



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING**

ACCESSORY DWELLING UNITS IN THE UNINCORPORATED COUNTY
FREQUENTLY ASKED QUESTIONS

The following information pertains to Accessory Dwelling Units (ADUs) in the unincorporated areas of San Luis Obispo County (e.g., San Miguel, Oceano, and Los Osos).

1. What is an ADU?

ADU stands for “accessory dwelling unit”. Currently, the County’s ordinance refers to an ADU as a “secondary dwelling”. This will change starting January 1, 2020, as the County will align with the State of California’s term and definition for ADUs.

The State defines an ADU as an attached or detached residential dwelling that provides complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. An accessory dwelling is an accessory use (similar to a garage or workshop) to the primary residential use and must be located on the same parcel as the primary residential use. A primary residential use may be a single-family dwelling or multi-family dwelling.

2. I heard the State of California will have new standards for ADUs. Can you tell me more about this?

In October 2019, Governor Gavin Newsom signed new bills to further facilitate the development of ADUs. These bills will make significant changes to California’s ADU standards. Once these bills become effective on January 1, 2020, the County will apply the new California ADU Law to applications until the amended County ADU Ordinance is adopted.

3. Which standards will apply to my ADU application?

There are a few factors that determine which standards apply to your application including when your application is submitted and if the proposed site is located in the Inland or Coastal Zone. The following table is being provided as a guide:

Inland Areas		
Timeframe	Standard	Quick Reference
Applications received before January 1, 2020	Applications must comply with the County’s current standards for secondary dwellings	“Old Regs”
Applications received on or after January 1, 2020, <i>but</i> before the County adopts new ADU standards	Applications must comply with State ADU Law (California Government Code Section 65852.2 et seq.)	“State Regs”
Applications received after the County’s new ADU standards are effective (anticipated effective date: starting February 28, 2020)	Applications must comply with the County’s new ADU standards (ADU Ordinance)	“New Regs”

Coastal Zones		
Timeframe	Standard	Quick Reference
Applications received before January 1, 2020	Application must comply with the County's current standards for secondary dwellings	"Old Regs"
Applications received on or after January 1, 2020, <i>but</i> before the County adopts new ADU standards	Application must comply with State ADU Law (California Government Code Section 65852.2 et seq.)	"State Regs"
Applications received after the County's new ADU standards are effective (anticipated effective date: Spring 2020)	Applications must comply with the County's new ADU standards (ADU Ordinance - Coastal)	"New Regs"

The standards that apply to an application will be designated a "quick reference" label, as shown on the last column in the tables above.

4. When will the new County ADU Ordinance go into effect?

The draft ADU ordinance is scheduled to be considered by the Board of Supervisors on January 28, 2020. If adopted on this date, the Inland version of the ordinance will become effective starting February 28, 2020 (30 days after the date of adoption). The Coastal version will require approval by the Coastal Commission and is anticipated to become effective in Summer 2020.

5. If I receive an approval for an ADU from the Planning Division under "State Regs", but the "New Regs" becomes effective before I am issued the building permit, is my approval under "State Regs" still valid?

As long as the Planning Division's approval for the ADU has not expired, an applicant may proceed with the building permit process.

Permit Requirements		
Location	Type of Planning Division Approval	Time Limits
Inland Areas	Zoning Clearance	Valid for a period of 18 months from effective date
Coastal Zone	Plot Plan	Valid for a period of 18 months from effective date

6. Under "State Regs", what is the required minimum lot size for ADUs?

Applications under "State Regs" will no longer be required to meet a minimum lot size for ADUs. This will also be the case for applications under "New Regs". However, sites served by onsite wastewater treatment systems, such as septic systems, will still have to meet the requirements of the Building Code (Title 19), which may include standards for lot size.

7. What will happen to the excluded areas in the “Old Regs”?

Under “Old Regs”, the excluded areas will continue to be implemented on ADU applications.

The following table provides a summary of how excluded areas will be affected after January 1, 2020:

ADU Excluded Areas		
Exclusions	Under “State Regs”	Under “New Regs” (Pending Approval by Board of Supervisors)
South Atascadero Area	This exclusion will not be implemented.	This exclusion is proposed to be removed.
Nacimiento Area	This exclusion will not be implemented.	This exclusion is proposed to be removed.
South Bay (Los Osos)	Due to inadequacy of water supply, ADUs will be prohibited in South Bay (Los Osos).	Due to inadequacy of water supply, prohibition of ADUs in South Bay (Los Osos) is proposed to continue.
Regional Water Quality Control Board Exclusions	This exclusion will continue.	This exclusion is proposed to continue.
Specific Subdivisions: Tracts 7, 17, 19, 159 and 502	This exclusion will not be implemented, but tract or parcel map conditions may still apply.	This exclusion is proposed to be removed, but tract or parcel map conditions may still apply.

8. Under “State Regs”, what will be the maximum ADU size?

The maximum ADU size will be 1,200 square feet, unless the ADU application falls under subsection “e” of the new State ADU Law.

9. What will be the minimum parking requirements under “State Regs”?

For ADUs, there will be no minimum parking requirement.

For the primary residential use (single-family dwelling or multi-family dwelling), the existing parking spaces must be maintained, unless those parking spaces are demolished or converted in conjunction with establishing an ADU.

10. Will fire sprinklers be required for my ADU?

The installation of fire sprinklers will not be required in an ADU if fire sprinklers are not required for the primary residence.

However, if the ADU is attached to other structures that require fire sprinklers, installation of fire sprinklers may be required. Please contact the Building Division at (805) 781-5600 for more information.