to 750 square feet shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(c) For the purposes of this section, "impact fee" includes "fees" as defined in California Government Code Section 66000(b) and fees specified in California Government Code Section 66477. Impact fees do not include utility connection fees or capacity charges.

(4) Declarations of Restriction for Nonhabitable Structures. A recorded declaration of restriction limiting an existing accessory structure to nonhabitable use must be rescinded to allow ADUs ~~or JADUs~~ in these structures.

(I) Permit Allocations. Each ADU and JADU is exempt from the residential permit allocation system of ~~Chapter SCCC~~ 12.02-~~SCCC~~.

(J) Code Enforcement Amnesty. Per California Government Code Section 17980.12, the following amnesty provisions are available until January 1, 2030, for ADUs and JADUs that were built before January 1, 2020:

(1) A notice to correct a violation of any provision of any building standard for an ADU or JADU shall include in that notice a statement that the owner of the unit has a right to request a delay in enforcement.

(2) The owner of an eligible ADU or JADU who receives a notice to correct violations or abate nuisances related to any building standard may submit a letter to the County of Santa Cruz Community Development and Infrastructure Planning Department, Code Enforcement Division, requesting that enforcement of the violation be delayed for up to five years on the basis that correcting the violation is not necessary to address an imminent hazard or dangerous condition.

(3) The County of Santa Cruz shall grant a delay in enforcement if the Community Development and Infrastructure Planning Department Code Enforcement Division, in consultation with the Building Official, determines that correcting the violation is not necessary to protect health and safety. The provisions of SCCC 12.01.070 shall not apply to ADUs for which this delay has been granted.

(K) Unpermitted ADUs

(1) Notwithstanding any other law, and except as otherwise provided in SCCC 13.10.681(K)(2), a permit for an unpermitted ADU or unpermitted JADU that was constructed before January 1, 2020, shall not be denied due to either of the following:

(a) The ADU or JADU is in violation of building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code (Enforcement of Building and Fire Codes).

(b) The ADU does not comply with State or local ADU or JADU laws.

(2) Notwithstanding SCCC 13.10.681(K)(1), a permit for an ADU subject to SCCC 13.10.681(K)(1) may be denied if the local agency makes a finding that correcting the violation is necessary to comply with the standards specified in Section 17920.3 of the Health and Safety Code.

(3) This section shall not apply to a building that is deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.

~~(KL)~~ Annual Review of Impacts. As part of the County's annual review of the General Plan and County growth management system, the County shall include a section analyzing the impacts of the ADU ordinance. The annual analysis shall include the number of ADUs constructed, the size of ADUs and the parking required, and the impacts such construction has created in each planning area, with particular attention to the environmental impacts, the increase in density and population, and the cumulative impacts ~~within the coastal zone~~. JADUs are not required to be accounted for and reported upon in this annual review. The cumulative impact issue areas to be covered include, but are not limited to, traffic, water supply (including the City of Santa Cruz water supply from Laguna, Majors, and Reggiardo Creeks, and the Davenport water supply from Mill and San Vicente Creeks), public views, and environmentally sensitive habitat areas. ~~The preliminary report shall be sent to the Executive Director of the Coastal-~~

~~Commission for review and comment 14 days prior to submittal to the Board of Supervisors, on an annual basis.~~

~~If the Executive Director determines that specific enumerated cumulative impacts are quantifiably threatening to specific coastal resources that are under the authority of the Coastal Commission, the Executive Director shall inform the County in writing. Within 60 days of receipt of the Executive Director's written notice of a threat to coastal resources the County shall cease accepting applications for coastal development permits under this section in the planning area(s) in which the threat of coastal resources has been identified, pending review and approval by the Coastal Commission of the County's proposed method(s) of protecting the threatened resource.~~

13.10.700-A "A" definitions.

"Accessory dwelling unit" or "ADU" means, in compliance with California Government Code Section ~~65852.266313~~, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of "kitchen"), and sanitation. See also "junior accessory dwelling unit," "conversion ADU," and "new construction ADU."

13.10.700-J "J" definitions.

"Junior accessory dwelling unit" or "JADU" means, in compliance with California Government Code Section ~~65852.2266313~~, a residential living area contained within a proposed or existing single-family residence that is no more than 500 square feet in size. JADUs can include additions to an existing structure of no more than 150 square feet. JADUs shall include independent provisions for living, sleeping, eating, and cooking (~~area meeting the definition of efficiency kitchen but not a standard kitchen~~ cooking facility with appliances and food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU), and shared or separate sanitation facilities with the main dwelling unit. See also "Accessory dwelling unit."

13.10.700-N "N" definitions.

"New construction ADU" means any ADU that does not meet the definition of conversion ADU. ~~A tiny home on wheels may be used as a new construction ADU.~~

**PUBLIC NOTICE
PROPOSED ORDINANCE
(SUMMARY)**

Board of Supervisors Information (for Clerk Use only):

Approved in Concept: Click or tap to enter a date.

AMS Item: Click or tap here to enter text.

Scheduled for Second Reading & Final Adoption: Click or tap to enter a date.

Ordinance Title:

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
SANTA CRUZ AMENDING SANTA CRUZ COUNTY CODE CHAPTER 13.10
REGARDING ACCESSORY DWELLING UNITS**

Ordinance Summary:

This proposed ordinance would amend Santa Cruz County Code Chapter 13.10 providing regulations for accessory dwelling units to comply with updated state ADU regulations, resolve points of confusion in the existing County Code, and further streamline the ADU permit process.

The full text of this ordinance is available for public review at the Office of the Clerk of the Board, Room 520, Governmental Center Building, 701 Ocean Street, 5th Floor, Santa Cruz, California 95060; and on the Internet at:

<https://santacruzcountyca.igm2.com>

For Clerk Use Only:

By: Click or tap here to enter text.

