

Proposed ADU/JADU Ordinance amending Articles 2, 4, 5, 6, and 11 of the Coastal Zoning Ordinance (Clean Version)

Proposed CZO Amendments for Accessory Dwelling Units
and Junior Accessory Dwelling Units
(PL25-0037)

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ORDINANCE NO. _____

AN ORDINANCE OF THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AMENDING DIVISION 8, CHAPTER 1.1, ARTICLES 2, 4, 5, 6, AND 11 OF THE VENTURA COUNTY ORDINANCE CODE, COASTAL ZONING ORDINANCE PERTAINING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

The Board of Supervisors of the County of Ventura ("County") ordains as follows:

Section 1

ARTICLE 2: DEFINITIONS

Article 2, Section 8172-1 – Application of Definitions of the Ventura County Ordinance Code is hereby amended to add the following definition in the appropriate alphabetical order:

Dwelling Unit, Junior Accessory (JADU): As defined in Government Code section 66313, a "junior accessory dwelling unit" means a unit that is no more than 500 square feet in size and contained entirely within an existing or proposed *single-family dwelling*. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing *structure*. (See Section 8175-5.24.)

Article 2, Section 8172-1 – Application of Definitions of the Ventura County Ordinance Code is hereby amended to revise the following existing definitions to read as follows:

Dwelling Unit, Accessory (ADU) - As defined in Government Code section 66313, "accessory dwelling unit" means an attached or detached residential *dwelling unit* that provides complete independent living facilities for one or more persons and is located on a *lot* with a proposed or existing principal *dwelling*. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same *lot* as the *single-family* or *multifamily dwelling* is or will be situated. An ADU also includes the following:

- (a) An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code; and
- (b) A manufactured home, as defined in Section 18007 of the Health and Safety Code. (See Section 8175-5.24.)

Wet Bar – An area within a *dwelling* or *habitable accessory structure* thereto, distinct from a *kitchen* as defined in Article 2 of this Chapter, designed for the purpose of preparing beverages containing a countertop and sink with running water. (See Section 8175-5.1(h).)

Section 2

ARTICLE 4: PERMITTED USES

Article 4, Section 8174-5 – Permitted Uses by Zone of the Ventura County Ordinance Code is hereby amended to read as follows with respect to the below-stated land uses relating to Accessory Dwellings, including Accessory Dwelling Units and Junior Accessory Dwelling Units:

Sec. 8174-5 – Permitted Uses by Zone

LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE										
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM
DWELLINGS											
<i>Accessory Dwellings</i>											
<i>Accessory Dwelling Unit (ADU)</i>	Pursuant to Sec. 8175-5.24										
<i>Junior Accessory Dwelling Unit (JADU)</i>	Pursuant to Sec. 8175-5.24										

E = Exempt*	PDP = PD Permit, Principally-Permitted**	Not Allowed	Exempt	Approved by Planning Director or Designee	Approved by Planning Commission	Approved by Board of Supervisors
ZC = Zoning Clearance*	PW = Public Works Permit					
PD = Planned Development Permit	CUP = Conditional Use Permit					

*Not Appealable to the Coastal Commission

**Principally-permitted uses are only appealable to the Coastal Commission in accordance with the criteria in Public Resources Code Sec. 30603(a) 1-3 and 5.

Section 3

ARTICLE 5: DEVELOPMENT STANDARDS/CONDITIONS – USES

Article 5, Section 8175-2 – Schedule of Specific Development Standards by Zone of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8175-2 – Schedule of Specific Development Standards by Zone

The following table indicates the *lot area*, *lot width*, *setback*, *height*, and *building coverage* standards that apply to individual *lots* in the zones specified. See Articles 6 and 7 for other general standards and exceptions.

Zone	Minimum Lot Area (a)	Maximum Percentage of Building Coverage	Minimum Lot Width	Required Minimum Setbacks (b)				Maximum Height (b)					
				Front	Side		Rear	Principal Structure	Exceptions (Principal Structure)	Accessory Structure			
					Interior & Corner Lots, Except Reverse Corner	Reverse Corner Lots: Street Side							
COS	10 Acres (c)	See Sec. 8175-2.1	40'	20'	10'	20'	15'	25'	Height May Be Increased to 35' if Each Side Setback is at Least 15'	Same as Principal Structure			
CA	40 Acres (c)				5'	10'					15'		
CR	One Acre												
CRE	20,000 Sq. Ft.			20' (d)									
CR1	7000 Sq. Ft.		25'		10'	3'	14' (f)	28', Measured to the Highest Point of the Finished Roof (i)	Height May Be Increased to 30' for A-frame Structures				
CR2	3,000 Sq. Ft. (e)		20' (h)	3' (o)	5'	6' (p)							
RBH	(g)												
CRPD	As Specified by Permit	See Sec. 8175-2.1	As Specified by Permit				See Sec. 8177-1.3				25'	N/A	
CC	20,000 Sq. Ft.			(j)	(k)		(l)	35'					
CM	10 Acres			40'	(m)				(n)				

(a) See Sections 8175-4.10 through 8175-4.12 for exceptions.

(b) See Sections 8175-4 and 8175-5 for exceptions.

(c) For all proposed *land divisions* in the COS and CA zones, the parent *parcel* shall be subject to the following *slope/density formula* for determining minimum *lot area*.

$$S = \frac{(100)(I)(L)}{A} \text{ Where:}$$

A

S = average slope (%)

I = contour interval (feet)

L = total length of all contour lines (feet)

A = total area of the *lot* (square feet)

Once the *average slope* has been computed, the following table shall be used to determine a minimum *lot size* for all proposed *lots* (numbers should be rounded to the nearest tenth):

COS: 0% - 15% = 10 acres

CA: 0% - 35% = 40 acres

15.1% - 20% = 20 acres

Over 35% = 100 acres

20.1% - 25% = 30 acres

25.1% - 35% = 40 acres

Exception (CA): Property with a *land use* designation of "*Agriculture*" in the Coastal Area Plan that is not *prime agricultural land* shall have a *lot area* not less than 200 acres, regardless of *slope*.

