

**ADU JADU Checklist
Table of Contents**

ACCESSORY DWELLING UNIT (ADU) - INLAND AREA CHECKLIST

Zoning.....	1
Special Permit Area.....	2
General Provisions for All ADUs.....	5
Special Allowances for ADUs.....	7
Junior Accessory Dwelling Unit (JADU) Requirements.....	8
JADU/ADU Combinations in Residential and Mixed-Use Zones.....	9
ADUs With Multifamily Structures.....	11
Tiny Houses as ADUs.....	11
Moveable Tiny Houses as ADUs.....	12



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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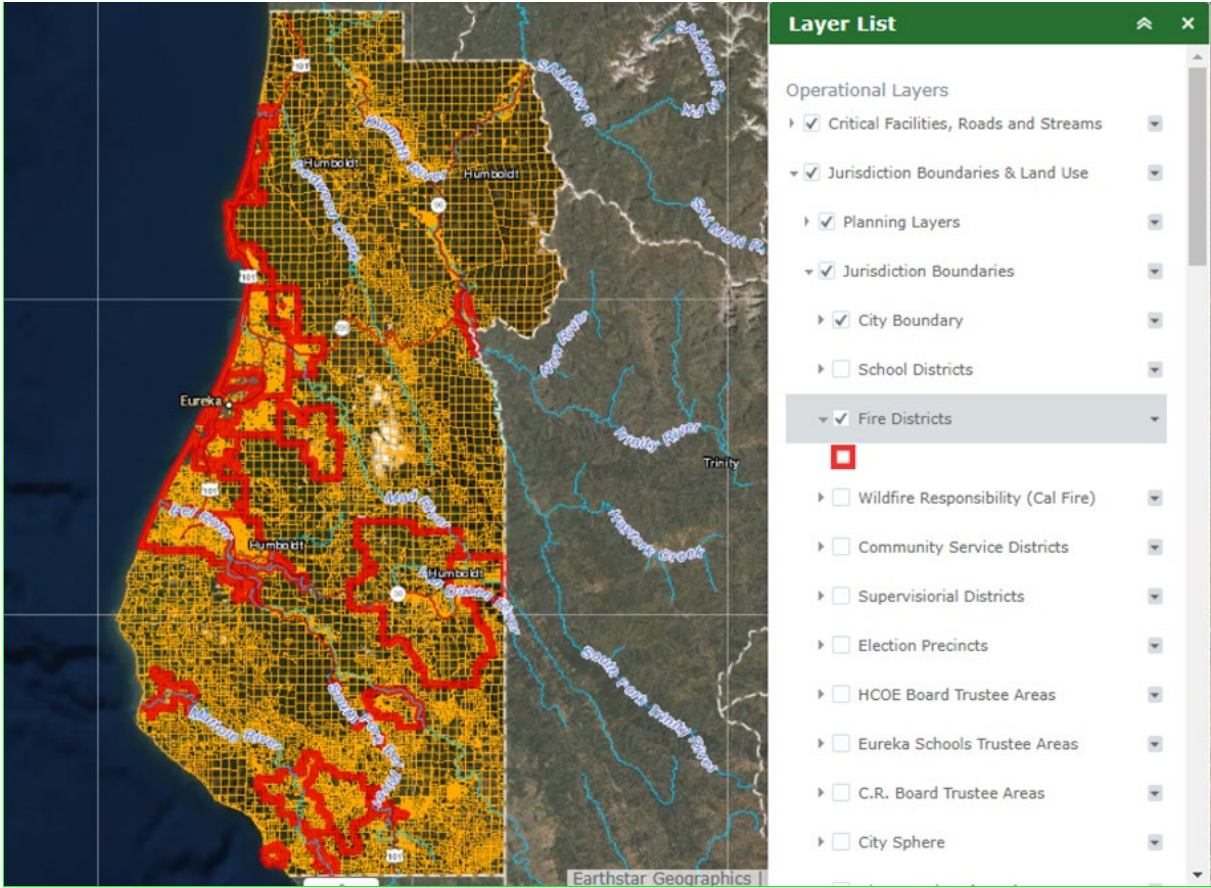
ACCESSORY DWELLING UNIT (ADU) - INLAND AREA CHECKLISTS
(HCC 314-69.05 applies)

