

Attachment D

This page intentionally left blank.

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA,
AMENDING TITLE 20 (COASTAL ZONING) OF THE MONTEREY COUNTY CODE
RELATING TO ACCESSORY AND JUNIOR DWELLING UNITS**

County Counsel Summary

This ordinance amends the County’s zoning regulations for accessory and junior dwelling units in the unincorporated coastal zone of Monterey County. The ordinance updates Section 20.64.030 and other sections of Title 20 of the Monterey County Code to conform to recently enacted state law concerning accessory and junior accessor dwelling units, as well as amending Part 6 of the Monterey County Coastal Implementation Plan to add a new Appendix 15 concerning accessory dwelling unit parking. Such changes include provisions allowed under California Government Code sections 66314 and 66333, including, but not limited to, restrictions on zoning locations, objective standards on parking, height, setback, landscape, and rental restrictions. This ordinance will require certification by the California Coastal Commission because this ordinance would amend the County of Monterey’s certified Coastal Implementation Plan.

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. Findings and Declarations.

A. Pursuant to Article XI, section 7 of the California Constitution, the County of Monterey (“County”) may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its residents.

B. Per amendments to California Government Code sections 66310 through 66342 adopted by the state legislature, the County desires to amend its existing regulations pertaining to Accessory Dwelling Units (“ADUs”) and enact regulations related to Junior Accessory Dwelling Units (“JADUs”) to conform to all state law requirements.

C. ADUs and JADUs have the potential to increase the stock of affordable housing in Monterey County by creating a wider range of smaller and lower cost housing options within unincorporated communities.

D. This ordinance is statutorily exempt from the California Environmental Quality Act (“CEQA”), which provides that CEQA does not apply to activities and approvals involving the preparation and adoption of local coastal program amendments (CEQA Guidelines section 15265).

E. The County intends to carry out the amendments in a manner fully in conformity with the California Coastal Act (Public Resources Code section 30000 *et seq.*).

F. This ordinance amends the Monterey County Coastal Implementation Plan, which is part of the County’s Local Coastal Program. Pursuant to the Coastal Act, the County may amend the certified Local Coastal Program provided the County follows certain procedures. The procedures include the following: the County’s Planning Commission holds a noticed public hearing and makes a recommendation to the Board of Supervisors on the proposed amendment; the Board of Supervisors holds a noticed public hearing, adopts a resolution of intent, and submits the proposed amendment to the California Coastal Commission for certification together with materials sufficient for a thorough and complete review; the Coastal Commission certifies the amendment; the Board of Supervisors takes subsequent final action on the ordinance after the Coastal Commission acts; and the Coastal Commission confirms the County’s action. Accordingly, this ordinance will not go into effect until after the Coastal Commission certifies the amendment and confirms the Board’s action.

SECTION 2. Section 20.06.375 of the Monterey County Code is amended to read as follows:

“Accessory ~~D~~dwelling ~~U~~nit” or “ADU” means an attached or a 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 primary residence. 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. ~~permanent residence, secondary to an existing main dwelling, which provides complete independent living facilities for one or more persons. It shall include permanent provision for living, sleeping, eating, cooking, and sanitation on the same parcel where the single family dwelling is situated.~~ An Accessory Dwelling Unit also includes the following: (1) an efficient unit, as defined in Section 17958.1 of the California Health and Safety Code, as may be amended; (2) a manufactured home, as defined in Section 18007 of the Health and Safety Code, as may be amended; and (3) a tiny home, if the tiny home meets the requirements of Section 18007 of the Health and Safety Code, as may be amended.

SECTION 3. Section 20.06.376 is added to the Monterey County Code to read as follows:

“Junior Accessory Dwelling Unit” or “JADU” means a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the single-family residence.

