



Accessory Dwelling Units in the Coastal Zone

An Accessory Dwelling Unit is a secondary dwelling unit for one or more persons on the same parcel as a larger, primary dwelling. An ADU can either be attached or detached to the primary residential structure on the property, but must include complete independent living facilities (including permanent provisions for entry, living, sleeping, eating, cooking and sanitation, and adequate water service and sewage disposal systems). In the Coastal Zone, approval of an ADU renders the entire property (not just the ADU) ineligible for vacation home rentals (short-term rentals for 30 days or less).

There are three permitting pathways for ADUs in the Coastal Zone:

Building Permit Only: This is the cheapest and quickest option, but only available for JADUs and possibly attached ADUs meeting certain criteria (see [MCC 20.532.020](#)).

Ministerial Coastal Development Permit and a Building Permit: An expedited Coastal Development Permit process for ADUs that can meet certain objective standards (see checklist below). A Building Permit is required after approval of a Coastal Development Permit for any new or expanded structures.

Administrative Coastal Development Permit and a Building Permit: A discretionary review process involving a public hearing and often special conditions of approval. A Building Permit is required after approval of a Coastal Development Permit for any new or expanded structures.

If looking to minimize fees/review time, another option is to include ADUs as part of a larger project on a single Coastal Development Permit – for example, a single permit can include construction of a house, ADU, pool, garage, and more. This would likely cost more and take longer than any of the pathways discussed above, but would be quicker and cheaper than applying for permits for each component separately. Please note that Coastal Development Permits are typically valid for two years from the final approval date, so it may make sense to propose several things on a single application even if you're not sure you will get to them all immediately – you just need to indicate that point in the project description.

Ministerial Coastal Development Permits for ADUs - Eligibility Checklist

- The project proposes an Accessory Dwelling Unit in the Coastal Zone.
- The proposed ADU will not result in the total number of permitted ADUs in the Coastal Zone to exceed the 500 (100 in Gualala)
- The parcel contains existing or proposed, approved primary dwelling (typically a Single Family Dwelling)
- The parcel does not have a “dwelling group” or parcel clustering
- For single-family zoning, the parcel has no other dwellings besides the primary dwelling and an optional Junior ADU
- For single-family zoning, no more than one Accessory Living Unit (Guest cottage, detached bedroom)
- The structure proposed as an ADU meets standard zoning requirements, with setback caveats (ADUs have a reduced 4-foot setback to side and rear property lines)
- The proposed ADU's floor space is 1200 square feet or less.
- If in Gualala, meets special requirements
 - For all zoning, no other dwellings besides the primary dwelling and an optional Junior ADU
 - Not west of Highway 1
 - If the parcel is less than half an acre in size, the ADU is attached to the primary dwelling or the second story of a garage
- The proposed ADU is not located in a flood zone.
- If in an AG, RL, FL or TPZ zoning district, the proposed ADU is either detached and no more than 100 feet from the primary dwelling or attached to legal structure created/legalized prior to 11/9/2021

- If located in a residential area, the proposed ADU is not within 200ft of AG, RL, FL or TPZ unless attached to an existing legal residence and does not increase encroachment to AG, RL, FL or TPZ parcel
- The proposed development does not conflict with a public or prescriptive easement for access to the blufftop or shoreline
- * The proposed ADU and all associated development (well, water storage, septic improvements, parking and driveways, vegetation removal for fire safety, etc.) is not within 100 feet of an Environmentally Sensitive Habitat Area, unless contained entirely within a legally authorized existing or approved residential structure.
- * The proposed ADU and all associated development is not within 125 feet of a coastal bluff, unless contained entirely within a legally authorized existing or approved residential structure
- * If in a Highly Scenic Area, permanently and entirely blocked from view from all public areas
- * Grading proposed/required is not more than 20 cubic yards
- * If in an AG or RL zoning district, the ADU is not located on Prime Agricultural Land, and associated development will not encroach beyond the existing residential development footprint onto lands suitable for agriculture
- * If in an AG or RL zoning district, no major vegetation removal is required, and associated development will not encroach beyond the existing residential development footprint onto lands suitable for timber production
- * The subject property has no known archeological resources

*Requirement only for a *ministerial* Coastal Development Permit – an ADU failing to meet this can still potentially be approved via an Administrative Coastal Development Permit with a public hearing, possibly with special conditions attached.