Zoning

Zoning	Yes	No
Does the zone allow single-family or multifamily dwellings?		
Is the zoning ML, MH, AV, FP, RS, R-1, R-2, R-3, RA, AG, FR, U, MU1, or MU2?		
If Yes – Requires building permit only.		
Is the zoning R-4?		
If yes – is ADU is accessory to a proposed or existing single-family dwelling and there are no multifamily dwellings on the parcel?		
If Yes - It must be demonstrated that the property could be developed in the future with multifamily dwellings consistent with the housing inventory.		
If there are multifamily dwellings on the parcel, up to two detached ADUs, see MF section below.		
Is the zoning AE?		
If Yes - ADU must be within the residence curtilage area, including residential structures, driveways, and utilities, which is limited to two acres per parcel; and		
Where feasible, must be located in the area of lowest agricultural productivity; and		
On lots larger than 40 acres, ADUs of 1,200 square feet or more are principally permitted instead of second residence.		
Is the zoning TPZ?		
If Yes - ADU must be within the residence curtilage area, including residential structures, driveways, and utilities, which is limited to two acres per parcel; and		
Where feasible, located in the area of lowest agricultural productivity; and		
Primary must be occupied by owner or caretaker, subject to the special restrictions of Section 314-7.4.1.6		
Is the zoning TE?		
If Yes - Primary must be occupied by owner or caretaker, subject to the special restrictions of Section 314-7.4.1.6 .		
Is the zoning C-1, C-2, C-3, CH, MB, DF, PF1, PF2, PR?		
If Yes - ADU not allowed by right but may be allowed with a Special Permit or Use Permit.		
Is the zoning TL? 5 Requires analysis of Tribal jurisdiction and consultation with Tribes		
If Yes - Requires analysis of Tribal jurisdiction and consultation with Tribes.		

Special Permit Area

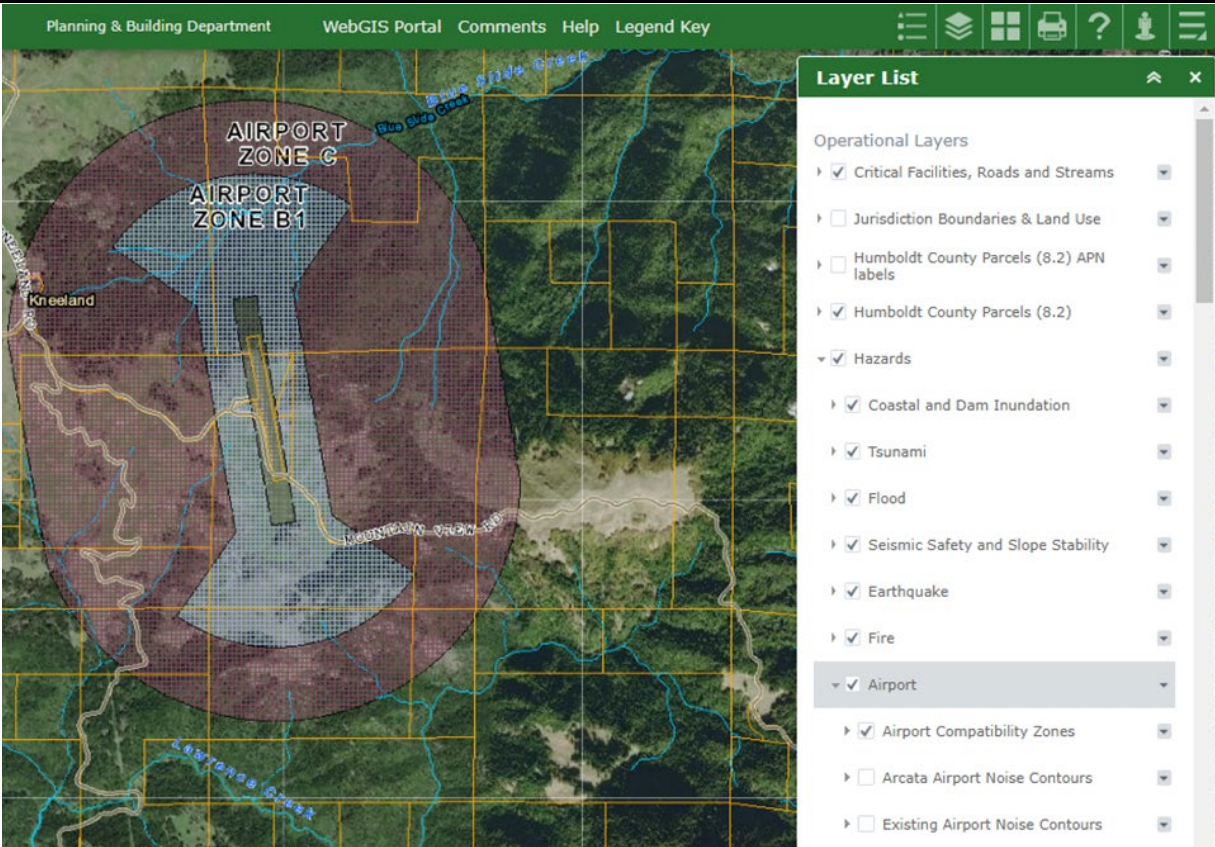
In Inland areas ADUs may not be allowed where restricted for reasons of public health and safety (314-69.05.6 of the ADU Ordinance). Restrictions may be overcome with a Special Permit and mitigation. "Yes" to the questions below indicate possible restrictions.

