



THE TOWN OF
CORTE MADERA
MARIN COUNTY CALIFORNIA

ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Frequently Asked Questions

Accessory Dwelling Units are permitted ministerially in all residential districts in the Town of Corte Madera, provided that certain criteria are met. This is an overview of answers to frequently asked questions concerning the permitting process and Planning requirements for approval.

WHAT IS AN ACCESSORY DWELLING UNIT (ADU)?

An accessory dwelling is a complete, independent living facility for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel on which the primary single-family dwelling is situated.

ARE THERE DIFFERENT TYPES OF ACCESSORY DWELLINGS?

Yes, there are several types of Accessory Dwelling Units including:

1. Within Existing Space – unit is created within a structure on a residentially zoned lot, with no more than one dwelling
2. Junior Accessory Dwelling Unit – limited to 500 square feet, cannot have a full kitchen, and must include conversion of an existing bedroom within a single-family residence, bathroom facilities may be shared with the main unit
3. Detached or Attached Unit Including New Floor Area – a unit that includes the addition of new floor area

CAN I BUILD ONE ON MY PROPERTY?

An accessory dwelling may be permitted on a legal lot in the following zoning districts: R-1, R-1-B, R-1-C, R-1-A, R-2, R-3 provided that a set of objective criteria are met (see below). If the parcel is within the Christmas Tree Hill Overlay or Hillside Overlay Zone, an ADU may be prohibited for life safety reasons. Within Special Flood Hazard areas floodplain development considerations may apply. Contact the Planning Department for further information.

ADU within Existing Space (Including JADU)

An application to create an ADU within a structure on a residentially zoned lot, with no more than one dwelling, will be approved *ministerially* if the unit is:

- contained entirely within a legally permitted existing residence or accessory structure
- has independent exterior access from the existing residence
- has side and rear setbacks that are sufficient for fire safety

ADU Created Through the Addition of New Floor Area

An application to create an ADU that is attached to an existing single-family dwelling or structure on a parcel occupied by a single-family dwelling, or a unit which would be an entirely new detached structure, will be approved ministerially provided that the application meets all regulations established in Municipal Code Section 18.31.050.

HOW MANY ACCESSORY DWELLING UNITS CAN BE BUILT ON A PARCEL?

Only one ADU or JADU is allowed per legal lot provided that there is no more than one dwelling unit on the parcel.

WHY ADD A JUNIOR ACCESSORY DWELLING UNIT?

A JADU can be a cost efficient way to create an additional dwelling unit on a legal lot with an existing single-family dwelling. This is because:

- The unit can share a bathroom with the existing dwelling
- Is exempt from all utility connection fees
- Is limited to an efficiency kitchen
- No fire sprinklers can be required unless they are required for the primary unit
- Because they are part of an existing structure and utilize an existing bedroom, they typically require a reduced scope of construction when compared to a more typical, detached accessory dwelling unit

HOW LARGE CAN AN ACCESSORY DWELLING UNIT BE?

Size limits depend on the type of unit:

1. Accessory Dwelling Unit – whether detached, attached or interior– the unit cannot exceed 1,200 square feet or exceed 50% of the primary dwelling unit
2. Junior Accessory Dwelling Unit – limited to 500 square feet

HOW IS THE AREA OF THE DWELLING MEASURED?

The floor area of a proposed unit consists of all enclosed spaces, from inside of the exterior walls. This is inclusive of any enclosed parking area created to provide parking for the unit.

WHERE CAN THE UNIT BE LOCATED ON MY PROPERTY?

The construction of an ADU must conform to the development standards, setbacks, floor area, coverage and height maximums of the underlying zoning district. If the unit is created by converting a legal, existing nonconforming structure, such as a garage that is built within a required yard, the structure must meet minimum setback requirements for fire safety.

ARE THERE SPECIFIC PARKING REQUIREMENTS FOR AN ACCESSORY DWELLING UNIT?

One parking space is required for each bedroom of the accessory dwelling. Most often, a unit is exempted from requiring additional parking because it falls under one of the following exemptions:

1. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.
2. The accessory dwelling unit is located within one-half mile of a public transit stop.
3. When there is a car share vehicle located within one block of the accessory dwelling unit.

CAN I RENT THE UNIT?

Yes, the ADU or JADU may be rented out provided that the unit is rented no less than 30 days. The Zoning Ordinance prohibits any unit, including ADU or JADU from being rented as a short term rental unit. Owner-occupancy of the main residence or the accessory unit is required. An owner-occupancy and limited rental agreement (prohibiting short-term rental) must be recorded with the county prior to issuance of building permits.

HOW DO I GET STARTED?

Prior to having construction plans drawn and preparing an application, you may wish to consult with the Planning Department for a determination of whether the site can accommodate an accessory dwelling, what the applicable development standards are for your property and whether the property is located in a special overlay zone that may limit the feasibility of creating a unit. You may also want to contact the Marin Municipal Water District, Pacific Gas and Electric Company, the Sanitary District and Central Marin Fire Department to inquire about special hook-up, life-safety, fire sprinkler, fire apparatus access and other specific requirements and potential costs.

WHAT ARE THE TYPICAL FEES FOR PERMITTING AND CONSTRUCTING AN ACCESSORY DWELLING UNIT?

The Accessory Dwelling Unit Permit entitlement fee is \$850. Other fees associated with creating a unit include the fees required to record an owner occupancy agreement with the County (approx. \$120), plan preparation and construction drawings by a design professional, building permit fees, construction costs, school district, water agency and utilities fees, etc. We encourage you to contact these parties early in the process for more information to determine feasibility of the project relative to your specific site conditions, project goals, and budget.

MORE INFORMATION NEEDED?

See any of the following links for more information, or contact the Planning Department at (415)927-5064.

- [Application Process Flow Chart](#)
- [Accessory Dwelling Unit Permit Submittal Checklist](#)
- [Junior Accessory Dwelling Unit Permit Submittal Checklist](#)
- [California Housing and Community Development Memorandum](#)