SECTION 4. Subsection R of Section 20.10.040 of the Monterey County Code is amended to read as follows:

R. Accessory Dwelling Units and Junior Accessory Dwelling Units meeting the development standards of Section 20.64.030;

SECTION 5. Subsection S of Section 20.12.040 of the Monterey County Code is amended to read as follows:

S. Accessory Dwelling Units and Junior Accessory Dwelling Units meeting the development standards of Section 20.64.030;

SECTION 6. Subsection W of Section 20.14.040 of the Monterey County Code is amended to read as follows:

W. Accessory Dwelling Units and Junior Accessory Dwelling Units meeting the development standards of Section 20.64.030;

SECTION 7. Subsection W of Section 20.16.040 of the Monterey County Code is amended to read as follows:

W. Accessory Dwelling Units and Junior Accessory Dwelling Units meeting the development standards of Section 20.64.030;

SECTION 8. Subsections Y and Z are hereby amended and added to Section 20.17.040 of Monterey County Code to read as follows:

Y. Employee Housing providing accommodations for up to six employees~~;~~:-

Z. Accessory Dwelling Units and Junior Accessory Dwelling Units meeting the development standards of Section 20.64.030.

SECTION 9. Subsection NN of Section 20.17.050 of the Monterey County Code is amended to read as follows:

NN. ~~Accessory Dwelling Unit meeting the development standards of Section 20.64.030~~ [Repealed];

SECTION 10. Subsections Z and AA are hereby amended and added to Section 20.18.050 of Monterey County Code to read as follows:

Z. Storage, rental and sale of irrigation equipment~~;~~:-

AA. Accessory Dwelling Units and Junior Accessory Dwelling Units meeting the development standards of Section 20.64.030.

SECTION 11. Subsection U is hereby added to Section 20.20.050 of Monterey County Code to read as follows:

U. Accessory Dwelling Units and Junior Accessory Dwelling Units meeting the development standards of Section 20.64.030.

SECTION 12. Subsection G is hereby added to Section 20.22.050 of Monterey County Code to read as follows:

G. Accessory Dwelling Units and Junior Accessory Dwelling Units meeting the development standards of Section 20.64.030.

SECTION 13. Subsections T and U are hereby amended and added to Section 20.30.040 of Monterey County Code to read as follows:

T. Small Residential Care Facility, subject to the same standards as a single family dwelling;

U. Accessory Dwelling Units and Junior Accessory Dwelling Units meeting the development standards of Section 20.64.030.

SECTION 14. Subsections U and V are hereby amended and added to Section 20.32.040 of Monterey County Code to read as follows:

U. Small Residential Care Facility, subject to the same standards as a single family dwelling;

V. Accessory Dwelling Units and Junior Accessory Dwelling Units meeting the development standards of Section 20.64.030.

SECTION 15. Section 20.58.040 of the Monterey County Code is amended to read as follows:

The number of off-street parking spaces shall not be less than:

USE	PARKING SPACES REQUIRED
Agricultural Employee Housing	1 space/dwelling unit or 1 space/4 beds
Agricultural Processing Plant	1 space/500 square feet
Amusement Park	1 space/4 occupant
Appliance Repair	1 space/500 square feet
Art Gallery	1 space/500 square feet
Auditorium	1 space/4 seat. If no fixed seating, 1 space/35 square feet
Automobile Repair	1 space/500 square feet of floor area
Automobile Sales	1 space/500 square feet of floor area plus 1 space/2,000 square feet outdoor sales, display or storage area

Automobile Services Station	1 space/500 square feet floor area
Bank	1 space/200 square feet
Bar, Lounge, Night Club	1 space/3 seats
Cocktail Lounge	Where seating is not fixed, 1 space 50 square feet
Barber Shop, Beauty Parlor	2 spaces/chair
Baseball Park	1 space/4 seats
Bed and Breakfast Facility	1 space/unit
Billiard Hall	2 spaces/table
Bowling alley	5 spaces/lane
Building Materials	1 space/500 square feet floor area plus 1 space/2000 square feet outdoor use area
Bus Depot	1 space/20 square feet waiting area plus 1 space/300 square feet office area
Cabinet Shop	1 space/500 square feet
Children's Home, Orphanage	1 space/4 seats. If no fixed seating, 1 space/35 square feet
Church	1 space/4 seat. If no fixed seating, 1 space/35 square feet
Cleaners	2 space plus spaces/1,000 square feet
Community Center	1 space/4 seats. If no fixed seating, 1 spaces/35 square feet
Contractor's Yard	1 space/3,000 square feet lot area
Convalescent Home, Nursing Home, Rest Home, Home for the Aged	1 space/3 beds
Convention Center, Meeting Hall, Exhibit Facility	1 space/4 seats or 1 space/50 square feet
Dance Hall	1 space/50 square feet
Dental Clinic/Office	1 space/200 square feet
Driving Range	1 space/tee
Equipment Rental	1 space/500 square feet floor area plus 1 space/2,000 square feet outdoor use area