ADU Special Permit Area		Yes	No
Is the parcel outside a Fire Protection District?			
See webGIS: Jurisdictional Boundaries & Land Use/Jurisdictional Boundaries/"Fire Districts" layer:			
			
Does the ADU cause the number of units to exceed the allowable density allowed in the adopted Airport Land Use Compatibility Plan (ALCUP)?			
For Airport Compatibility boundaries see webGIS: Hazards/Airport/"Airport Compatibility Zones" layer":			

ADU Special Permit Area

Yes

No



If Yes, the allowable densities are shown below, Table 14a of the 2017 Humboldt County General Plan:

Table 14-A. Airport/Land Use Safety Compatibility Criteria

Zone	Location	Impact Elements	Maximum Densities		Required Open Land ³
			Residential du/ac) ¹	Other Uses (people/ac) ²	
A	Runway Protection Zone or within Building Restriction Line	<ul style="list-style-type: none"> High risk High noise levels 	0	10	All remaining
B1	Approach/Departure Zone and Adjacent to Runway	<ul style="list-style-type: none"> Substantial risk - aircraft commonly below 400 ft. AGL or within 1,000 ft. of runway Substantial noise 	0.1	60	30%
B2	Extended Approach / Departure Zone	<ul style="list-style-type: none"> Significant risk - aircraft commonly below 800 ft. AGL Significant noise 	0.5	60	30%
B3	Extended Approach / Departure Zone	<ul style="list-style-type: none"> Significant risk - aircraft commonly below 800 ft. AGL Significant noise 	4	60	30%
C	Common Traffic Pattern	<ul style="list-style-type: none"> Limited risk - aircraft at or below 1,000 ft. AGL Frequent noise intrusion 	4	150	15%
C*	Common Traffic Pattern	<ul style="list-style-type: none"> Limited risk - aircraft at or below 1,000 ft. AGL Frequent noise intrusion 	8	150	15%
C1	Common Traffic Pattern	<ul style="list-style-type: none"> Limited risk - aircraft at or below 1,000 ft. AGL Frequent noise intrusion 	2	150	15%
C1*	Common Traffic Pattern	<ul style="list-style-type: none"> Limited risk - aircraft at or below 1,000 ft. AGL Frequent noise intrusion 	2.4	150	15%
D	Other Airport Environs	<ul style="list-style-type: none"> Negligible risk Potential for annoyance from overflights 	No limit	No limit	No requirements

ADU Special Permit Area	Yes	No
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Is the parcel in an area of active or historic landslides, or an area of potential liquefaction?		
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See webGIS under Hazards/Seismic Safety and Slope Stability/"Historic Landslides" and "Areas of Potential Liquefaction" layers:		
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GIS
Planning & Building Department
WebGIS Portal
Comments
Help
Legend Key

Layer List

- Humboldt County Parcels (8.3)
- Hazards
 - Coastal and Dam Inundation
 - Tsunami
 - Flood
- Seismic Safety and Slope Stability
 - Area of Potential Liquefaction
 - Seismic Safety
- Historic Landslides
- Slope LiDAR - Elk/Freshwater
- Slope USGS
- Slope less than 15%
- Topographic Contours 40ft

