



ACCESSORY DWELLING UNITS

What is an Accessory Dwelling Unit (ADU)? A residential dwelling unit that provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated.

BACKGROUND

In September 2016, the State Legislature passed Assembly Bill 2299 (Bloom) and Senate Bill 1069 (Wieckowski) amending California Government Code Section 65852.2 related to ADUs. The City of Costa Mesa adopted Ordinance 18-03 that became effective February 17, 2018. The purpose of this handout is to provide answers to frequently asked questions and guidance to homeowners interested in creating Accessory Dwelling Units.

DESIGN

- 1. What are the types of ADUs?**
Accessory dwelling units come in three forms: detached, attached, and repurposed structures.
- 2. Are there any aesthetic requirements?**
Yes, an ADU is subject to the City's Residential Design Guidelines.
- 3. Where can the structure be accessed?**
An ADU must contain an independent exterior access with an optional interior access.

PERMITTING

- 1. Can I get my ADU permit over-the-counter?**
An application shall be considered ministerial and go through the standard plan check process. However, discretionary applications (Design Review, MCUP, CUP) may be required if an ADU deviates from the residential development standards and/or design guidelines.
- 2. Is any neighborhood notification required?**
Yes. A second story ADU addition or conversion to a habitable space requires a second story notification.

GENERAL INFORMATION

- 1. Where are the ADUs allowed in Costa Mesa?**
An ADU is permitted in Single Family Residential Zone (R-1) and Medium Density Residential Zone (R-2MD) where one single-family dwelling unit exist on the property (see lot size requirements on 2nd page).
- 2. Can I convert an existing accessory structure or garage to an ADU?**
Yes, if the accessory structure or garage received final inspections prior to February 17, 2018, when the local ordinance was effective.
- 3. Can I add a second story ADU?**
Yes, only if it is above a garage or an extension to an existing second floor. An ADU could be an addition to an existing second floor if an independent access is provided and the addition is consistent with the Residential Design Guidelines. However, split-level ADUs are not permitted.
- 4. Is replacement parking required when the parking area for the primary structure is used for an ADU?**
Yes. Any converted garages or parking spaces must be replaced for the main residence in addition to any required for the ADU.

GENERAL INFORMATION *(continued)*

5. Can an ADU be sold separately from the primary residence?

No.

6. Does an ADU property need to be owner occupied?

Yes. A land use restriction will require that one of the two dwelling units be owner-occupied and both units cannot be rented out simultaneously; rental terms are required to be in excess of 30 days.

7. Do I have to comply with all residential development standards?

Yes, with the exception of the required setbacks for the conversion of legal non-conforming structures and an ADU addition above an existing garage. See following table.

8. How many parking spaces are required?

One parking space for each ADU unless the ADU is a studio with a maximum area of 400 square feet and has no bedroom. In which case, no parking space is required. Parking may be provided as garage space or carport.

Exceptions: ADU is part of the existing primary residence or an existing accessory structure, when on-street parking permits are required but not offered to unit occupants, and a car-share vehicle is located within one block of the ADU.

9. Do I have to add fire sprinklers?

For a detached ADU, fire sprinklers are required; attached ADU, required only if it was required for the principal residence.

10. Is a separate utility connection required for an ADU?

An ADU does not require a new or separate utility connection.

City of Costa Mesa Accessory Dwelling Unit Standards	
Location	Allowed in R1 zones and R2-MD zones developed with one unit
Minimum Lot Size	R-1: 7,900 SF R2-MD: Permitted ONLY on legal lots existing as of March 16, 1992 between 6,000 and 7,260 square feet in area.
Unit Size	Attached: 50% of existing living area; maximum 800 SF Detached: 800 SF max. Studios: 400 SF max.
Aesthetics / Height	Subject to Residential Design Guidelines Height: Maximum height of 15 feet, unless located above a garage, in which case the structure shall comply with the height limit of the underlying zoning district (typically 22 feet for flat roofs / 27 feet for sloped roofs). Design: ADUs shall be designed similar to the principal dwelling with respect to architectural style, roof pitch, color, and materials.
Setbacks	Per zoning code except: 1) No setback shall be required for an existing garage that is converted to an ADU. 1 ADUs constructed above the garage shall not be required to have a setback which exceeds five feet from the side and rear lot lines; 2) An existing structure with a legal non-conforming setback may retain its setback provided that the setback is deemed sufficient for fire safety as required by the Building Code.

GENERAL INFORMATION *(continued)*

Fire Sprinklers	For a detached ADU, fire sprinklers are required; attached ADU, required only if it was required for the principal residence.
Utilities	Connection fees or capacity charges must be proportionate to the impact of the ADU based on either its size or number of plumbing fixtures. City may not require the applicant to install a new or separate utility connection or impose a related connection fee or capacity charge for any converted legal existing accessory structure.
Density	ADUs shall not be considered new residential uses for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service.
Parking	One parking space for each ADU unless the ADU is a studio (has no bedrooms and a maximum of 400 SF in size), in which case, no parking space is required. Parallel parking in rear alley setback is prohibited. Tandem parking may be provided on an existing driveway leading to a garage or carport; tandem parking is considered to be two or more automobiles parked on a driveway or in any other location on a lot, lined up behind one another. For ADUs that are within an existing single family residence or an existing accessory structure, no additional parking is required; however, when a garage is converted to an ADU, a new garage must be provided on the parcel in compliance with R-1 and R2-MD zoning provisions.
Conversion	All or part of a legally existing accessory structure can be converted into an ADU as long as it meets the following ¹ : <ol style="list-style-type: none"> 1. The ADU has an independent exterior access, 2. The rear and side setbacks are deemed sufficient for fire safety as required by the Building Code, 3. The structure complies with applicable Building Codes for the proposed use, 4. The conversion does not involve an addition of floor area to the structure. An ADU can be incorporated within the single family residence and shall not exceed 50% of the existing home with a maximum of 800 SF.
Owner Occupancy	The property owner shall reside in one of the units on the property at all times that the ADU is occupied. No restriction on renting to other than family members.
Deed Restriction	Required to be recorded for compliance with owner occupancy.

¹ Existing refers to structures built and finalized prior to February 17, 2018