Family Day Care Facility	1 space/employed plus 1 space/10 children
Farm Equipment and Supplies	1 space/500 square feet floor area plus 1 space/2,000 square feet outdoor use area
Flea Market/Open Air Sales	1 space/200 square feet sales area
Freight Terminals	2 spaces/loading bay plus 1 space/250 square feet office space
Funeral Home, Mortuary	1 space/4 seats. If no fixed seating, 1 space/356 square feet
Golf Course	4 space/hole
Guesthouse	1 space/unit
Gymnasium, Spa, Health Studio	1 space/50 square feet
Heating, Air Conditioning, Electrical Shop	1 space/500 square feet
Homeless Shelter	1 space/employee and 1 space/6 beds or portion thereof
Hospital	12 spaces/bed
Hotel	1 space/unit plus 2 spaces/3 employees on largest shift plus other applicable requirement (i.e. restaurant, lounge, etc.)
Industrial Office	1 space/300 square feet
Laboratory	1 space/250 square feet
Laundromat	1 space/2 machines
Library	1 space/200 square feet
Manufacturing	1 space/500 square feet
Marina	3 spaces/4 boat slips
Medical Clinic/Office	1 space/200 square feet
Miniature Golf	2 spaces/hole
Mini-Storage	2 spaces for manager plus 2 customer spaces
Motel	2 spaces for manager plus 1 space/unit

Museum	1 space/200 square feet
Nursery	1 space/2,000 square feet
Office	1 space/250 square feet
Open Air Sales	1 space/200 square feet sales area
Photography Studio	1 space/400 square feet
Post Office	5 spaces/services window plus 1 space/500 square feet of non-customer area
Printer, Copying, Reproduction	1 space/400 square feet
Race Track	1 space/4 seats
Recreational Enterprises	1 space/4 occupants capacity
Recreational Vehicle <i>Park</i>	1 standard vehicle space/1 R.V. space
Residential	
Accessory dwelling unit	See Section 20.64.030 of this Title and Appendix 15 of the Monterey County Coastal Implementation Plan 1 space/unit
Junior accessory dwelling unit	No parking space required
Single-Family Detached	2 spaces/unit
Duplex	2 spaces/unit
Triplex	2 spaces/unit
Multiple-Family Residential,	1 space/studio unit
Multiple-Family Residential , Apartments, Townhouses, Condominiums, Cluster Homes	1 space/studio unit 1.5 spaces/1 bedroom unit 2 spaces/2 bedroom unit 2.2 spaces/3 or more bedroom unit. In addition, 1 guest parking space shall be provided for every 4 units
Boarding House, Rooming	1 space/guest room
House, Organizational	1 space/100 square feet of guest room
Large Residential Care Facility	1 space/employee plus 2 additional spaces
Small Residential Care Facility	1 space/employee plus 2 additional spaces
Single Room Occupancy Facility	.5 spaces/unit (Within 2,000 feet of Public Transit)

Single Room Occupancy Facility	1 space/unit (Not within 2,000 feet of Public Transit)
Handicapped Housing	1 space/2 units plus 1 guest space/8 units
Mobile Home Park	2 spaces/unit plus 1 guest parking space/4 units
Restaurant	1 space/4 seats. Where seating is not fixed, 1 space/50 square feet of seating, waiting, or cocktail lounge area
Restaurant, Drive-In	1 space/3 seats enclosed plus 3 and Drive-Through spaces/services window and 3 employee spaces
Retail, General	1 space/250 square feet
Retail, Large Item	1 space/500 square feet (i.e. Appliance Stores)
Savings and Loan	1 space/200 square feet
Schools:	
Pre-School, Day Care	1 space/employee plus 1 space/10 children
Kindergarten through Grade Nine	2 spaces/classroom plus 1 space/50 square feet in the Auditorium
High School	2 spaces/classroom plus 1 space/5 students
College, University	1 space/employee plus 1 space/3 students
Trade School, Vocational School, Business School, Professional School, Art Academy, Craft School, Music School, Dancing School	1 space/employee plus 1 space/3 students
Shopping Center	1 space/250 square feet
Skating Rink	1 space/250 square feet
Social Care Facility	1 space/3 beds plus
Sanitarium, Welfare Institution, Asylum	1 space/employee on the largest shift
Social Club	1 space/50 square feet
Stable, Public	1 space/3 horses

Stadium, Sports Area	1 space/4 seats
Swimming Pool	1 space/100 square feet pool area
Tennis Court, Racquetball Courts	2 spaces/court
Theater	1 space/3 seats
Veterinary Hospital	1 space/250 square feet
Warehouse	1 space/500 square feet

SECTION 16. Section 20.64.030 of the Monterey County Code is hereby repealed and replaced in its entirety to read as follows:

20.64.030 - Regulations for Accessory Dwelling Units and Junior Accessory Dwelling Units.