- (d) *Dwellings* constructed with carports or garages having a curved or "swing" driveway, with the entrances to the garages or carports facing the side property line, may have a minimum *front setback* distance of 15 feet.
- (e) Minimum 1500 sq. ft. of *lot area* per *dwelling unit*; maximum two *dwelling units* per *lot*.
- (f) If the *front setback* distance is 20 feet or more, the *rear setback* distance may be reduced to six feet.
- (g) 1,750 sq. ft. per *single-family dwelling*; 3,000 sq. ft. per *two-family dwelling*.
- (h) Where there is a two- or three-storied *structure*, such second or third stories may intrude not more than four feet into the required *front setback*. Eaves may extend a maximum of two feet beyond the outside walls of such second or third floor extension.
- (i) See also Section 8175-3.13.
- (j) Ten feet if the *lot abuts* a *residential zone* on the side; otherwise, as specified by permit.
- (k) Five feet on any side *abutting* a *residential zone*. Also, when the rear of a *corner lot abuts* a *residential zone*, the *side setback* distance from the street shall be at least five feet; otherwise, as specified by permit.
- (l) Ten feet if the rear of the *lot abuts* a *residential zone*; otherwise, as specified by permit.
- (m) From street: the greater of 15 feet or 15% of *lot* width or depth. Interior: the greater of five feet or 10% of *lot* width or depth. The *Planning Director* is authorized to modify or entirely waive the interior *setback* requirements in cases where such reductions are necessary for efficient utilization of property and will not adversely affect the public health, safety or welfare, and rail access is provided to the *lot*.
- (n) No *building* or *structure* located within 100 feet of any property in a *residential zone* shall exceed 60 feet in *height*; otherwise, as specified by permit.
- (o) Exception: Each *dwelling unit* of a *two-family dwelling* may have a zero *side setback* distance if constructed on a *lot* (other than a *through lot*) of at least 3,500 square feet in area created prior to February 26, 1987, if that *lot* is subdivided along a common side wall of the two *dwelling units*.
- (p) Exception: Each *dwelling unit* of a *two-family dwelling* may have a zero *rear setback* distance if constructed on a *through lot* of at least 4,000 square feet in area created prior to February 26, 1987, if that *lot* is subdivided along a common rear wall of the two *dwelling units*, and the *front setback* distance of each resulting *lot* is at least 20 feet.

Article 5, Section 8175-3.5 – Accessory Structures as Dwellings, within Section 8175-3 – General Requirements, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8175-3.5 - Accessory Structures as Dwellings

Only the following *accessory structures*, as authorized in this Chapter and with appropriate permits, may be used for human habitation:

- a. *Accessory dwelling unit*;
- b. Temporary *recreational vehicle* during construction;
- c. *Farm worker* or *animal caretaker dwelling*;
- d. *Caretaker dwelling*.

Article 5, Section 8175-3.10 - Number of Dwellings Per Lot, within Section 8175-3 – General Requirements, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8175-3.10 – Number of Principal Dwellings Per Lot

- a. Not more than one principal *dwelling* shall be constructed on any *lot* zoned COS, CA, CR, CRE or CR1, unless otherwise required by state law.
- b. Not more than two principal *dwellings* of any type shall be constructed on any *lot* zoned CR2, RB or RBH, unless otherwise required by state law.

Article 5, Section 8175-5.1 – Standards Related to Dwellings, within Section 8175-5 – Standards and Conditions for Uses, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8175-5.1 – Standards Related to Dwellings

The following standards and conditions shall apply to all *dwellings* hereafter constructed, and to the indicated *accessory uses* and *structures*:

- a. Legal Lot Requirement - See Section 8171-4.4.
- b. Sewage Disposal - Sewage disposal shall be provided by means of a system approved by the Environmental Health Division and the Division of Building and Safety.
- c. Fire Protection - *Dwellings* shall meet all fire protection requirements of the Ventura County Fire Protection District, including all requirements for construction within the *High Fire Hazard Area* as set forth in the Ventura County Building Code.
- d. Deleted.
- e. Recreational Vehicle as Temporary Dwelling During Construction - A *recreational vehicle* may be used by the owner(s) of a *lot* as a temporary *dwelling unit* for 12 months during construction of a residence for which a building permit is in full force and effect on the same site. The *Planning Director* may grant one additional 12-month period and a time extension if substantial progress toward construction of the principal residence is being made. Said *recreational vehicle* shall be connected to the permanent water supply and sewage disposal system approved by the Ventura County Environmental Health Division for the *structure* under construction. Within 45 days after a clearance for occupancy is issued by the Ventura County Division of Building and Safety, any such *recreational vehicle* shall be disconnected from such systems and cease being used as a *dwelling*. A temporary *recreational vehicle* may be accessory to construction on *adjacent lots* under the same ownership as the *lot* on which the *recreational vehicle* is installed.
- f. Home Occupations – On property containing a *dwelling*, no commercial activity shall be construed as a valid *accessory use* to the *dwelling* unless the activity falls within the definition and regulations of a *home occupation*. Home occupations are

permitted in accordance with the following standards:

1. No merchandise, produce or other materials or equipment may be displayed for advertising purposes. Advertising in a telephone book, newspaper, etc., or on a vehicle, shall not divulge the *dwelling's* location.
 2. The *use* shall be carried on only by residents of the *dwelling*.
 3. No signs naming or advertising the *home occupation* are permitted on or off the premises.
 4. The *use* shall not generate additional pedestrian or vehicular traffic beyond that considered normal to the neighborhood. Deliveries to the *dwelling* shall not be excessive and shall not disrupt traffic patterns in the vicinity.
 5. *Home occupations* shall not occupy space required for other purposes (offstreet parking, interior *setbacks*, etc.).
 6. For each *dwelling unit*, there shall be no more than one *commercial vehicle* parked on the property related to the *home occupation*. For the purpose of this section, a vehicle with external lettering or other script pertaining to the *home occupation* is considered to be a *commercial vehicle*. The parking space shall comply with Section 8176-3.4 Accessory Parking and Storage of Oversized Vehicles.
 7. The existence of a *home occupation* shall not be evident beyond the boundaries of the property on which it is conducted. There shall be no internal or external alterations not customarily found in residences.
 8. The *use* of electrical or mechanical equipment that would create visible or audible interference in radio or television receivers is prohibited.
- g. Deleted.
- h. Wet Bars
1. No more than one *wet bar* is permitted per *dwelling unit*;
 2. *Wet bars* shall not contain the following: (i) cooking appliances or other food heating appliances; (ii) a garbage disposal; (iii) a dishwasher; (iv) electrical outlets in excess of 110 volts; (v) gas stub outlets; (vi) more than a single bar sink; or (vii) plumbing greater than 1 ¼ inches in diameter connected to the bar sink drain.
 3. *Wet bars* may contain a mini-refrigerator, provided that its capacity does not exceed 4 cubic feet and it is located within the area of the wet bar counter.
 4. Any portion of a *wet bar* that exceeds the limitations outlined above will be considered a *kitchen* and shall meet all the standards pertaining to *kitchens* pursuant to the definition in Article 2 of this Chapter.

Article 5, Section 8175-5.1.1 – Accessory Dwelling Units, within Section 8175-5.1 – Standards Related to Dwellings, of the Ventura County Ordinance Code is hereby repealed in its entirety.

Article 5, Subsection (a) of Section 8175-5.21.5.2 – Ineligible Dwellings and Structures, within Section 8175-5.21 – Temporary Rental of Dwellings, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8175-5.21.5.2 – Ineligible Dwellings and Structures

Except as provided in Section 8175-5.21.12, no permit for a homeshare or short-term rental shall be issued for any of the following *dwellings*:

- a. A *dwelling* that was permitted as a second dwelling unit, an *accessory dwelling unit*, or a *junior accessory dwelling unit*;

Article 5, Development Standards/Conditions – Uses, of the Ventura County Ordinance Code is hereby amended to add a new **Section 8175-5.24 – Accessory Dwelling Units and Junior Accessory Dwelling Units**, which shall read in its entirety as follows:

Sec. 8175-5.24 – Accessory Dwelling Units and Junior Accessory Dwelling Units

Sec. 8175-5.24.1 – Purpose

- a. The purpose of this Section 8175-5.24 is to allow and regulate *accessory dwelling units (ADUs)* and *junior accessory dwelling units (JADUs)* in compliance with Government Code section 66310 et seq., as may be amended. Pursuant to Government Code section 66314(c), an *ADU* permitted through this Section 8175-5.24 does not exceed the allowable density for the *lot* upon which the *ADU* is located; and an *ADU* is a residential *use* that shall be deemed consistent with the *existing* general plan and zoning designation for the *lot*.
- b. Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 of the Public Resources Code). If there is a conflict between the standards provided in this Section 8175-5.24 and standards in the LCP that protect *coastal resources*, the requirements which are most protective of *coastal resources* shall prevail.

Sec. 8175-5.24.2 – Definitions

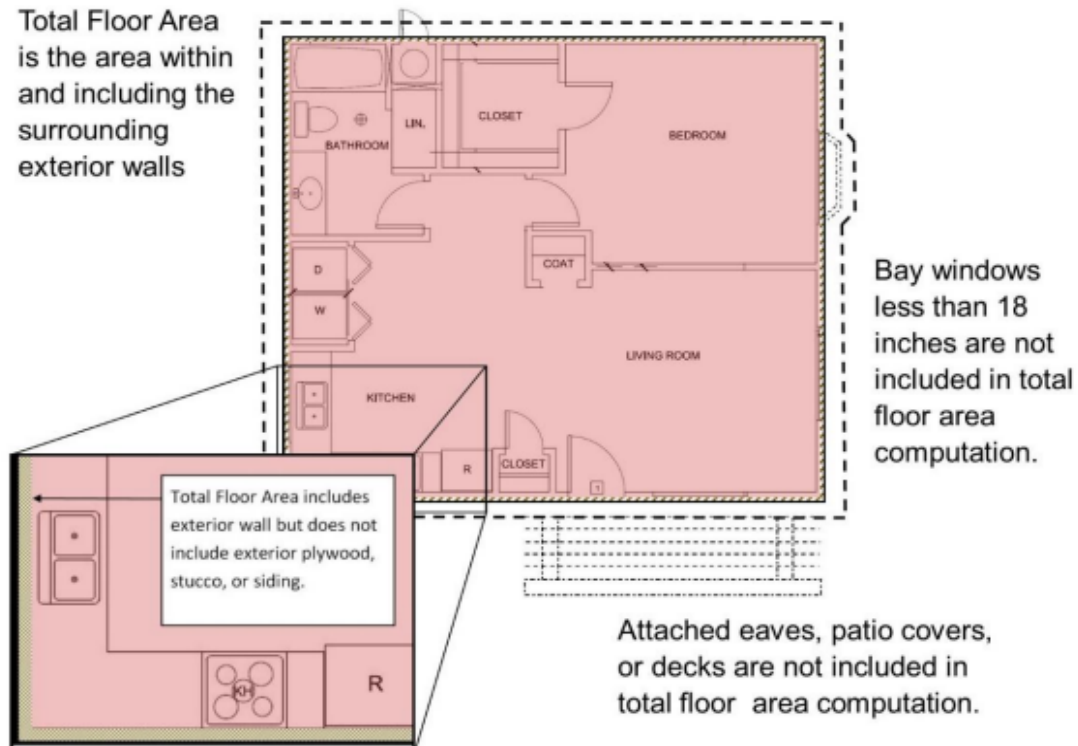
As used in this Section 8175-5.24, the following definitions shall apply:

- a. Accessory Structure – Shall have the same definition as set forth in Government Code section 66313, which states: “‘Accessory structure’ means a *structure* that is accessory and incidental to a *dwelling* located on the same *lot*.”
- b. Existing – Space, units, or *structures* that are legally permitted or legal nonconforming.
- c. Livable Space – Shall have the same definition as set forth in Government Code section 66313, which states: “‘Livable space’ means a space in a *dwelling*

intended for human habitation, including living, sleeping, eating, cooking, or sanitation.”

- d. Multifamily Dwelling – Means a *structure* with two or more attached *dwelling*s on a single *lot*. Multiple detached *single-family dwelling*s on the same *lot* are not considered multifamily dwellings for purposes of this Section 8175-5.24.
- e. Nonconforming Zoning Condition – Shall have the same definition as set forth in Government Code section 66313, which states: “Nonconforming zoning condition’ means a physical improvement on a property that does not conform to current zoning standards.”
- f. Passageway – Shall have the same definition as set forth in Government Code section 66313, which states: “Passageway’ means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the *accessory dwelling unit*.”
- g. Proposed Dwelling – Shall have the same definition as set forth in Government Code section 66313, which states: “Proposed dwelling’ means a *dwelling* that is the subject of a permit application and that meets the requirements for permitting.”
- h. Public Transit – Shall have the same definition as set forth in Government Code section 66313, which states: “Public transit’ means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.”
- i. Tandem Parking – Shall have the same definition as set forth in Government Code section 66313, which states: “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a *lot*, lined up behind one another.”
- j. Total Floor Area – Shall have the same definition as “building area” as set forth in Title 24, Part 2, Chapter 2 of the California Building Code, which states: “The area included within surrounding exterior walls, or exterior walls and fire walls, exclusive of vent shafts and courts. Areas of the *building* not provided with surrounding walls shall be included in the *building* area if such areas are included within the horizontal projection of the roof or floor above.” However, the computation of total floor area for *ADUs* shall not include: a garage that is attached to, or below the *ADU* when there is no internal access from the garage to the *ADU*; or an unenclosed area or feature such as any eave or architectural feature, attached covered patio or deck, an open deck constructed at or below the level of the first floor, a balcony or the space below a cantilevered balcony, the space below an open and unenclosed stairway, a covered carport, a bay window that does not extend to the floor or protrude more than 18 inches from the adjoining exterior wall, or similar, as illustrated in Figure 1 below.

Figure 1



Sec. 8175-5.24.3 – Types of Accessory Dwelling Units

An ADU may be created in the following forms:

- a. Detached: The ADU is separated from the primary residential *structure*.
- b. Attached: The ADU is attached to the primary residential *structure*. An attached ADU may include the conversion of existing partially enclosed spaces (such as a covered patio) to an ADU that is attached to the primary residential *structure*.
- c. Space within Primary Residential Structure: The ADU is created within the space (e.g., primary bedroom, attached garage, storage area, or similar *use*) of an existing or proposed primary residential *structure*.
- d. Space within an Existing Accessory Structure: The ADU is created within the space of an existing accessory structure that is located on the *lot* of the primary residence.

Sec. 8175-5.24.4 – ADU and JADU Application Processing and General Requirements

The following provisions identify the type of permit required for the approval of an ADU or JADU pursuant to this Section 8175-5.24 and other general requirements.

a. Coastal Development Permit

1. Required: An application for an *ADU* or *JADU* that does not qualify for an exemption under Section 8175-5.24.4(b)(1) requires a *Coastal Development Permit* in the form of a *Planning Director* approved *Planned Development Permit*, which shall be reviewed without a public hearing, pursuant to Section 8181-13.
2. Applicable Provisions: When an *ADU* or *JADU* requires a *Coastal Development Permit*, the *ADU* or *JADU* must comply with the standards in Section 8175-5.24.5, 8175-5.24.6, or 8175-5.24.7, as applicable.
3. Additional Requirements: When a *Coastal Development Permit* is required, the *ADU* or *JADU* must be sited and designed to avoid adverse impacts to *coastal resources*, including by conforming with all applicable LCP policies, including, but not limited to, those that govern *wetlands*, *streams*, *environmentally sensitive habitat areas*, public views, public access, and *coastal bluffs*.
4. Notwithstanding any other provision of this LCP, a *Coastal Development Permit* shall be required for a detached *ADU* proposed in any allowable zone.

b. Exemptions from Coastal Development Permit Requirement, and Ministerial Review

1. Exemptions:
 - i. Lots with an Existing Single-Family Dwelling: Pursuant to Section 8174-6.2.2, the following *ADUs* shall be categorically exempt from a *Coastal Development Permit*, with the exception of those *developments* listed in Section 8174-6.2.2(c):
 - A. An *ADU* or *JADU* entirely within the existing space of a permitted *single-family dwelling*.
 - B. An *ADU* entirely within the existing space of a permitted accessory structure that is attached to the *single-family dwelling*.
 - C. An *ADU* that is attached to an existing permitted *single-family dwelling*.
 - ii. Lots with an Existing Multifamily Dwelling: Pursuant to Section 8174-6.2.3, the following *ADUs* shall be exempt from a *Coastal Development Permit*, with the exception of those *developments* listed in Section 8174-6.2.3(c):
 - A. An *ADU* entirely within the existing space of a permitted multifamily *dwelling*.
 - B. An *ADU* entirely within the existing space of a permitted accessory structure that is attached to the multifamily *dwelling*.
 - C. An *ADU* that is attached to an existing permitted multifamily *dwelling*.