Elements of a Complete Application

- Complete *Coastal Zone ADU & JADU Application Form*, including signature of the property owner and declaration of posting
- Site Plan (map of the parcel, showing both existing and proposed development including any existing or proposed wells, septic systems, and leach lines)
- Proof of Legal Interest in the parcel (typically a copy of the parcel's deed or lease agreement showing the applicant has interest in the property)
- Permit Fee Payment
- If in a water service district, the applicant must provide written approval for ADU from the district.
- If in a sanitation service district, the applicant must provide written approval for ADU from the district.
- In a CAL FIRE State Responsibility Area, a Preliminary Clearance Letter from CalFire for the ADU structure, or evidence of application for the same
- In a CAL FIRE Local Responsibility Area, a letter from local Fire Protection District indicating all fire requirements can be satisfied
- If the parcel is in a Development Limitations (DL) Combining District, a letter from an engineer stating the project's consistency with MCC Chapter 20.416
- If in Seismic Study (SS) Combining District, a letter from an engineer stating the project's consistency with MCC Chapter 20.432
- In certain instances, a Biological Scoping Survey may be required to establish the extent of an Environmentally Sensitive Habitat Area on the parcel
- Stamped envelopes addressed to each owner of property situated within 300 of the property lines of the project site/applicant's contiguous ownership, each occupant within 100 feet, and any other parties known to the applicant to have an interest in the proposed development.
- A list containing the names, addresses and assessor's parcel numbers of the neighboring parties listed above.
- Confirmation by the Division of Environmental Health of the availability and adequacy of the water and septic systems for creation of new bedrooms. This is typically done as part of review of a submitted application, but if well or septic expansion is needed then the applicant should reach out to Environmental Health directly to determine what will be required for their approval.
- **Additional element:** Prior to approval of a Building Permit for a coastal ADU, a Deed Restriction will need to be recorded memorializing the ban on short-term rentals (see below). While this is technically

a requirement of the Building Permit rather than the Coastal Development Permit, it is advisable to prep and submit a draft of the restriction early in the process, as it must be reviewed by County Counsel. A template for this Deed Restriction is available upon request from the Department of Planning and Building Services.

Restrictions on ADUs

Creation of an ADU or JADU in the Mendocino County Coastal Zone renders the entire property (not just the ADU) ineligible for rentals of less than 30 days (sometimes called Short-Term Rentals or Vacation Home Rentals). Prior to approval of a Building Permit for an ADU or JADU, this restriction will need to be memorialized via a recorded Deed Restriction. For ADUs within 125 feet of a coastal bluff edge (approvable with an Administrative Coastal Development Permit), the Deed Restriction will also need to include a prohibition on the development of bluff or shoreline protective devices to protect the ADU or JADU from bluff retreat, erosion, or other coastal hazards in the future

Fire sprinklers will be required in the ADU if they were required in the primary dwelling. ADUs located outside of Highly Scenic Areas that are visible from a public viewpoint shall be of a similar architectural style, building materials and colors as the primary residences on the property. JADUs do not require any parking. ADUs require one parking space, with some exceptions found in MCC 20.458.050(B).

Before an ADU can be approved, the required and supplemental findings specified in MCC §20.532.095 and §20.532.100, as applicable, must be made for the proposed project. This includes a determination of consistency with any Williamson Act contract on the property. The Division of Environmental Health will need to confirm the availability and adequacy of the water and septic systems for creation of new bedrooms.

This document is for informational purposes only. For the exact language of the applicable regulations, please refer to the Mendocino County Code (primarily [Chapter 20.458](#)).