A. Purpose: The purpose of this Section is to establish the regulations, standards and circumstances under which Accessory Dwelling Units also known as ADUs, and Junior Accessory Dwelling Units also known as JADUs may be allowed and to establish a means for creating additional affordable housing in Monterey County.

B. Definitions: Unless otherwise expressly stated, whenever used in this Section, the following terms shall have the meanings set forth below:

1. “Efficiency Kitchen” means a kitchen that includes each of the following: (a) a cooking facility with appliances; (b) a food preparation counter; and (c) food storage cabinets that are of reasonable size in relation to the size of the dwelling unit.
2. “High-quality transit corridor” means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.
3. “Major transit stop” means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.
4. “Housing Organization” means a trade or industry group whose local members are primarily engaged in the construction or management of housing units or a nonprofit organization whose mission includes providing or advocating for increased access to housing for low-income households and have filed written or oral comments with the local agency prior to action on the housing development project.

C. Applicability:

1. This Section is applicable in all zoning districts which allow Single Family or Multiple Family Dwellings or both Single and Multiple Family Dwellings, subject to the requirements of this Section, as follows:

- a. High Density Residential (HDR(CZ))
- b. Medium Density Residential (MDR(CZ))
- c. Low Density Residential (LDR(CZ))
- d. Rural Density Residential (RDR(CZ))
- e. Watershed and Scenic Conservation (WSC(CZ))
- f. Coastal General Commercial (CGC(CZ))
- g. Moss Landing Commercial (MLC(CZ))
- h. Visitor-Serving Commercial (VSC(CZ))
- i. Coastal Agricultural Preserve (CAP(CZ))
- j. Agricultural Conservation (AC(CZ))

2. County plans and regulations to limit residential growth, including unit caps, do not apply to ADUs and JADUs.

3. Units previously permitted in the HDR, MDR, LDR, and WSC zoning districts in the North County, Del Monte Forest, and Carmel Area Land Use Plan areas as a “Senior Citizen” unit or a “Caretaker” unit prior to the adoption of these regulations shall be considered an ADU for the purposes of this Section.

4. Units previously permitted by the County as a “Guesthouse” may be converted to an ADU or JADU subject to this Section.

D. Regulations for ADUs and JADUs:

1. All ADUs and JADUs that will connect to a private sewage disposal system or that will obtain their water supply from a private well and/or a water system with two to 199 service connections are subject to review and approval by the County’s Environmental Health Bureau to ensure adequate sewage disposal facilities and adequate water supply exist or have been demonstrated feasible to construct to serve the unit. The Director of Environmental Health shall evaluate adequacy of water quality and quantity for ADUs and evaluate adequacy of water quality for JADUs. If either adequate sewage disposal facilities or adequate water supply is not available, an ADU or JADU shall be prohibited.

2. An ADU or JADU may be separately rented, provided such rental is for 31 consecutive calendar days or longer. Rental of an ADU, a JADU, or a portion of an ADU or JADU for 30 consecutive calendar days or fewer is prohibited.

3. ADUs and JADUs shall require a design approval when zoning district is combined with a “D” district. The appropriate authority to take action on design approvals will be the Chief of Planning. Such Design approval decisions are not appealable.