Dated: Click or tap to enter a date.

BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 2025-05

On the motion of Commissioner Shepherd
duly seconded by Commissioner Nickell
the following Resolution is adopted:

**RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY
OF SANTA CRUZ RECOMMENDING ADOPTION OF PROPOSED
AMENDMENTS TO SANTA CRUZ COUNTY CODE AMENDING
SECTIONS 13.10.312, 13.10.352, 13.10.372, 13.10.681, AND 13.10.700
REGARDING ACCESSORY DWELLING UNITS, AND
RECOMMENDING THE FILING OF A CEQA NOTICE OF EXEMPTION**

WHEREAS, the County of Santa Cruz (“County”) has maintained an accessory dwelling unit (“ADU”) ordinance since 1983; and

WHEREAS, in 2020 and 2021, the Santa Cruz County Code (“County Code” or “SCCC”) was amended to comply with state ADU regulations contained in California Government Code Sections 66310 through 66339 (formerly Government Code Sections 65852.2, 65852.22, 65852.23, 65852.150) and Health and Safety Code Section 17980.12; and

WHEREAS, in September 2020, the California Department of Housing and Community Development released the ADU Handbook, which was update in July 2022, and again in January 2025 and which provided interpretations and clarifications to the state ADU regulations; and

WHEREAS, in September 2022 Governor Newsom signed AB 2221 and SB 897, which took effect on January 1, 2023;

WHEREAS, in October 2023 Governor Newsom signed AB 976, which took effect on January 1, 2024;

WHEREAS, in May 2024 Governor Newsom signed SB 477, which makes organizational changes to the state ADU regulations, relocating the regulations to Government Code Sections 66310 through 66339;

WHEREAS, in September 2024 Governor Newsom signed four more ADU bills (AB 2533, Ab 3057, SB 1211, and SB 1077), that will each take effect on January 1, 2025;

WHEREAS, the County wishes to amend SCCC 13.10 to comply with the ADU Handbook and updated state ADU regulations, and resolve points of confusion in the existing County Code; and

WHEREAS, SCCC 13.10 is a Local Coastal Program implementing ordinance; and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 14, 2025, and has reviewed the County's proposed County Code amendments and finds that they are necessary to implement the State's updated ADU regulations, are consistent with all elements of the General Plan/Local Coastal Program, and comply with the California Coastal Act; and

WHEREAS, the proposed County Code amendments are exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080.17 because they serve to implement state ADU and JADU regulations and CEQA Guidelines Section 15061(b)(3) because the amendments present no possibility of a significant impact on the environment;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the Board of Supervisors adopt the proposed amendments to the Santa Cruz County Code as presented on this date.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors confirm that a Notice of Exemption is appropriate under CEQA.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 14th day of May, 2025 by the following vote:

AYES: COMMISSIONERS: Barton, Jimenez, Pavonetti, Nickell, Shepherd
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:

Signed by:
Trina Barton
0278FA2FA2B74B1...
Chairperson

DocuSigned by:
Sheila McDaniel
B7F7A99D43A942E...
ATTEST: Secretary

APPROVED AS TO FORM:

Signed by:
Natalie Kirkish
D52DG6AA0E74498...
OFFICE OF THE COUNTY COUNSEL

cc: County Counsel
Community Development and Infrastructure Department

Certificate Of Completion

Envelope Id: 9697DB81-ECC2-4DE9-914E-468290EF0D1F

Status: Completed

Subject: Complete with Docusign: 2-PC ADU Resolution.pdf

Source Envelope:

Document Pages: 2

Signatures: 2

Envelope Originator:

Certificate Pages: 5

Initials: 0

Donovan Arteaga

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701 Ocean Street

Envelopeld Stamping: Enabled

Santa Cruz, CA 95060

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Pool: FedRamp

Storage Appliance Status: Connected

Pool: County of Santa Cruz

Location: Docusign

Signer Events

Sheila McDaniel

Sheila.McDaniel@santacruzcountyca.gov

Principal Planner

Security Level: Email, Account Authentication
(None)

Signature

DocuSigned by:

Sheila McDaniel
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Signature Adoption: Pre-selected Style

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Timestamp

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Viewed: 5/15/2025 11:55:45 AM

Signed: 5/15/2025 11:56:14 AM

Electronic Record and Signature Disclosure:

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ID: 2698af7d-f700-4d3c-b195-988a57246e12

Trina Barton

Trina.Barton@santacruzcountyca.gov

Security Level: Email, Account Authentication
(None)

Signed by:

Trina Barton
0278FA2FA2B74B1...

Signature Adoption: Pre-selected Style

Using IP Address: 71.202.83.146

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Viewed: 6/3/2025 3:44:52 PM

Signed: 6/3/2025 3:45:05 PM

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Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

David Carlson

David.Carlson@santacruzcountyca.gov

Resource Planner

County of Santa Cruz

Security Level: Email, Account Authentication
(None)

COPIED

Sent: 5/14/2025 3:40:49 PM

Carbon Copy Events	Status	Timestamp
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Electronic Record and Signature Disclosure:
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 ID: 53863c02-e62a-4553-bd07-f0a97e788231

Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Signing Complete	Security Checked	6/3/2025 3:45:05 PM
Completed	Security Checked	6/3/2025 3:45:05 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, County of Santa Cruz (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact County of Santa Cruz:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: nada.algharib@santacruzcounty.us

To advise County of Santa Cruz of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at nada.algharib@santacruzcounty.us and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from County of Santa Cruz

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with County of Santa Cruz

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify County of Santa Cruz as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County of Santa Cruz during the course of your relationship with County of Santa Cruz.