- iii. The exemptions provided in subsections (i) and (ii) above do not apply to detached *ADUs* in any zone.
- 2. **Ministerial Review:** *ADU* and *JADU* applications that are exempt from a *Coastal Development Permit* under Section 8175-5.24.4(b)(1) and meet the requirements of this Section 8175-5.24 shall be reviewed and approved with a ministerial *Zoning Clearance* and building permit. Such applications shall be considered and approved ministerially without discretionary review or a hearing.
- c. **When Demolition Permit Required:** A demolition permit for a detached garage that is to be replaced with an *ADU* shall be reviewed with the application for the *ADU* and issued at the same time.
- d. **Nonconforming Zoning Violations:** Correction of nonconforming zoning conditions, *building* code violations, or unpermitted *structures* that do not present a threat to public health and safety and are not affected by the construction of an *ADU* or *JADU* shall not be a condition to approval of an *ADU* or *JADU* application.
- e. **Rentals, Owner Occupancy, and Transfers:**
 - 1. **Rentals:** An *ADU* and *JADU* may each be rented separately from the primary residence.
 - 2. **Rental Term:** All *ADUs* and *JADUs*, and any portion thereof, that are rented shall be rented for terms that are longer than 30 consecutive days.
 - 3. **Owner Occupancy:**
 - i. **Lot with ADU:** For a *lot* with an *ADU*, the owner of the *lot* does not have to occupy the primary residence or *ADU*. However, if a *single-family dwelling* has an *ADU* and a *JADU*, then the owner must occupy either the *JADU* or the remaining portion of the *single-family dwelling* in accordance with Section 8175-5.24.4(e)(3)(ii).
 - ii. **Lot with JADU:** The owner of the *lot* must reside in the *single-family dwelling* in which the *JADU* will be permitted. Upon completion of construction of the *JADU*, the owner must occupy either the remaining portion of the *single-family dwelling* or the *JADU*. For purposes of this Section 8175-5.24.4(e)(3)(ii), 'owner' includes a beneficial owner when the property is owned by a trust or legal entity. Owner-occupancy, however, is not required if the owner is a governmental agency, land trust, or housing organization.
 - 4. **Sales and Transfers:** Except as provided in Government Code section 66341, an *ADU* shall not be sold or otherwise conveyed separately from the primary residence. *JADUs* shall not be sold or transferred separately from the *single-family dwelling*.

f. Deed Restriction:

1. For ADUs: No deed restriction is required for an *ADU* approved under this Section 8175-5.24.
2. For JADUs: Upon approval of a *JADU*, a deed restriction running with the land in a form provided by the *County* must be recorded with the County Recorder at the property owner's expense. The deed restriction must include the following:
 - i. Rentals of the *JADU* must be for a term that is longer than 30 consecutive days;
 - ii. A prohibition on the sale of the *JADU* separate from the sale of the *single-family dwelling*, including a statement that the deed restriction may be enforced against future purchasers;
 - iii. A restriction on the size and attributes of the *JADU* that conforms with Section 8175-5.24.7 and Government Code section 66333 et seq.; and
 - iv. Owner occupancy requirements for the *JADU* in accordance with Section 8175-5.24.4(e)(3)(ii).

Sec. 8175-5.24.5 – ADUs and JADUs Allowed by Government Code Section 66323

- a. This Section 8175-5.24.5 provides standards for certain *ADUs* and *JADUs* that may be permitted in accordance with Government Code section 66323. An *ADU* and/or *JADU* that complies with the applicable Building Code and Fire Code requirements and the standards set forth in Sections 8175-5.24.5(b), (c), (d) or (e) shall be permitted with a *Coastal Development Permit*, or a ministerial *Zoning Clearance* and building permit, as determined by subsections (a) and (b) of Section 8175-5.24.4.
- b. **Within Space of Single-Family Dwellings and Accessory Structures:** One *ADU* within the space of a *single-family dwelling* or accessory structure pursuant to this Section 8175-5.24.5(b) is allowed per *lot* if all the following standards are met:
 1. The subject *lot* is zoned CR, CRE, CR1, CR2, RB, RBH, or CRPD.
 2. Location of *ADU* and/or *JADU*:
 - i. The *ADU* or *JADU* is created within a portion of the existing or proposed space of a *single-family dwelling* and has exterior access from the proposed or existing *single-family dwelling*; or
 - ii. The *ADU* is created within the existing space of an accessory structure, such as the conversion of garages and other accessory structures, either attached or detached from the principal *dwelling*. An existing accessory structure may include an expansion of not more than 150 square feet beyond its same physical dimensions, but such expansion shall be limited to accommodating ingress and egress to the *ADU*.