Is the ADU in a flood and tsunami hazard zone?		
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See webGIS under Hazards/"FEMA Flood Zones" and "Tsunami Evacuation Area (CGS 2020 Draft)" layers.		
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ADU Special Permit Area	Yes	No
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Planning & Building Department WebGIS Portal Comments Help Legend Key

Is the site near a toxic cleanup site as designated by California Department of Toxic Substances?		
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The list of sites is available at: [EnviroStor website](#). At this time only two such sites exist in the County: one at the former Blue Lake Forest Products site in Glendale, and the other at the Eel River Sawmills site, in Rio Dell.

Has the right to develop an ADU has been conveyed to the county because of a constraint to development (e.g., geologic hazards or inadequate road access)?		
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This information is available through a records check. Hopefully it will be more readily available through on-line resources in the future.

Is the ADU inconsistent with the requirements of the recorded Development Plan?		
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This information is available through a records check. Hopefully it will be more readily available through on-line resources in the future.

If “Yes” to one or more of the conditions above, an ADU may be prohibited or restricted. A Special Permit may be approvable if it can be shown that the health and safety conditions presumed do not apply to that site, or can be successfully reduced or mitigated to less than significant levels.

General Provisions for All ADUs

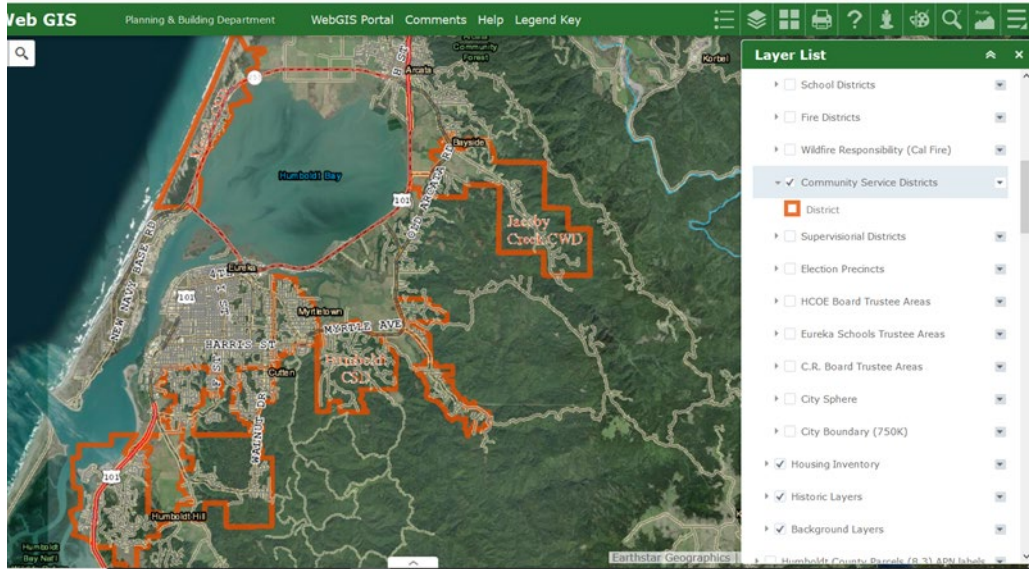
The following provisions apply to ADUs in Inland areas per Section 314-69.05.3 and 69.05.4 of the ADU Ordinance.

