



# ACCESSORY DWELLING UNIT

City of Murrieta – Development Services Department  
1 Town Square, Murrieta CA 92562

AUGUST 2019

This Information Bulletin outlines the development requirements for constructing an Accessory Dwelling Unit.

While this form is meant to provide a summary of the State ADU regulations, which have also been adopted by the City, a complete summary of the regulations can be found on the California Department of Housing and Community Development (HCD) website.

## I. OVERVIEW

Aside from traditional market-rate construction, there are alternative housing models that contribute to addressing home supply and affordability such as Accessory Dwelling Units (ADUs).

ADUs can be integrated into existing single-family properties in a variety of ways including converting a portion of an existing house, adding to the existing house, converting an existing garage, or constructing a new detached structure.

ADUs offer a multitude of benefits, including the following:

- Low Cost to Build & Affordable-by-Design

ADUs require no public subsidy and cost anywhere from \$10,000 for a simple bedroom conversion to \$200,000 for a high-end companion unit.

- Provide Income to Homeowners

The housing crisis has increased displacement immensely, threatening our diverse communities driving out young families, and seniors on a fixed income. ADUs help by creating a new income stream.

- Environmentally Friendly

ADUs have a low-carbon footprint, using less water, electricity and construction materials. A small house can save 26,000 pounds of CO<sub>2</sub> emissions per year.

- Flexibility for Changing Households

The makeup of today's household is rapidly changing. Many families are now made up of single parents and/or extended families. Traditional single family homes are often not well suited to the demands associated with this new shift in family structure. ADUs are perfect for seniors wanting to age in place, or small families.

### Documents Referenced in this Information Bulletin

- [HCD – State ADU Regulations](#)
- [Building Permit Application](#)
- Building Permit Fees, [IB#106](#)
- Accessory Dwelling Units, [MMC §16.44.160](#)
- Accessory Structures, [MMC §16.44.150](#)

## II. TYPES OF ACCESSORY UNITS

### A. Accessory Dwelling Unit (ADU)



An ADU, sometimes referred to as a 2<sup>nd</sup> dwelling unit, is an attached or detached residential dwelling unit that provides

complete independent living facilities for one or more people. An ADU includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary single-family dwelling. An ADU may be rented.

### B. Guest Living Quarters



A Guest Living Quarters, which is sometimes referred to as Granny Flats or a Guest House, can be an attached or detached unit for temporary use by guests or family members of the primary residence. A Guest House does not include a kitchen or wet-bar and are regulated as Accessory Structures. Guest Houses may not be rented.

### C. Park Model Trailers



Park Model Trailers, sometimes referred to as Tiny Houses, are not allowed for permanent use on private property.

Pursuant to Health and Safety Code §18009.3 and §18010, a Park Model Trailer is considered to be a recreational vehicle; not a type of mobile or modular home that has been approved and certified by State HCD for permanent habitation.

### III. ADU DEVELOPMENT STANDARDS

Construction of an ADU is allowed “by-right” (building permit) provided the following are met:

- A. The ADU is either attached to the main residence or detached and on the same legal lot as the main residence.
- B. In order to qualify for an ADU, the property must have an existing main residence; or the ADU is going to be constructed concurrently with a main residence.
- C. If attached to the main residence, the ADU shall not exceed 50 percent of the total floor area of the main residence, up to a maximum floor area of 1,200 square feet.
- D. If detached from the main residence, the ADU shall not exceed 1,200 square feet.
- E. The ADU must meet the CA Residential Code for “Efficiency Dwelling Units” and provide a ‘living room’ of not less than 220 square feet; an additional 100 square feet must be provided for each occupant in excess of two (CRC§1208.4). A ‘living room’ is defined as the combined habitable square footage in an ADU dedicated for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage, or utility space or similar areas are not considered habitable (living room).
- F. The ADU must contain separate kitchen and bathroom facilities.
- G. An attached ADU must have a separate entrance from the main residence.
- H. The ADU shall be architecturally compatible with the main residence.
- I. ADU setbacks vary depending upon the residential zone; contact the City to determine the zoning for your property and exact setback requirements for your situation. Exceptions to the setback standards include the following:
  1. No setback is required for an existing legal garage or accessory structure that is converted to an ADU.
  2. An ADU constructed above a garage shall be a minimum setback of 5 feet.
- J. A new ADU shall provide one parking space on site unless exempted (see “K” below). Examples that can satisfy this requirement include an uncovered space within a driveway or a tandem space.
- K. No additional off-street parking is required for ADUs that meet one of the following:
  1. Within half mile from public transit;
  2. Within a designated historic district;
3. Within an area where on-street parking permits are required, but not offered to the ADU occupants; or,
4. Within one block of a car share area.
5. Part of the existing primary residence or an existing accessory structure.
- L. If establishment of the ADU involves a garage conversion, replacement off-street parking for the main residence shall be provided concurrently with the ADU application. The replacement parking shall be provided as applicable to State law.
- M. The ADU may be rented, but shall not be used as a short-term rental (≤30 days).
- N. The property must not have an active code enforcement violation.
- O. No Variances shall be granted for the construction of an ADU.

### IV. ADU PERMIT REQUIREMENTS

- A. ADUs require review and approval of a Building Permit Application.
- B. All requirements of the California Residential Code, California Fire Code (both adopted by the City), and the Murrieta Development Code shall apply to the ADU.
- C. Complete floor plans of the main residence shall be provided for attached ADUs.
- D. Plans must clearly show the total number of occupants anticipated in the ADU. This is needed to ensure that the ADU meets the minimum size requirements for Efficiency Dwelling Units (see Section III.E).
- E. Applicants must provide mathematical computations of the “floor area” for both units, and these calculations must be taken from the exterior dimensions of the outside walls.
- F. The applicant must provide evidence that there is sewer (or septic) service and water available.
- G. Existing structures (attached/detached) converted to ADUs with the appropriate meter size are not subject to additional water/sewer fees.
- H. The project site may require other types of approvals by City staff, depending on site conditions. For example, if a retaining wall is needed for accommodating an ADU, this may require a structural load analysis. Please check with City staff for further information prior to submittal.