

Accessory Dwelling Units (ADU)

TYPE 2C: CONVERSION OF EXISTING NON-RESIDENTIAL STRUCTURE TO PRIMARY DWELLING UNITS WITH ADU

Permitting and Development Standards. Effective: January 1, 2020

Planning Division | 214 South C Street | 805 385-7858 | oxnard.org/planning

Purpose and Intent: Conversion of a non-residential structure to a residential Primary Unit with an internal or detached ADU. Project could include an addition.

| | | | | | |
|---|---|------------------------------------|-----------------------|--|----------|
| PROPERTY LOCATION: | | | | PROPOSED RENTAL AMOUNT: | \$ _____ |
| PERMITTING | | Applicant Enter as Proposed | Comply? Y or N | For more information, request an appointment with City staff: Building (805) 385-7925 Fire Dept. (8p05) 385-7795 Planning (805) 385-7858 | |
| Administrative Planning Permit | ADU use is allowed. | | | Discretionary process as required by Zone. ADU use is allowed if conversion to residential use is approved by applicable planning permit. | |
| Plan Check period from submitting complete plans | 60-day toll does not apply | | | 60-day statutory permit tolling applies to Oxnard work days when ADU plans are complete and in City possession. ADU may be denied if plan check corrections remain unaddressed at Day 60. | |
| DEVELOPMENT STANDARDS | | | | | |
| Allowed in Zones (includes –PD & –AH additive zones) | R1, R2, R3, R4, C1, C2, DT-E | | | Eligibility requires one legal parcel with an existing structure eligible to be converted to residential use through applicable Planning permit. | |
| Minimum Size | 220 sf | | | Efficiency unit. Same meaning as Health & Safety Code (HSC) 17958.1, which requires a living area of 150 sf + other area of 70 sf for 2 persons. | |
| Maximum Size | 1,200 sf or 50% rule | | | Detached ADU up to 1,200 sf. If ADU is part of the Primary Unit, ADU shall not exceed 50% of Primary Unit; however, in no instance shall the maximum size be less than 850 sf for one-bedroom or 1,000 sf for two or more bedrooms. | |
| Front yard setback | by Zone | | | Front yard setback may begin at closest edge of public sidewalk. | |
| Side yard setback | Zone or NLT 4 ft | | | Primary Unit setbacks set by Zone or permit, ADU minimum is 4 ft for entrance expansion. Subject to public safety review that may require larger setback. Government Code 65852.2(1)(a)(D)(vii) | |
| Rear yard setback | Zone or NLT 4 ft | | | | |
| Maximum height | by Zone | | | Or as allowed by approving permit. | |
| Separate exterior entrance required | Yes | | | ADU addressing likely to be "Unit No. X" to existing Primary Unit address, subject to USPS final determination. | |
| Comply with other Codes | Yes | | | ADU must comply with applicable Building, Energy, and other Codes. | |
| REQUIREMENTS | | | | | |
| Solar Panels required | No | | | Refer to: https://ww2.energy.ca.gov/title24/2019standards/documents/Title24_2019_Standards_detailed_faq.pdf | |
| Kitchen Type | Full | | | Includes sink, minimum 5 cubic foot refrigerator, range or cooktop | |
| Bathroom | Full | | | Includes sink, toilet, and bathing facility. | |
| PARKING | | | | | |
| Primary Unit | City Code | | | Primary Unit parking as required by City Code or approving permit. | |
| ADU | 1 off-street space | | | ADU parking not required if: 1) 1/2 mile walking distance of OTC or bus stops, 2) within historic district, 3) parking permits required but not offered to ADU, 4) car-share within 1 block. Applicant to provide evidence to claim ADU parking exemption. ADU parking space may be tandem, uncovered, and/or located in a side yard setback. | |
| FIRE SPRINKLERS, UTILITY METERS & IMPACT FEES | | | | | |
| Fire sprinklers | If required for Primary unit | | | ADU fire sprinklers required if required for the Primary residence: Oxnard Fire Code requires full sprinklers on all structure(s) at 1,000 sf cumulative additions and alterations since Dec. 27, 2007 (OCC §14-26). | |
| Water/sewer meter | To be determined | | | Separate ADU meter required if ADU is a detached structure. Check all existing lines for capacity, upgrade may be required. | |
| Impact Fees (ADU only) | Yes, if ADU is 750 sf or more. | | | No fees if ADU is less than 750 sf. Proportional if over 750 sf is size: A) calculate full impact fees based on total ADU size, B) divide ADU size greater than 750 sf into total ADU size, C) multiply A X B for fee. | |
| THE FOLLOWING CONDITIONS APPLY TO ADU TYPE 2C | | | | | |
| 1 | ADU not allowed in the Oxnard Coastal Zone (between Victoria Avenue and Pacific Ocean) | | | | |
| 2 | ADU projects are exempt from California Environmental Quality Act (CEQA, Class 3, Guidelines §15303) | | | | |
| 3 | ADU Standard Planning Zoning Clearance documents and conditions are to be incorporated into the Building Permit plans. | | | | |
| 4 | ADU within the Henry T Oxnard District or a listed structure requires compatibility review and standards apply: ADU use is allowed. | | | | |
| 5 | Applicants may include replacement curb cut and driveway if ADU removes on-site parking, subject to Public Works approval. | | | | |
| 6 | Minimum lot size, open space, patio/balcony minimum size and dimensions, density, floor area ratio, and/or interior yard space standards are not applied to the ADU. (SB 881) | | | | |
| 7 | Architectural compatibility with existing and/or proposed structure required (OCC § 16-23, primarily materials, roof-pitch, color). | | | | |
| 8 | ADU may not be rented for less than 30 days (i.e. Short Term Rental) (OCC 16-663.4(H)). | | | | |
| 9 | There is no owner-occupied requirement for either the Primary or ADU until Jan 1, 2025 (SB 13). | | | | |
| 10 | Homeowner Association Conditions, Covenants, and Restrictions (CCR) may not prohibit ADU (AB 670). | | | | |
| 12 | ADU may not be parceled into separate property, except as specified in AB 587. | | | | |
| 12 | Project cannot demolish residential dwelling units unless certain conditions apply (SB 330). | | | | |
| 13 | ADU porches, patios, exterior stairs, and balconies subject to OCC 16-305 to 16-307. | | | | |
| 14 | ADU may be denied if: 1) non-compliance with applicable codes, 2) creates a life-safety hazard, 3) has negative impact on historic district or listed structure, or 4) is within Non-ADU district (if adopted by the City). | | | | |