3. The *side* and *rear setbacks* comply with applicable Building and Fire Code requirements, even if the existing *side* and *rear setbacks* are legal nonconforming.
4. The *ADU* pursuant to this Section 8175-5.24.5(b) may be combined with:
 - i. One *ADU* that meets the standards of either Section 8175-5.24.5(c) or Section 8175-5.24.6; and
 - ii. One *JADU* complying with the requirements of Government Code section 66333 et seq. and Section 8175-5.24.7.
- c. **New Detached ADU with an Existing or Proposed Single-Family Dwelling:** One detached new construction *ADU* pursuant to this Section 8175-5.24.5(c) is allowed on a *lot* with a proposed or existing *single-family dwelling* if all the following standards are met:
 1. The subject *lot* is zoned CR, CRE, CR1, CR2, RB, RBH, or CRPD.
 2. The *ADU's side* and *rear setbacks* are at least four feet.
 3. The *ADU* does not exceed 850 square feet.
 4. The *ADU's* maximum *building height* above *grade* complies with the *height* limitations identified in Section 8175-5.24.6(e).
 5. The *ADU* pursuant to this Section 8175-5.24.5(c) may be combined with:
 - i. One *ADU* that meets the standards of either Section 8175-5.24.5(b) or the standards for an attached *ADU* pursuant to Section 8175-5.24.6; and
 - ii. One *JADU* complying with the requirements of Government Code section 66333 et seq. and Section 8175-5.24.7.
- d. **ADUs in Existing Multifamily Dwelling Structures:** *ADUs* within portions of existing multifamily *dwelling structures* are allowed pursuant to this Section 8175-5.24.5(d), and may be combined with detached *ADUs* pursuant to Section 8175-5.24.5(e), if all of the following standards are met, even if the multifamily *dwelling* is legal nonconforming:
 1. The subject *lot* is zoned CR, CRE, CR1, CR2, RB, RBH, or CRPD.
 2. Location of ADU:
 - i. The *ADUs* are created within portions of the existing multifamily *dwelling structures* that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages. If there is no existing non-livable space within a multifamily *dwelling structure*, an *ADU* cannot be created pursuant to this Section 8175-5.24.5(d).
 - ii. The non-livable space used to create an *ADU* pursuant to this Section 8175-5.24.5(d) on a *lot* with mixed-uses shall be limited to the residential areas, and shall not include the areas used for commercial or other non-residential activities. Parking and storage areas for nonresidential *uses*

shall also be excluded from potential *ADU development* pursuant to this Section 8175-5.24.5(d).

3. The maximum number of *ADUs* that may be created pursuant to this Section 8175-5.24.5(d) shall be at least one or the number of *ADUs* equal to up to 25 percent of the existing multifamily *dwelling units*, whichever is greater.
- e. **Detached ADUs with Existing or Proposed Multifamily Dwelling:** Pursuant to this Section 8175-5.24.5(e), up to two detached *ADUs* are allowed on a *lot* with a proposed multifamily *dwelling*, or up to eight detached *ADUs* are allowed on a *lot* with an existing multifamily *dwelling*, and may be combined with *ADUs* created within multifamily *dwelling*s pursuant to Section 8175-5.24.5(d), if all of the following standards are met, even if the multifamily *dwelling* is legal nonconforming:
 1. The subject *lot* is zoned CR, CRE, CR1, CR2, RB, RBH, or CRPD.
 2. The *ADUs* maximum height above *grade* complies with the *height* limitations identified in Section 8175-5.24.6(e).
 3. The *ADU's side* and *rear setbacks* are at least four feet.
 4. Detached *ADUs* may be attached to each other, but must be detached from the existing or proposed multifamily *dwelling*.
 5. If the *lot* has an existing multifamily *dwelling*, the quantity of detached *ADUs* does not exceed the number of principal *dwelling units* on the *lot*.
- f. **Not Subject to Development Standards in Section 8175-5.24.6:** *ADUs* that meet the requirements of Section 8175-5.24.5(b), (c), (d) or (e) are not subject to the *development* standards of Section 8175-5.24.6, including size, *setback*, parking, and *building lot* coverage requirements.

Sec. 8175-5.24.6 – Development Standards for ADUs Not Authorized under Section 8175-5.24.5

- a. This Section 8175-5.24.6 provides standards for certain *ADUs* in accordance with Government Code section 66314 et seq. that do not meet the provisions of Section 8175-5.24.5. An *ADU* that complies with the applicable Building Code and Fire Code requirements, the standards set forth in this Section 8175-5.24.6 and other applicable zoning standards of the underlying zone shall be permitted with a *Coastal Development Permit* or a ministerial *Zoning Clearance* and building permit, as determined by subsections (a) and (b) of Section 8175-5.24.4.
- b. **Property Requirements:**
 1. The subject *lot* is zoned COS, CA, CR, CRE, CR1, CR2, RB, RBH, or CRPD.
 2. The *lot* has a proposed or existing *single-family* or multifamily *dwelling*.

c. Maximum Number of ADUs and JADUs per Lot:

1. Each *lot* may have one *ADU* pursuant to this Section 8175-5.24.6, which may be combined with:
 - i. One *ADU* that meets the standards of either Section 8175-5.24.5(b) or Section 8175-5.24.5(c); and
 - ii. One *JADU* that meets the requirements of Government Code section 66333 et seq. and Section 8175-5.24.7.
2. *Lots* zoned COS or CA are only allowed a maximum of one *ADU* pursuant to this Section 8175-5.24.6.

d. Parking Standards.

1. No Parking Requirements: No parking standards apply for an *ADU* in any of the following instances:
 - i. Where the *ADU* is located within one-half mile walking distance of public transit.
 - ii. Where the *ADU* is located within an architecturally and historically significant historic *district*.
 - iii. Where the *ADU* is part of the proposed or existing primary residence or an accessory structure.
 - iv. When on-street parking permits are required but not offered to the occupant of the *ADU*.
 - v. When there is a car share vehicle, as defined by section 22507.1(d) of the Vehicle Code, located within one block of the *ADU*.
 - vi. When a permit application for an *ADU* is submitted with a permit application to create a new *single-family dwelling* or a new multifamily *dwelling* on the same *lot*, provided that the *ADU* or the *lot* satisfies any of the criteria listed above in this Section 8175-5.24.6(d)(1).
2. Required Off-Street Parking: Except as provided in Section 8175-5.24.6(d)(1), the following off-street parking standards shall apply:
 - i. Number of Spaces: One covered or uncovered off-street parking space is required per *ADU* or per bedroom, whichever is less.
 - ii. Location of Spaces: Off-street parking may be provided as tandem parking on a driveway or by the use of *mechanical* automobile *parking lifts*. Additionally, the parking space for an *ADU* may encroach into a required *front* and/or interior *side setback*, provided that:
 - A. The long dimension of the space is parallel to the centerline of the nearest driveway on the *lot*; and
 - B. On *interior lots*, a minimum distance of 3 feet from the *side lot line* remains unobstructed by vehicles on at least one side of the *lot*.

