



## TRI-COUNTY REGIONAL ENERGY NETWORK ADU FAQs

While not exhaustive, this list offers a list of frequently asked questions on ADUs relevant to installation and design professionals, plans examiners, building inspectors, energy consultants, and homeowners. Regional FAQs have been sourced from the respective authority having jurisdiction.

### 1. What is an ADU/JADU?

- a. An ADU is an Accessory Dwelling Unit. It is a separate unit on a property that has a single-family home, apartment, or other residential use. ADUs can go by many different names, including granny flats, in-law units, backyard cottages, secondary units, and more. The key difference between an ADU and other types of structures, such as pool cabanas, is that they have living space, bedroom(s), and a kitchen. An ADU can be attached to the main home, the garage, or can be a standalone structure.
- b. A JADU is a Junior Accessory Dwelling Unit. A JADU is different than an ADU in that they must be part of an existing home and are no more than 500 square feet. They can share the use of parts of the home, such as the bathrooms, and can have simpler kitchens with smaller appliances. JADUs are only allowed on a property with a single-family home on it, and the property owner must live in either the single-family home or in the JADU. Development costs for a JADU are typically lower than an ADU.

### 2. Can I have an ADU on my property?

- a. County of San Luis Obispo
  - i. ADUs may be permitted in the following land use categories: AG, CR, OP, REC, RL, RMF, RR, RS, RSF.
  - ii. ADUs shall not be allowed within the following areas:
    1. Tract or Parcel Map Conditions
      - a. Any parcel within a tract or parcel map that contains conditions prohibiting accessory dwellings.
    2. Regional Water Quality Control Board Exclusion
      - a. All areas of the County where the Regional Water Quality Control Board has issued a notice of resource constraints through moratoria or other means.
  - iii. [Coastal Zone and Inland Area Map](#) – Use this map to find your land use category.
- b. County of Santa Barbara
  - i. The Board of Supervisors also adopted new regulations for ADUs and JADUs in the Coastal Zone. However, ADUs located within the Coastal Zone shall remain subject to the permit requirements and development standards of [Article II Coastal Zoning Ordinance Section 35-142](#) until the Coastal Commission certifies the new ADU ordinance. The certification process may take a year or more (i.e., summer 2022 or later).
  - ii. Please see the [Building Permit Process Flowchart](#), for a step-by-step guide to the new ADU/JADU permit process.
  - iii. For various types of ADU checklists, please see bottom of page [here](#).



- c. County of Ventura
  - i. Yes. Since January 1, 2020, if a local jurisdiction does not have an ADU ordinance, CA's ADU ordinance takes precedent which allows an ADU if your property is in a residential, or commercial zone. The County of Ventura falls under the State-Wide Ordinance.

### 3. Are permits required to build ADUs?

- a. State-wide
  - i. According to State law, the City must provide an expedited approval process for ADUs that includes only ministerial review and shall not include any discretionary processes. This means that if you design your ADU to comply with all the zoning standards and architectural review criteria listed in the Zoning Ordinance, your project may be approved by the City without going through the discretionary design review process or other public hearings.
- b. County of San Luis Obispo
  - i. Yes. A Building Permit is required. Visit [Construction Permit Application](#) for the permit process.
- c. County of Santa Barbara
  - i. The County has implemented a streamlined permit process for ADUs and JADUs. ADUs and JADUs now require building permits only (no planning permits or Exemptions). To begin, an applicant must submit a complete building permit application to the Building and Safety Division (B&S). Please see the [Supplemental Application Submittal Requirements](#) for a building permit application and other information and materials required for a complete submittal.
  - ii. Please see the [Building Permit Process Flowchart](#), for a step-by-step guide to the new ADU/JADU permit process.
- d. County of Ventura
  - i. Yes. On January 1, 2020, new state regulations for Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) went into effect with the intended purpose of easing local zoning controls, reducing associated development fees, and streamlining the permit process. The new legislation expressly limits a local agency's ability to regulate ADUs and JADUs and puts most local ADU/JADU ordinances in conflict with the State's new laws.

### 4. Can I convert my garage?

- a. Yes. The conversion of garages, sheds, barns, and other existing accessory structures, either attached or detached from the primary dwelling, into ADUs is permitted and promoted through the state ADU law. These conversions of accessory structures are not subject to any additional development standard, such as unit size, height, and lot coverage requirements, and shall be from existing space that can be made safe under building and safety codes. A local agency should not set limits on when the structure was created, and the structure must meet standards for health and safety. See [page 16](#) of the ADU Handbook.
- b. In most cases, the conversion of garages, sheds, barns, etc. will be adding conditioned space to an existing building and therefore are considered an addition. Additions have fewer code requirements than new construction, significantly reducing project costs.