General Provisions for ADUs		Yes	No
Number of Units			
Is there an existing or proposed single-family dwelling on the parcel?			
	If Yes - One attached or detached ADU is allowed, with special provision for JADU/ADU combinations described below.		
Is there an existing or proposed multifamily dwelling on the parcel?			
	If Yes - Not more than two detached ADUs can be located on the lot, subject to a height limit of 16 feet and four-foot rear and side yard setbacks.		
Will the ADU be in a residential or mixed-use zone and accessory to a single-family dwelling?			
	If Yes – A combination of one JADU and one ADU is permitted. See JADU/ADU COMBOS section below.		
	If No – One attached or detached ADU is allowed per lot.		
The following requirements apply to all Accessory Dwelling Units			
The area of a detached ADU is 1,200 square feet or less; the area of an attached ADU is no more than fifty percent of the area of the existing primary residence, and not more than 1200 square feet. If primary and ADU are both new construction, the 50% rule does not apply but the 1200 square foot limit applies.			
	Exception: Detached ADUs over 1200 square feet or attached ADUs larger than 50% of the primary may be permitted with a Special Permit.		
The minimum floor area for an ADU is 150 square feet including all enclosed habitable living space, but excluding sheds, garages and storage areas.			
The ADU must meet local building code requirements that apply to detached dwellings, as appropriate.			
The ADU and the primary dwelling must have the same owner.			
	The exception is a Moveable Tiny House ADU when it is removed from the lot.		
If rented, the ADU must be rented for periods of 30 days or longer.			
If the ADU is a manufactured home, it is certified under manufactured home standards and set up with a foundation or attachment system approved for manufactured homes.			
Is the ADU a Tiny House or Moveable Tiny House as defined in 314-155 or 314-148?			
	If Yes – TH and MTH are deemed single-family dwellings if they meet building and development standards in 314-69.05.5.		
Is the ADU in an Urban Service Area where public wastewater treatment is available?			
	For service District boundaries, see webGIS at Jurisdictional Boundaries & Land Use/Jurisdictional Boundaries/"Community Service District" layer.		

General Provisions for ADUs

Yes

No



If Yes – ADU must be connected to service.

If No – ADU must have a private sanitation and/or water supply system. Sanitation facilities, plumbing, and water supply for the ADU, including septic or waterless toilet systems, must comply with all applicable County Health Department requirements for sewage disposal and water supply.

Is the ADU in a community service district that is under a moratorium on new connections, or under a compliance order for water treatment issues?

If Yes – The district may not be compelled to provide water or sewer service, and the ADU may require a private water source and/or waste water system.

Special Allowances for ADUs

Special Allowances for ADUs		Yes	No
Is the ADU accessory to an existing single-family or multifamily dwelling on the lot?			
If Yes – The county must act on the ADU building permit application within 60 days from date of completion.			
Is the ADU contained within the existing space of a single-family residence or accessory structure that is not new construction?			
If Yes - The ADU is not considered to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities .			
If No - a new or separate utility connection may be required between the ADU and utility, but the fee or charge must be proportionate to the ADU's burden on the system, and may not exceed reasonable cost of the service.			
Is the ADU less than 750 square feet?			
If Yes – No impact fees may be imposed on the ADU (excluding a connection fee or capacity charge charged by a local agency, special district, or water corporation).			
Is there an existing single-family dwelling unit of 1200 square feet or smaller on the lot?			
If Yes – A larger home may be constructed as the principal residence and the existing unit treated as the ADU, provided all other development regulations and standards can be met for both units.			
Utilities for an ADU may be shared in common with or separate from the main dwelling unit.			
Are fire sprinklers required in the primary dwelling?			
If Yes – Fire sprinklers are required in the ADU.			
If No – No fire sprinklers are required in the ADU.			
Is the ADU converted from an existing living area or accessory structure, or a structure constructed in the same location and to the same dimensions as an existing structure?			
If Yes – No setback is required.			
If No – Setback of no more than four feet from the side and rear lot lines is required.			
Generally, each ADU requires one (1) parking space, which may be provided in tandem on a driveway.			
Have specific findings been made that parking in setback areas or tandem parking is not feasible based on specific site or regional topographical or fire and life safety conditions?			
If Yes – No off-street parking is permitted in setback areas or through tandem parking.			
If No – Off street parking is permitted in setback areas or through tandem parking.			
Do any of the conditions below apply to the ADU: (1) Is it located within one-half mile walking distance of public transit? (2) located within an architecturally and historically significant district? (3) part of the proposed or existing primary residence or an existing accessory structure? (4) located where on-street parking permits are required but not offered to the occupant of the ADU? (5) is a car share vehicle located within one block of the accessory dwelling unit?			
If Yes – Parking standards do not apply.			
Is the ADU less than 1,000 square feet in size and located in a mapped Housing Opportunity Zone?			
If Yes – No parking is required.			
No frontage improvements are required for ADUs. Height limits for ADUs must allow at least sixteen ft.			

Junior Accessory Dwelling Unit (JADU) Requirements

The following requirements for junior accessory dwellings units mirror those of GOV 65852.22.