3. No Off-Street Replacement Parking Required for Primary Residential Structure: When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an *ADU* or converted to an *ADU*, those off-street parking spaces do not need to be replaced for the principal *dwelling*. Additionally, no parking is required for a newly created *ADU* pursuant to Section 8175-5.24.6(d)(1)(iii) above.

e. Height:

1. The maximum allowed *height* for detached *ADUs* is as follows:
 - i. Maximum of 16 feet above *grade* on a *lot* with an existing or proposed *single-family* or multifamily *dwelling*; or
 - ii. Maximum of 18 feet above *grade* on a *lot* with an existing or proposed multifamily *dwelling* with multiple stories; or
 - iii. Maximum of 18 feet above *grade* if the *lot* has an existing or proposed *single-family* or multifamily *dwelling*, and is within one half-mile walking distance of a major transit stop or a high-quality transit corridor, as defined in Section 21155 of the Public Resources Code. 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 principal *dwelling unit*.
 - iv. Detached *ADUs* may exceed the allowable *height* limits set forth in subsections (i) through (iii) above if the *ADU* is set back at least 20 feet from all property lines, but the *ADU* shall not exceed the maximum allowable *building height* of the principal *dwelling unit* on the *lot*, pursuant to Article 5 of this Chapter.
 - v. Detached *ADUs* are limited to no more than two stories.
2. The maximum allowable *height* for an attached *ADU* is 25 feet above *grade* or the maximum allowed *building height* of the principal *dwelling* pursuant to Article 5 of this Chapter, whichever is lower.

f. Setbacks:

1. No additional *setbacks* are required if any of the following are converted to an *ADU* or portion of an *ADU*: (i) an existing living area; (ii) an existing accessory structure; or (iii) a new *structure* constructed in the same *building* footprint and to the same dimensions as an existing *structure*. The provisions of Article 12 of this Chapter shall not apply in these situations. For purposes of this section, living area, as defined by Government Code section 66313, means the interior habitable area of a *dwelling unit*, including basements and attics, but does not include a garage or any accessory structure.
2. All other new attached and detached *ADUs* shall have four-foot *setbacks* from the *rear* and *side lot lines*.

- g. Minimum Lot Size:** There is no minimum *lot* size requirement for an *ADU* or *JADU*.

h. ADU Size for Attached and Detached ADUs:

1. For *lots* that are 9,000 square feet or less, the maximum total floor area of an attached or detached *ADU* shall be 850 square feet if there is one bedroom or an efficiency unit; or 1,000 square feet if there is more than one bedroom; or
2. For *lots* that are larger than 9,000 square feet, but less than 10 acres, the maximum total floor area of an attached or detached *ADU* shall be 1,200 square feet; or
3. For *lots* that are 10 acres in size or larger, the maximum total floor area of an attached or detached *ADU* shall be 1,800 square feet.
4. Covered patios, decks, and garages below the *ADU* are not included in the total floor area computation but are counted toward the maximum allowable square footage allowed for “accessory uses and structures to dwellings” in Section 8174-5.

i. ADUs Within Space of Single-Family Dwellings in the COS or CA Zones:

One *ADU* per *lot* is allowed within a proposed or existing *single-family dwelling* in the COS or CA zones if the applicable standards of this Section 8175-5.24.6 and the following standards are met:

1. The *ADU* is created within a portion of the existing or proposed space of a *single-family dwelling* and has independent exterior access;
2. The *ADU* does not have internal access to the principal *dwelling*;
3. The *ADU* does not exceed the size maximums for *ADUs* set forth in Section 8175-5.24.6(h), as applicable; and
4. The *side* and *rear setbacks* comply with applicable Building and Fire Code requirements.

j. Accessory Structures:

1. No accessory structure shall be attached to a detached *ADU* unless the combined total floor area of the accessory structure and *ADU* does not exceed the allowable size of the *ADU* per Section 8175-5.24.6(h). This provision does not apply to *ADUs* built attached to, or above, a garage.
2. An *ADU* attached to an accessory structure shall not have internal access to the accessory structure.

k. Limited Exception to Development Standards: Notwithstanding any other minimum or maximum size for an *ADU*, size that may be limited based upon a percentage of the proposed or existing principal *dwelling*, or limits on *lot* coverage, floor area ratio, open space, *front setback*, and minimum *lot* size, for either attached or detached *ADUs*, an *ADU* that is up to 850 square feet with four foot *side* and *rear setbacks* may be constructed in compliance with all other applicable *development* standards.

Sec. 8175-5.24.7 – JADU Requirements

A *JADU* must comply with the following requirements:

a. Number and Location:

1. The subject *lot* is within one of the following single-family residential zones: CR, CRE, CR1, CR2, RB, RBH, or CRPD.
2. One *JADU* is allowed per *lot*, including on *lots* with multiple detached *single-family dwellings*.
3. The *JADU* must be created within the walls of a proposed or existing *single-family dwelling*, including attached garages, which are considered within the walls of the existing *single-family dwelling*.
4. A *JADU* is not allowed in a multifamily *dwelling*.
5. A *JADU* is not allowed in an accessory structure.

b. Size: The *JADU* shall be no larger than 500 square feet in total floor area.

c. Kitchen: The *JADU* must contain an efficiency kitchen that includes:

1. A cooking facility with appliances; and
2. A food preparation counter and storage cabinets.

d. Entrance: The *JADU* shall have a separate entrance from the main entrance to the proposed or existing *single-family dwelling*. An interior entry into the *single-family dwelling* is not required unless the *JADU* shares sanitation facilities with the *single-family dwelling*.

e. Parking:

1. When a *JADU* is created by the conversion of an attached garage, replacement parking for the primary residential *structure* is not required to be provided.
2. No parking is required for a *JADU*.

f. Sanitation: A *JADU* must either include separate sanitation facilities or share sanitation facilities with the *single-family dwelling*.