4. For the Protection of Groundwater Resources in the North County Land Use Plan Area, when an ADU or JADU is proposed, water efficiency and conservation standards must be implemented. Before any building permit may be issued for such new construction, the applicant shall submit documentation for review and approval by the Chief of Building Services to demonstrate conformity with the following water efficiency and conservation measures:

a. All structures on that lot must incorporate the following water efficiency and conservation standards:

- i. Toilets with a maximum tank size or flush capacity of 1.28 gallons;
- ii. Shower heads with a maximum flow capacity of 1.8 gallons per minute;
- iii. Bathroom faucets with a maximum flow capacity of 1.2 gallons per minute;
- iv. All cloth washers and dish washers shall be Energy Star certified; and
- v. Kitchen faucets with a maximum flow capacity of 1.8 gallons per minute shall be installed.

b. Proposed and existing landscaping must consist of either of the following: open space, native vegetative areas, use of drought tolerant native and/or non-invasive landscape plants with preferences given to native plants, and/or pervious or non-pervious hardscapes that do not require a permanent irrigation system. Pervious hardscapes shall be preferred over non-pervious options where feasible. Proposed or existing subsistence gardens such as family gardens, community gardens, or fruit/nut trees must employ water efficiency measures as drip irrigation to the greatest extent feasible.

c. Additional water conservation measures may include one or more of the following, as applicable:

- i. Installation of a rainwater catchment system in compliance with Chapter 18.05 of this Code; or
- ii. Installation of a greywater system in compliance with Chapter 18.05 of this Code.

E. Regulations for ADUs:

1. Limitation on the number of ADUs:

a. A legal lot with an existing or proposed single-family dwelling is limited to one ADU, regardless of the number of single-family dwellings allowed on that lot.

b. A legal lot with an existing multiple family dwelling is allowed at least one ADU within the multiple family dwelling and be allowed up to 25 percent of the existing multiple family dwelling units. However, any ADU within a multiple family dwelling must be created by conversion of existing non-livable space including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages.

c. A legal lot with an existing or proposed multiple family dwelling is allowed up to two detached ADUs.

2. Height Limitations:

a. An ADU attached to the main structure shall be subject to the height regulations of the zoning district for the main structure.

b. An ADU detached from the main structure shall be allowed to be up to 16 feet in height on a legal lot with an existing or proposed single-family dwelling, and be allowed up to 18 feet in height if there is an existing or proposed multiple family dwelling. Additional height allowances may be allowed for detached ADUs as follows:

i. If a lot that is within one-half mile walking distance of a major transit stop or high-quality transit corridor, ADUs shall be allowed up to 18 feet in height. For such lots, an additional two feet in height (up to 20 feet) shall be allowed to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the main structure.

ii. Regardless of whether a lot is within one-half mile walking distance of a major transit stop or high-quality transit corridor, increases in height for detached ADUs may be considered with a Coastal Development Permit (ZA) when intended to provide for architectural consistency and compatibility with the main structure.

3. Setbacks:

a. Newly constructed ADUs shall comply with the front setback requirements of the applicable zoning district and shall have a four foot minimum side and rear setbacks.

b. No setback shall be required for ADUs created by converting existing structures to ADUs. Additionally, no setback shall be required for ADUs created by demolishing and reconstructing an existing structure or a portion thereof in the same location and to the same dimensions. ADUs created by converting an existing accessory structure and which include an addition of up to 150 square feet to accommodate ingress and egress shall have setbacks sufficient for fire and safety.

4. Size Limitation:

a. In the Carmel Area Land Use Plan area, North County Land Use Plan, and Del Monte Forest Land Use Plan area newly constructed attached ADUs, newly constructed detached ADUs, and conversions of legally constructed accessory structures built after March 25, 2024, shall not exceed 1,200 square feet.

b. For the protection of coastal resources, in the Big Sur Coast Land Use Plan and any area with “B-8” combining zoning district, newly constructed attached ADUs, newly constructed detached ADUs, and conversions of legally constructed accessory structures built after March 25, 2024, shall not exceed 1,000 square feet.

c. ADUs created through conversion of space in an existing main structure shall not be allowed to exceed 50 percent of the total square footage of the existing main structure.

5. Parking Requirements:

a. On lots within the designated areas shown in the Monterey County Coastal Implementation Plan, Appendix 15, “ADU Parking Required,” at least one off-street parking space shall be required for each ADU, and all other off-street parking requirements for other uses onsite shall be met.

b. On lots that are not within the designated areas shown in Monterey County Coastal Implementation Plan, Appendix 15, “ADU Parking Required,” no off-street parking spaces shall be required for each ADU, and no replacement parking spaces will be required if a garage, carport, or other covered parking structure is converted or removed to accommodate an ADU.