Junior Accessory Dwelling Unit (JADU) Definition		Yes	No
A structure is a junior accessory dwelling unit (JADU) if it meets all of the following criteria:			
	A JADU must be contained within the space of a proposed or existing single-family residence (with expansion of up to 150 square feet allowed beyond the dimensions of existing structure for ingress and egress). An attached garage is not part of the residence unless it qualifies as a dwelling.		
	Must be 500 square feet or less floor area.		
	May, but need not, share bathroom facilities with existing structure.		
	A JADU must have a separate entrance from the existing or proposed dwelling.		
	At least an efficiency kitchen with appliances, counter, and cabinet.		
	Owner occupancy of primary residence is required for JADUs except for a governmental agency, land trust, or housing organization.		
	May be rented separate from the primary residence but may not be sold or otherwise conveyed separate from the primary residence.		
	Has a deed restriction limiting separate sale and disclosing size and other requirements.		
If Yes to all – one JADU per lot is principally permitted in single- or multifamily residential zones.			
No additional parking is required for JADUs.			
A JADU is not permitted within a detached garage. A garage that is converted to an attached living area may subsequently contain a JADU, as defined above.			

JADU/ADU Combinations in Residential and Mixed-Use Zones

One ADU and one JADU may be allowed on the same lot within residential or mixed-use zones under conditions below.

JADU/ADU Combinations in Residential and Mixed-Use Zones		Yes	No
ADU or JADU Within Existing Single-Family Structure - One attached ADU or JADU is allowed per lot if it meets all of the following criteria:			
	It is contained within the space of a proposed or existing single family residence, with expansion of up to 150 square feet allowed beyond the dimensions of existing structure for ingress and egress. An attached garage is not part of the residence unless it qualifies as a dwelling.		
	There is a separate exterior access.		
	Side and rear setbacks are sufficient for fire and safety as established by local fire authority, or by Fire Safe regulations if within a State Responsibility Area.		
<i>Note: Due to a Board of Forestry emergency rule in 2020, ADUs in a State Responsibility Area for fire are exempt from Fire Safe rules. See webGIS: Hazards/Fire/"Cal Fire SRA" layer.</i>			
	If the attached unit is a JADU, does it meet the JADU requirements above (State requirements of 65852.22)?		
If Yes – the ADU is principally permitted. A JADU that meets the above criteria may be combined with a detached unit as described below.			
A Detached ADU can be combined with a JADU on the same lot if the detached unit meets all of the following:			
	The detached ADU is new construction.		
	It is no larger than 800 square feet.		
	It's height no more than 16 feet.		
	It has minimum 4-foot side and rear setbacks (or sufficient for fire and safety).		
	The attached JADU meets the JADU requirements above and State requirements of 65852.22.		
If Yes – The ADU may be combined with a JADU as described above.			

ADUs With Multifamily Structures

The following provisions and requirements apply to ADUs accessory to multifamily structures.

ADUs with Multifamily Residences		Yes	No
At least one attached ADU is allowed within an existing multifamily dwelling if all the following apply:			
	Is the dwelling in a residential or mixed-use zone?		
	Is the ADU converted from portions not used as livable space, like but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages?		
	Does each unit comply with state building standards for dwellings?		
If Yes – At least one accessory dwelling unit is allowed in the existing structure, and up to 25 percent of the existing multifamily dwelling units may be allowed.			
Not more than two detached ADUs on a lot with an existing multifamily dwelling if all the following apply:			
	Is the height of the ADUs 16 feet or less?		
	Are there minimum 4-foot side and rear setbacks (or sufficient for fire and safety)?		
If Yes – Not more than two accessory dwelling units are allowed			

Tiny Houses as ADUs

A Tiny House (TH) built on a permanent foundation may be used as an ADU if it meets the definition in Section 314-155, meets building codes, and follows standards in 314-69.05. Appendix Q of the Building Code may be used to evaluate lofts, stairs, ceiling height, and egress requirements.

Tiny House Definition	Yes	No
Is the structure intended for separate, independent living quarters, designed as a permanent, year-round residence?		
Was it built or installed on a permanent foundation or anchored using a State approved foundation system that meets requirements for manufactured housing, or is it designed by a licensed architect or engineer to meet those requirements?		
Is it no larger than 400 square feet?		
Does it have at least 120 square feet of first floor interior living space?		
Is it a detached self-contained unit that includes basic functional areas for cooking, sleeping, and sanitation?		
If Yes – Unit meets the Tiny House definition.		