Section 4

ARTICLE 6: PARKING AND LOADING REQUIREMENTS

Article 6, Section 8176-2.1 – Use of Parking Spaces of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8176-2.1 – Use of Parking Spaces

- a. Required covered and uncovered parking spaces shall be maintained in a condition that allows for the temporary parking and maneuvering of vehicles unless otherwise provided herein.
- b. Except for the creation of an *accessory dwelling unit* or *junior accessory dwelling unit*, pursuant to Section 8175-5.24, required parking spaces shall not be converted to other *uses* or used for the sale, lease, display, repair, or storage of trailers, boats, campers, mobile homes, waste containers, merchandise, or equipment.
- c. Required parking spaces at automobile repair shops, service stations, or similar land uses shall not be used for the storage of vehicles for repair or servicing.
- d. *Parking lots* that serve commercial or mixed use developments should be shared as authorized by this Article. Where *feasible*, such parking *lots* should accommodate public *coastal access parking*.
- e. Excess motor vehicle parking spaces may either remain as motor vehicle parking spaces or be converted to bicycle parking spaces, motorcycle parking spaces, landscaping, or other allowable uses.

Article 6, Section 8176-3.7 – Table of Parking Space Requirements by Land Use of the Ventura County Ordinance Code is hereby amended so that the Table of Parking Requirements by Land Use reads as follows with respect to the below-stated residential land uses:

Sec. 8176-3.7 – Table of Parking Requirements by Land Use

LAND USE	MOTOR VEHICLE SPACES REQUIRED + / - 10% OF THE TOTAL	BICYCLE SPACES REQUIRED
RESIDENTIAL		
<i>Accessory Dwelling Units</i>	1 covered/uncovered space (in addition to the spaces required for the principal <i>dwelling unit</i>). No additional parking is required for <i>accessory dwelling units</i> that meet the provisions of Sec. 8175-5.24.5 or Sec. 8175-5.24.6(d)(1).	

LAND USE	MOTOR VEHICLE SPACES REQUIRED + / - 10% OF THE TOTAL	BICYCLE SPACES REQUIRED
<i>Junior Accessory Dwelling Units</i>	No parking is required for a <i>junior accessory dwelling unit</i> .	
<i>Single-Family and Two-Family Dwellings¹</i>		
1-4 Bedrooms (per unit)	2 covered ² spaces	
5 Bedrooms (per unit)	3 spaces (2 shall be covered ²)	
6 or More Bedrooms (per unit)	4 spaces (2 shall be covered ²)	

¹ Pursuant to Sec. 8175-5.24.6(d)(3), when a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an *accessory dwelling unit* or converted to an *accessory dwelling unit*, those off-street parking spaces do not need to be replaced.

² Except that on parcels larger than one acre located in CA, COS, and CRE zones, parking may be uncovered.

Section 5

ARTICLE 11: ENTITLEMENTS – PROCESS AND PROCEDURES

Article 11, Subsection (a) of Section 8181-9.5 – Appeals to the Coastal Commission, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8181-9.5 – Appeals to the Coastal Commission

- a. For developments that are subject to the appeals jurisdiction of the Coastal Commission under Section 30603 of the Public Resources Code, appeal of an action on a Permit may be filed with the Coastal Commission. Prior to filing an appeal with the Coastal Commission, all local appeals on the County's action must have been exhausted, unless the exhaustion of local appeals is not required according to Section 13573 of Title 14 of the California Code of Regulations. *Accessory dwelling unit, junior accessory dwelling unit, and supportive housing* applications subject to the appeals jurisdiction of the Coastal Commission shall be appealed directly to the Coastal Commission.

Article 11, Section 8181-13 – Accessory Dwelling Unit Procedures Pursuant to Subdivision (j) of Section 65852.2 of the Government Code, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8181-13 – Accessory Dwelling Unit and Junior Accessory Dwelling Unit Procedures Pursuant to Government Code Section 66329

Notwithstanding Any Other Provision of this Article:

- a. No public hearings shall be conducted on applications for *accessory dwelling units* and *junior accessory dwelling units* under Section 8175-5.24. Public notice of the project shall be provided to the parties identified in Section 8181-6.2.1(a) at least 10 calendar days prior to the *Planning Director's* decision. Interested parties may submit written comments to the *Planning Director* by the deadline specified in the notice, which shall be prior to the *Planning Director's* decision.
- b. The *Planning Director* shall not defer decisions on applications for *accessory dwelling units* and *junior accessory dwelling units* pursuant to Section 8175-5.24 to the Planning Commission or the Board of Supervisors. The County shall provide notice of the Planning Director's decision pursuant to Section 8181-7.3.
- c. Decisions of the *Planning Director* on applications for *accessory dwelling units* and *junior accessory dwelling units* are final County decisions not subject to administrative County appeal and shall, upon being rendered, be appealable to the Coastal Commission in accordance with Section 8181-9.5.

Section 6

If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Ventura County Board of Supervisors hereby declares that it would have passed and adopted this ordinance, and each and all provisions hereof, irrespective of the fact that any one or more provisions may be deemed invalid or unconstitutional.

Section 7

This ordinance shall become effective and operative upon certification by the California Coastal Commission.

PASSED AND ADOPTED this ___ day of _____, 2025, by the following vote:

AYES: Supervisors _____

NOES: Supervisors _____

ABSENT: Supervisors _____

CHAIR, BOARD OF SUPERVISORS

ATTEST: DR. SEVET JOHNSON
Clerk of the Board of Supervisors
County of Ventura, State of California

By _____
Deputy Clerk of the Board