

California Casitas ADU Regulations

(Remember – All municipalities must adhere to State minimum regulations but can make regulations less restrictive)

City of San Marcos

Zoning

ADU's can be added to single family and multi-family zoned properties.

Lot size

California updated legislation, effective January 1, 2020, eliminates a lot size requirement!

Min/Max Building Sizes

The minimum size for an ADU is **150** square feet, and the maximum size is **1200** square feet. Attached ADU can be 50% if the size of the existing structure. JADU can be up to **500** sq. ft. but not more than 50% of existing structure.

Setbacks

ADU must maintain a **4-foot** minimum rear and side setback. Existing garage conversions aren't required to adhere to setback and can be extended along the same setback up to an additional 30" linear feet (side+rear addition =30 ft.).

Height Restrictions

The maximum height for an ADU is up to **16'**.

Parking

No parking is required for an ADU that meets any of the following criteria:

- The ADU is located within .5 mile of a public bus stop or rail station, and the path of travel is publicly accessible.
- The ADU is part of or within the primary residence or existing accessory building.
- The ADU is on a street that requires on-street parking permits, but the permit has not been offered to the occupant of the ADU.
- The ADU is located within one block of where a motor vehicle provides hourly and daily service as part of a regional fleet operated by a public agency or publicly-leased motor-vehicle-sharing organization.
- The ADU is located within a historic district listed in the City's Historic Resources Inventory.
- If you convert your garage the parking spaces are no longer required to be replaced. This is in alignment with the new state laws.

Owner Occupancy

Owner occupancy is not required in all jurisdictions in California until the year 2025 (sunset date). Any homeowner who builds an ADU from 2020-2025 will be grandfathered into no owner occupancy requirement even if the legislation changes in the future.

Rentals

An ADU can always be rented long-term. A long-term rental is defined as a rental period that is 30 days or greater. Short term Airbnb rentals are not allowed for ADU but owners who live on their ADU can Airbnb the existing structure in many cities. Its always best to check the latest rules and regulations in the city/municipality in which you reside.

Link to City of San Marcos Regulations:

https://library.municode.com/ca/san_marcos/codes/code_of_ordinances?nodet=TIT20ZO_CH20.410ACDWUNACST

California Casitas – What's in your Backyard?

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