5. How many ADUs can be built on one property?

- a. The Counties of San Luis Obispo, Santa Barbara, and Ventura fall under the State-Wide Ordinance.
  - i. On Residential, Multi-family and Commercial properties, you can build up to two ADU's according to state ordinance.
    - 1. A detached ADU up to two 800 square feet and up to 16' tall ground-up with a 4' setback without any local discretionary approvals.
    - 2. An attached JADU up to 500 square feet.
  - ii. Senate Bill 9, recently signed into law, allows property owners to add new housing through lot splitting.
    - 1. Taking effect Jan. 1, 2022, You can split a single-family lot into two (1,200 S.F. each) lots, and by law can build a second single family home or create 4 housing units by placing a duplex on each lot.
    - 2. Cannot result in demolition or alteration of affordable or rent controlled housing. Cannot be used as short-term rentals.

6. How big can an ADU/JADU be?

- a. County of Santa Barbara
  - i. County of Santa Barbara has different size requirements depending on zoning of the proposed lot. Please see checklists for various types of ADUs [here](#).
- b. The County of San Luis Obispo and the County of Ventura fall under the State-Wide Ordinance
  - i. Maximum unit sizes are 1,200 square feet for a new detached ADU and up to 50 percent of the floor area of the existing primary dwelling for an attached ADU (at least 800 square feet).
  - ii. The conversion of an existing accessory structure or a portion of the existing primary residence to an ADU is not subject to size requirements. See [page 11](#) of the ADU Handbook.

7. What is the maximum height of an ADU?

- a. County of Santa Barbara
  - i. County of Santa Barbara has different size requirements depending on zoning of the proposed lot. Please see checklists for various types of ADUs [here](#).
- b. The County of San Luis Obispo and the County of Ventura fall under the State-Wide Ordinance
  - i. There is no limit on the height of an ADU or number of stories.
  - ii. Local agencies may impose height limits provided that the limit is no less than 16 feet.



8. Do I need to provide parking for the ADU?

- a. County of Santa Barbara
  - i. County of Santa Barbara has different parking requirements depending on zoning of the proposed lot. Please see checklists for various types of ADUs [here](#).
- b. The County of San Luis Obispo and the County of Ventura fall under the State-Wide Ordinance
  - i. Parking requirements for ADUs shall not exceed one parking space per unit or bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway. Guest parking spaces shall not be required for ADUs under any circumstances. See [page 12](#) of the ADU Handbook.

9. Is PV required for new construction ADUs?

- a. Yes. newly constructed ADUs are subject to the Energy Code requirement to provide solar panels if the unit(s) is a newly constructed, non-manufactured, detached ADU.
- b. PV is not required if an ADU is considered an addition.

10. Can new PV modules be added to the existing PV system to meet the PV requirement for a newly constructed detached ADU? (Brousseau, A. (2021, April).)

- a. Yes. New PV modules may be added to an existing system to meet the 2019 Energy Code requirements. The new PV modules must be part of the ADU's permit application, sized per the Energy Code, and comply with other parts of the building code as applicable.

11. Does a new ADU, regardless of size, need to meet the 2019 Energy Code indoor air quality whole building ventilation requirements of Section 150.0(o) 2019 Title 24, Part 6? (Brousseau, A. (2020, April).)

- a. Yes. The 2019 Energy Code now requires whole building ventilation for any new dwelling unit, regardless of size. This requirement applies to both newly constructed ADUs, and to ADUs that are classified as additions.

12. Do the whole building ventilation requirements apply to ADUs that are additions? (Brousseau, A. (2018, January).)

- a. The whole building ventilation requirements apply to additions that are greater than 1,000 square feet. While not required, it is recommended that the whole building ventilation requirements be met for new dwelling units. All other applicable ventilation requirements must be met. For example, if a bathroom or kitchen is part of the addition, the local exhaust requirements for those spaces must be met. More on local exhaust requirements can be found in Section 4.6.5 of the 2016 Residential Compliance Manual.



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## Works Cited

Brousseau, A. (2018, January). Blueprint 122 January-March 2018. California Energy Commission. Retrieved October 28, 2021, from [https://www.energy.ca.gov/sites/default/files/2021-06/CEC-400-2018-020-CMF\\_0.pdf](https://www.energy.ca.gov/sites/default/files/2021-06/CEC-400-2018-020-CMF_0.pdf).

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