6. ADUs shall comply with building site coverage and the floor area ratio requirements of the applicable zoning district, and the setback requirements set forth in this Section, except where they would preclude the following:

a. Establishment of a newly constructed ADU of up to 800 square feet with four foot side and rear yard setbacks.

b. Expansion of an existing accessory structure of not more than 150 square feet for the purpose of accommodating ingress and egress.

7. An attached ADU shall not have internal circulation with the main structure.

8. The County may issue a building permit for an ADU prior to issuance of building permit for the primary dwelling.

9. An ADU shall comply with all local building code requirements that apply to detached dwellings, provided, however, that County may approve a delay in enforcement of building standards in accordance with the parameters and procedures set forth in Health and Safety Code section 17980.12, as may be periodically amended, if compliance with the building standard is not necessary to protect health and safety.

10. ADUs are prohibited in the Big Sur Critical Viewshed as they would be inconsistent with the Scenic Resources policies of the Big Sur Coast Land Use Plan and due to their impact on traffic flow and safety.

11. An ADU shall not be sold or otherwise conveyed separate from the primary dwelling unless it meets the criteria of Government Code section 66341, including all the following:

a. The ADU or the primary dwelling was built or developed by a qualified nonprofit corporation.

b. There is an enforceable restriction on the use of the land pursuant to a recorded contract between the qualified buyer and the qualified nonprofit corporation.

c. The property is held pursuant to a recorded tenancy in common agreement.

d. A grant deed naming the grantor, grantee, and describing the property interests being transferred shall be recorded in Monterey County. A Preliminary Change of Ownership Report shall be filed concurrently with this grant deed.

e. If requested by a utility providing service to the primary residence, the ADU has a separate water, sewer, or electrical connection to that utility.

F. Regulations for JADUs:

1. Limitation on the number of JADUs: A legal lot with an existing or proposed single-family dwelling is limited to one JADU, regardless of the number of single-family dwellings allowed on that lot.

2. Height Limitations: JADUs shall be subject to the height regulations of the applicable zoning district for the main structure.

3. Setbacks: JADUs shall comply with the setback requirements of the applicable zoning district for the main structure.

4. Size Limitation: JADUs shall not exceed 500 square feet.

5. Parking Requirements: No off-street parking is required for JADUs.

6. JADUs shall have an efficiency kitchen.

7. JADUs shall have a separate entrance from the main structure.

8. JADUs shall include an interior entry into the main structure if it will share a bathroom with the main structure.

9. Prior to the issuance of building permits for a JADU, the owner shall record a deed restriction which shall run with the land and include both of the following:

a. 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.

b. A restriction on the size and attributes of the JADU that conforms with this Section.

10. The owner must reside in either the remaining portion of the structure or the newly created JADU, unless the owner is another governmental agency, land trust, or housing organization.

11. JADUs may share a bathroom and central systems (such as heating, ventilation, air conditioning, water service, power service, wastewater service) with the main structure.

G. Requirement for Coastal Administrative Permit for ADUs and JADUs:

1. ADUs and JADUs may be exempt from a Coastal Administrative Permit or a Coastal Development Permit, if the ADU or JADU is directly attached to an existing residence or is fully within an existing residence, and does not fall under any of the locational exceptions of California Code of Regulations, Title 14, Section 13250, as may be amended.

2. An application for a Coastal Administrative Permit for an ADU or JADU shall be processed in accordance with the requirements of Chapter 20.76 of this Code, except that no public hearing shall be required for Coastal Administrative Permit, and applications shall be

processed within 60 calendar days after receiving a completed application. Appeals to Coastal Administrative Permits pursuant to this Section shall be processed pursuant to Chapter 20.86 of this Code.

3. A Coastal Development Permit may be required in addition to a Coastal Administrative Permit if the project includes components that require a Coastal Development Permit pursuant to other requirements of this Code in addition to the ADU and JADU. This Section does not affect the requirements or process for such permits.