Moveable Tiny Houses as ADUs

A Moveable Tiny House (MTH) on wheels or built on a chassis may be used as an ADU in Inland areas if it **meets the items in the two checklists below**. The first describes the definition in Section 314-148 of the Zoning Ordinance, and the contains provisions of Section 314-69.05.5 of the ADU Ordinance.

Moveable Tiny House Definition	Yes	No
Is the structure intended for separate, independent living quarters, designed as a permanent, year-round residence?		
Is it licensed and registered with the California Department of Motor Vehicles, <u>and</u> Is it certified by a qualified third-party inspector accredited through American Society for Testing and Materials to meet either: (i) National Fire Protection Association (NFPA) 1192 RV standards, <u>or</u> (ii) If certified after January 1, 2021, it meets American National Standards Institute (ANSI) 119.5 Park Model standards?		
Is it towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection, and not designed to move under its own power?		
Is it no larger than allowed by California State Law for movement on public highways?		
Does it have at least 120 square feet of first floor interior living space?		
Is it a detached self-contained unit that includes basic functional areas for cooking, sleeping, and sanitation?		
Does it substantially comply with local building, health, and safety codes so that it qualifies as a permanent dwelling? (More detail on these requirements of MTHs as ADUs is found in Sections 314-69.05.5.5 Applicable codes, and 314-69.05.5.6 Design standards. See below).		
If Yes – Unit meets the Moveable Tiny House definition.		

Besides meeting the definition above, the following health, safety, and design conditions must be met in order for a MTH to be used as an ADU:

Moveable Tiny House (MTH) as an Accessory Dwelling Unit	Yes	No
Is the structure intended for separate, independent living quarters, designed as a permanent, year-round residence, and meets requirements of the MTH definition?		
When on site, does the MTH have skirting that hides the undercarriage (wheels, axles, tongue and hitch) from view, <u>or</u>		
If the wheels are removed and the unit sits on a foundation, does the foundation system meet standards for manufactured housing, or follow an alternative design certified by a licensed engineer?		
If on wheels, does the parking area include bumper guards, curbs, or other installations adequate to prevent movement of the unit?		
<p>Do the wheels and leveling or support jacks sit on a paving surface of either:</p> <ul style="list-style-type: none"> (a) hard, durable asphaltic paving that has been mixed at a plant and is at least two inches thick after compaction, or Portland cement paving at least three inches thick; (b) alternative paving material of porous asphalt, porous concrete, permeable interlocking concrete pavers, permeable pavers, decomposed granite, crushed rock, gravel, or restrained systems (a plastic or concrete grid system confined on all sides to restrict lateral movement, and filled with gravel or grass in the voids)? Alternative paving materials are permitted subject to all the following requirements: <ul style="list-style-type: none"> (i) Permeable interlocking concrete pavers and permeable pavers must have a minimum thickness of 80 mm (3.14 inches); (ii) Products and underlying drainage material must be installed to meet manufacturers' specifications. Sub-grade soils must be compacted as required to meet the product installation specifications. 		
Sprinklers are not required unless required in the primary unit, but the MTH must follow ANSI 119.5 standards relating to health, fire and life-safety.		
Does the MTH meet the provisions of either ANSI 119.5 or NFPA 1192 standards, or the provisions of the California Building Code, or both?		
<p>Movable Tiny Houses must have the following design elements:</p> <ul style="list-style-type: none"> (a) exterior wall covering that is natural or man-made, non-reflective materials; and no more than 10% of the exterior may be reflective in nature; (b) Windows must be at least double pane glass and labelled for building use, and must include exterior trim; (c) Roofs have a minimum of a 1:12 pitch for greater than 50% of the roof area; (d) The unit must be plumbed to allow connection to an approved means of sewage disposal, septic system, or waterless toilet. Portable or enclosed waste storage tanks are not allowed for sewage disposal; (e) Connection to electrical power is not required, but if present the installation must meet California Electrical Code, Part 3, Title 24, California Code of Regulations. 		
If Yes – the MTH is allowed as an ADU.		