



Planning Division
 32400 Paseo Adelanto
 San Juan Capistrano, CA 92675
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**ACCESSORY DWELLING UNIT
 (ADU) CHECKLIST**

THIS CHECKLIST IS TO DETERMINE WHETHER A PROPOSED ADU REQUIRES ZONING COMPLIANCE REVIEW & A BUILDING PERMIT OR ONLY A BUILDING PERMIT

Instructions: The homeowner or authorized agent shall complete and sign this checklist.

**** If any items on page 1 are checked NO, Zoning Compliance Review will be required ****

Project Address: _____

Property Owner / Authorized Agent Name: _____

Contact Phone Number / Email: _____

A ADU integrated into an existing Single-Family Residence structure – If n/a check here & skip _____

1. Is the proposed ADU within (1) the space of a proposed or existing Single-Family Residence (SFR), (2) within a demolished & rebuilt portion of an existing SFR or (3) within an existing or rebuilt accessory structure in the same location with same dimensions as the preexisting structure? *150 s.f. may be added to existing structures to accommodate ingress and egress. Y N
2. Does the ADU have an exterior access independent of the access for the main dwelling on the property? Y N
3. Does the ADU have the minimum side & rear setbacks dictated by the building code & fire code? Y N

A new detached ADU on a Single-Family Residence lot – If n/a check here & skip _____

1. Does the proposed ADU contain less than 800 square feet of habitable floor area? Y N
2. Is the proposed ADU located at least 4' from the side and rear property lines? Y N
3. Is the proposed ADU 16' in height or less, as defined in MC Section 9-3.501.1(c)(3)? Y N

A new converted ADU into a Multi-Family Residential structure – If n/a check here & skip _____

1. Is the proposed ADU located within the space of a multi-family structure that is not currently habitable? Y N
2. Counting your ADU, is the total number of converted ADUs within the multi-family structure less than 25% of the total number of units within the multi-family structure? Y N

A new detached ADU on a Multi-Family Residential lot – If n/a check here & skip _____

1. Counting your ADU, are there two or less ADUs on the lot with an existing multi-family structure? Y N
2. Is the proposed ADU located at least 4' from side and rear property lines? Y N
3. Is the proposed ADU 16' in height or less, as defined in MC Section 9-3.501.1(c)(3)? Y N

STANDARD REQUIREMENTS

Please initial beside each item to acknowledge your understanding of each requirement which will be confirmed by City staff prior to issuance of a building permit.

1. New detached ADUs & ADUs as a part of new SFRs require separate utility connections between the ADU and the utility service. A utility service may waive this requirement if they determine it is infeasible. _____
2. Fire sprinklers will be required in an ADU if sprinklers are required in the primary residence. _____
3. Solar PV systems are required for new detached ADUs. A final inspection for the ADU will not be conducted until the PV system is installed and approved. _____

4. No ADU may be rented for a term shorter than 30 calendar days. _____
5. No ADU may be sold separately from the lot and the primary dwelling, or in the case of a multi-family development, from all the dwellings. _____
6. An owner must reside on the property in the cases of a Junior ADU, defined in MC 9-3.501.1(c)(6) _____
7. A deed restriction must be recorded against the title of the property, and filed with the Director of Development Services. The deed restriction must provide the following
 - a. The ADU or Junior ADU may not be sold separately from the primary dwelling unit. _____
 - b. The ADU or Junior ADU is restricted to the approved size and attributes allowed by San Juan Capistrano MC Section 9-3.501.1. _____
 - c. The deed restriction runs with the land and may be enforced against future property owners. _____
 - d. The deed restriction may be removed if the owner eliminates the ADU or Junior ADU, as evidenced with a demolition permit to remove the entirety of unit or remove elements of the unit which make it a dwelling, the kitchen facilities for example, and a written request is made to the Director of Development Services. _____
 - e. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including but not limited to obtaining an injunction enjoining the use of the ADU or Junior ADU in violation of the recorded restrictions or abatement of the illegal unit. _____

I certify under penalty of perjury under the laws of the State of California that the above is true and correct. I understand that all approvals are subject to field inspection. Field corrections may require a formal revision submitted for plan review. The need for Zoning Compliance Review, potential redesign or additional fees may occur if the scope of work changes or does not match the items identified in the checklist above:

Print Name: _____

Date: _____

Signature: _____

Additional questions to assist the City in obtaining affordable housing credit for new ADUs

1. What is the intended use of the ADU?
 - Full-time occupancy by a family member or friend
 - Full-time occupancy by a household employee or caregiver
 - Occasional use by guests
 - Rental to tenants
 - Other _____
2. How many persons will typically occupy the unit? _____
3. Will any rent be charged?
 - Yes – expected monthly rent: \$_____
 - No – the unit is intended for use by household
 - No – the unit is intended for use by family, friends or guests
 - Other _____
4. Will utilities be paid by the occupant or the owner?
 - Utilities paid by Occupant
 - Utilities paid by Owners
5. Are you interested in having an affordability agreement placed on your ADU? This would limit the unit to being rented to lower income households at an affordable rate, and assist the City in meeting state Regional Housing Needs. Yes. No. Provide more information.