



RESIDENTIAL ACCESSORY DWELLING UNITS AND ROOM RENTALS

Beginning on January 1, 2017, changes to California law made it a lot easier to create an accessory dwelling unit (ADU) on a property developed with a single family residence. An ADU is an independent dwelling unit that has a full kitchen and a separate entrance. An ADU can be created either in a portion of a main residence or in a separate accessory building on the property. If a property in a single-family zoning district was developed with a main residence or accessory building as of January 1, 2017, creating an ADU will not be subject to any parking requirements or size limitation other than those typically associated with the main residence. Further, if such a property is outside of the Coastal Zone, then no permits from the Planning Division will be required. If the property is in the Coastal Zone, then a Coastal Permit will be required to create an ADU. Otherwise, property owners apply for building permit to install a kitchen and a separate entrance as well as making any other health and safety upgrades necessary for the new unit. ADUs can be rented or used for family members or guests. Except in certain limited areas of Mill Valley, property owners do not need to live on the property with the ADU.

If a property was vacant as of January 1, 2017, or is located in some district other than a single family zone, then the property owner would need to obtain an ADU permit from the Planning Division before creating the ADU. In the Coastal Zone, a Coastal Permit would also be necessary. If an ADU permit is required, then there are certain standards for the ADU that will need to be satisfied before it can be created, such as adding an additional parking space and limiting the size of the unit to 1,200 square feet. The standards and requirements for units that need an ADU permit can be found in Marin County Code section 22.32.120 and Chapter 22.56.

If a property owner does not want to install a full kitchen or create an ADU, then another option to consider is installing a wetbar. A wetbar is a partial kitchen that has a small sink, a mini-refrigerator, kitchen appliances, and a limited amount of counter space. Wetbars are used for a variety of purposes and can be useful in pool houses, home art studios, home workshops, and to provide better accommodations for guests and renters. A room for rent can be outfitted with a wetbar without any permits from the Planning Division, although one will often need electrical, plumbing or other types of building permits. Room rentals in single family residences are limited to a maximum of three individual bedrooms.

In certain circumstances, a property owner may find it necessary to demonstrate that a room rental with a wetbar is an officially recognized independent dwelling unit. Typically, this is only necessary to make certain financing options available to a property owner. In these cases, the property owner can request that the County formally recognize the room rental with a wetbar as as a Junior Accessory Dwelling Unit (JADU). JADUs have certain limitations, including a maximum size of 500 square feet, and the property owner must make a legal commitment to live on the property. Obtaining official recognition from the County of a JADU is purely voluntary on the part of the property owner; the County does not require this for a property owner to install a wetbar or rent a room. The standards and requirements for JADUs can be found in Marin County Code section 22.32.120 and Chapter 22.56.