

**SANTA CRUZ COUNTY PLANNING DEPARTMENT POLICY/ORDINANCE
INTERPRETATION**

Interpretation No.: SDU:04 (Second units: Coastal Permits for garages and accessory structures)
Effective Date: August 5, 2009

Question

In the Coastal Zone, what permits are required for garages and non-habitable accessory structures attached to second units?

Applicable Ordinance Section(s)

13.20.068(a)

13.20.071

13.10.681(b)

INTERPRETATION:

Within the Coastal Zone, the gross floor area of the second unit, consisting of the habitable portion of the second unit, is exempt from the requirement for a standard Coastal Development permit, and instead requires a combined Coastal Development approval and building permit, pursuant to Section 13.10.681(b).

However, the following types of structures attached to second units are not part of the gross floor area or habitable portion of the second unit, but are instead considered structures that are improvements to an existing residence under 13.20.068(a)1(i) and (ii):

- Garages with or without internal access
- Non-habitable accessory structures, including carports, without internal access to the second unit

(See also Policy Interpretation SDU-03 for additional information regarding what is included in the habitable portion of the second unit, and for second unit size limitations.)

As a structure that is an improvement to an existing residence under 13.20.068(a)1(i) and (ii), an attached garage or non-habitable accessory structure as described above may be exempt from the requirement for a Coastal Development Permit under Section 13.20.068, depending on the size of the structure and its location within the Coastal Zone. Non-habitable accessory structures and garages are also subject to the size limitations in Section 13.10.611(c)3.

A non-habitable accessory structure attached to a second unit in the Coastal Zone that is not exempt under Section 13.20.068 as cited above may qualify for an exclusion from a Coastal Development permit, if it is located within a Coastal Exclusion area and meets the requirements of Section 13.20.071 for Coastal Exclusions.

If an attached non-habitable accessory structure or garage does not qualify for an exemption or exclusion under the provisions cited above, then a Coastal Development Permit is required.

Reason:

As clarified in Policy interpretation SDU-03 (Residential second unit – size limitations), a second unit consists only of the habitable portions of the second unit. The habitable portion of the second unit is subject to the size limitations outlined in Section 13.10.681(d). Non-habitable accessory structures that are attached to the second unit but lack internal connection with the second unit, and all garages attached to second units, are not part of the second unit but are instead separate non-habitable accessory structures. Such structures are subject to the size limitations and other requirements for accessory structures outlined in Section 13.10.611 (c)(3).

Since non-habitable accessory structures and garages attached to second units are separate accessory structures, in the Coastal zone such structures are subject to the same regulations that apply to non-habitable accessory structures attached to single family residences, and may not be processed as part of the second unit under Section 13.10.681(b). The regulations that apply to non-habitable accessory structures attached to single-family residences and second units in the Coastal Zone are specified in Section 13.20.068, “Improvements to existing structures.”

Tom Burns, Planning Director

Date