

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

Interpretation No.: SDU-03 (Residential second unit – size limitations)

Effective Date: 04/09/09

Originally Issued: Supersedes Policy Interpretations RES-SDU-02 (Residential second unit-maximum size calculation) and SDU-01 (Second Dwelling Unit)

Question

- 1) What is included in the gross floor area of the second unit, referred to in 13.10.681(d)?*
- 2) What are the size limitations for non-habitable accessory structures directly attached to the second unit, and what types of structures count towards this size limitation?*

Applicable Ordinance Sections

13.10.681(d)
13.10.322(b)
13.10.700

INTERPRETATION:

The Santa Cruz County Code restricts the size of second units, limiting both the habitable portions of second units, referred to as the gross floor area, and any non-habitable accessory structures that are directly attached to the second unit.

The total gross floor area (habitable portion) of the second unit is limited to the sizes specified in 13.10.681(d)(2) (see attached table). For the purpose of second units, the gross floor area/ habitable portion includes:

- All habitable areas directly attached to the second unit, including areas with or without direct internal access to the main portion of the second unit. Habitable basements and habitable areas under the roof framing are part of the gross floor area. (See Policy Interpretations ATTIC-01 and BASEMENT-01.)
- All covered and enclosed non-habitable accessory structures and rooms that directly abut and have direct interior access to the main portions of the second unit, including sunrooms, enclosed covered porches, laundry rooms, exercise rooms, and art studios.
Exceptions: Garages (see below).

In addition to the gross floor area as specified above, second units are allowed to have attached to them non-habitable accessory structures. The size limits for non-habitable accessory structures are specified in Section 13.10.611(c)(3) of the County Code regarding accessory structures (see attached table). Garages with or without interior access, and non-habitable accessory structures that do not have direct interior access to the habitable portion of the second unit, are part of the non-habitable space.

Underfloors (see 10.10.700-U and Policy Interpretation UNDERFLOOR-01) and unenclosed decks do not count toward the square footage of the second unit.

MAXIMUM GROSS FLOOR AREA AND NON-HABITABLE AREA FOR SECOND UNITS

Parcel Location	Public Sewer?	Parcel Size*	GROSS FLOOR AREA	NON-HABITABLE AREA
Inside USL (Urban Services Line)	Yes	At least minimum lot size for zoning district	640 sq ft	640 sq ft
Inside USL	No	Less than 10,000 sq ft	SECOND UNIT NOT ALLOWED	
Inside USL	No	10,000 or larger	640 sq ft	640 sq ft
Outside USL	No	Less than 1 acre	SECOND UNIT NOT ALLOWED	
Outside USL	No	1 acre to less than 2.5 acres	800 sq ft	1,000 sq ft
Outside USL	No	More than 2.5 acres	1,200 sq ft	1,000 sq ft
Outside USL	Yes	Less than 10,000 sq ft	640 sq ft	1,000 sq ft
Outside USL	Yes	10,000 sq ft to less than 2.5 acres	800 sq ft	1,000 sq ft
Outside USL	Yes	2.5 acres or larger	1,200 sq ft	1,000 sq ft

* Parcel must meet minimum size for zoning district, and comply with Environmental Health requirements, including those in Chapter 7.38 of the County Code.

Reason:

Unlike most primary dwellings, second dwelling units have a size limit that is specified in the County Code in Section 13.10.681(d) 2. The intention behind the size limitation is to ensure that second units remain subordinate to the primary dwelling on the property. Therefore, it is important to clearly and consistently apply the size limitations for second units specified in the County Code.

Section 13.10.681(d)(2) of the County Code specifies size limits for the “habitable portion” of the gross floor area of second units. Since enclosed and covered structures or rooms that have direct interior access to the second unit effectively extend the habitable area of the second unit, these areas are part of the gross floor area. Similarly, habitable structures that are directly attached to the second unit, but do not have interior access to the second unit, also extend the living area of the second unit, and are considered part of the unit. Garages with direct interior access are an exception, and are considered part of the non-habitable area.

The size limits specified in Section 13.10.611(c)(3) for non-habitable accessory structures apply to non-habitable structures directly attached to second units, as they do for non-habitable accessory structures that are attached to other habitable structures.

Tom Burns, Planning Director

Date