SECTION 17. Subsection E of Section 20.64.180 of the Monterey County Code is amended as follows:

E. On-site density for Accessory Dwelling Units, guesthouses, Agricultural Employee Housing, and Employee Housing accessory to an allowed use, shall be determined as follows:

Type of Unit	North County	Big Sur Coast	Carmel Area	Del Monte Forest
Accessory Dwelling Units and Junior Accessory Dwelling Units	Not Permitted <u>Excluded from density</u>	Maximum of 50 in planning areas. Excluded from density	Excluded from density. 40-acre minimum.	Excluded from density.
Guesthouses	Excluded from density	Excluded from density	Excluded from density	Excluded from density
Employee Housing	Subject to LUPs overall buildout cap	Maximum of 300 in planning area	Permitted per Section 20.146.120.B.3	Not permitted
Agricultural Employee Housing	Based on parcel zoning	Permitted per Section 20.145.14.0.B.4.c.1	Excluded from density	Not permitted

All other residential development, including but not limited to Small Residential Care Facilities and Large Residential Care Facilities, is subject to the density established by the parcel's zoning district, except if provided elsewhere in this ~~C~~chapter.

"Excluded from density" means that the units may be considered in addition to the density allowed by the parcel's zoning classification.

SECTION 18: Subsection G of Section 20.64.180 of the Monterey County Code is amended to read as follows:

G. Buildout Limitations:

1. In North County, a total of two thousand forty-three (2,043) new lots or units may be created from the date of certification of the North County Land Use Plan. Accessory Dwelling units and Junior Accessory Dwelling units do not count towards this number. Also see build-out explanation and further information in Section 20.144.140.B.3.a. Approval of new residential units and lots may not exceed the build-out figure, as per the development standard.

2. In Big Sur, a total of one hundred (100) new residential lots may be created by new subdivisions ~~and fifty (50) new Accessory Dwelling Units may be permitted~~ from the date of certification of the Big Sur Coast Land Use Plan, as provided in Table 1 of the Big Sur Coast Land Use Plan.

3. Where this ~~Ordinance~~ Section establishes a numerical cap on a type of unit in a certain area, the Planning Department shall maintain a running tally of the number of units permitted since certification of the relevant land use plan. Findings for approval shall include the following: "This is the () out of a maximum of () (e.g., ~~Accessory Dwelling Units~~ residential lots) to be approved for the () Land Use Plan Area."

SECTION 19. Subsection A of Section 20.70.120 of the Monterey County Code is amended as follows:

A. The maintenance, alteration, or addition to existing single-family dwellings, including the establishment or expansion of ~~non-habitable~~ accessory structures not exceeding one thousand (1,000) square feet and normally associated with residential uses such as garages, decks, workshops, and storage buildings ~~not exceeding one thousand (1,000) square feet~~; however, the following classes of development shall require a permit because they involve a risk of adverse environmental impact:

1. Improvements to a single-family structure on a beach, wetland or seaward of the mean high tide line, in an environmentally sensitive habitat area, in an area designated as highly scenic in a certified land use plan, or within fifty (50) feet of a coastal bluff edge.

2. Any significant alteration of land forms including removal or placement of vegetation on a beach, wetland or sand dune, or within fifty (50) feet of the edge of a coastal bluff, or in an environmentally sensitive habitat area.

3. The expansion or construction of water wells or septic systems.

4. On property located between the sea and the first public road paralleling the sea or within three hundred (300) feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in significant scenic resources areas ~~or in scenic road corridors,~~ an improvement that would result in an increase of ten (10) percent or more of internal floor area of an existing structure, the

construction of an additional story (including lofts) in an existing structure, and/or any significant non-attached structure such as garages in excess of one thousand (1,000) square feet, fences over six feet in height, shoreline protective works, docks or trees or satellite dishes.

5. In areas determined to have critically short water supply that must be maintained for the protection of coastal resources or public recreational use, the construction of any specified major water using development not essential to residential use including but not limited to swimming pools, or construction or extension of any landscaping irrigation system.

6. Additions or expansions to developments which, by condition of previous permit issued by the County of Monterey or Coastal Commission, which by condition of such permit requires development permits for such addition or expansion.

SECTION 20. Part 6 of the Monterey County Coastal Implementation Plan is hereby amended to add a new Appendix 15 titled Accessory Dwelling Unit Parking Required. This new Appendix 15 is attached here.

SECTION 21. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 22. EFFECTIVE DATE. This ordinance shall become effective on the thirty-first day following its adoption by the County if certified by the California Coastal Commission or thereafter upon certification by the California Coastal Commission.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

Christopher M. Lopez, Chair
Monterey County Board of Supervisors

ATTEST

VALERIE RALPH
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

KELLY L. DONLON
Chief Assistant County Counsel

This page intentionally left blank