



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

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PLANNING POLICY Junior Accessory Dwelling Units

Applicability: This policy applies to parcels subject to Division I and Division II of Title 20 of Mendocino County Code (MCC). This policy applies to the construction of Junior Accessory Dwelling Units as defined in each respective Division of MCC Title 20.

Applicable Use Types: MCC section 20.008.036(A): *"Junior Accessory Dwelling Unit." A living space not exceeding five hundred (500) square feet in size and contained entirely within a fully permitted single-family dwelling. A junior accessory dwelling unit shall include an efficiency kitchen, and may include separate sanitation facilities or share sanitation facilities with the existing structure. See Chapter 20.164 Accessory Use Regulations.*

MCC section 20.308.065(A): *"Junior Accessory Dwelling Unit" or "JADU" is a living space not exceeding five hundred (500) square feet in size and contained entirely within an existing or proposed single-family dwelling. A JADU shall include a separate entrance from the main entry to the single-family dwelling, an efficiency kitchen, and may include separate sanitation facilities or share sanitation facilities with the existing single-family dwelling. See Chapter 20.458 (Accessory Dwelling Units).*

Background: A Junior Accessory Dwelling Unit (JADU) is capped at a living space not to exceed 500 square feet in size and contained entirely within an existing or proposed single-family dwelling. The California Department of Housing and Community Development (HCD) has also provided that "existing or proposed single-family dwelling" includes an attached garage¹. A recent building permit raised the question of whether a JADU could exceed the 500 square foot limitation if there were areas connected to the JADU that did not meet California Building Code requirements for ceiling height of habitable spaces. Planning and Building Services sought technical assistance from HCD who responded on March 21, 2024 that *"The areas that do not meet California Building Standards Code requirements for the ceiling height of habitable space would still count as part of the floor area of the JADU, unless they were physically blocked off, such as through the construction of walls that do not provide access."* See HCD response attached to this Policy.

Determination: JADU's may not exceed 500 square feet in size, including any areas internally accessible from the JADU, regardless of such internally accessible areas meeting California Building Code requirements for habitable space.

Adopted: March 22, 2024

Julia Krog, Director of Planning & Building Services

Attachment:

HCD Response March 21, 2024

¹ <https://www.hcd.ca.gov/sites/default/files/docs/policy-and-research/ADUHandbookUpdate.pdf>

From: [Dept. of Housing & Community Development](#)
To: [Julia Krog](#)
Subject: A comment has been posted by an ADU team member on case number ADU0003264
Date: Thursday, March 21, 2024 11:13:38 AM
Attachments: [sys_attachment.dosys_id=1cd054a597d18150edea398c1253afac](#)

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A comment has been posted by an ADU team member on case number ADU0003264, submitted on 03/04/2024 02:35:18 PM PST, by Guest at krogj@mendocinocounty.gov.

Hi Julia,

Thanks for your patience as we investigated this issue. The areas that do not meet California Building Standards Code requirements for the ceiling height of habitable space would still count as part of the floor area of the JADU, unless they were physically blocked off, such as through the construction of walls that do not provide access. The applicant may want to consider that option or permitting the unit as a conversion ADU under Government Code section 65852.2, subdivision (e). Such ADUs are not subject to floor area limits.

Please let me know if you have any questions.

Sincerely,
David J. Barboza, AICP (he/him)
Housing and Community Development, ADU Team

Replies to this message will be processed by the ADU Technical Assistance Portal and David Barboza will be notified of your question or comment

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