ORDINANCE NO. 16.143

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AMENDING SCOTTS VALLEY MUNICIPAL CODE TITLE 16 (SUBDIVISIONS) AND TITLE 17 (ZONING) TO CLARIFY REQUIREMENTS FOR ACCESSORY DWELLING UNTS, JUNIOR ACCESSORY DWELLING UNITS, URBAN LOT SPLITS, SB 9 RESIDENTIAL DEVELOPMENT, AND MINISTERIAL DESIGN REVIEW

WHEREAS, Government Code Sections 66314 and 66333 authorize a local agency to adopt an ordinance regulating accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs);

WHEREAS, on December 4, 2024 the City Council adopted Ordinance No. 16.142 establishing regulations for ADUs and JADUs in Scotts Valley ("ADU Ordinance");

WHEREAS, on January 27, 2025 the City submitted the ADU Ordinance to the California Department of Housing and Community Development (HCD) as required by Government Code Section 66326;

WHEREAS, on April 7, 2025 the City received a letter from HCD that identifies changes to the ADU Ordinance needed to comply with state ADU law;

WHEREAS, the City desires to amend the ADU Ordinance to comply with state ADU law in a manner consistent with the findings in the April 7, 2025 HCD letter;

WHEREAS, in 2025 the California Legislature approved and on October 10, 2025 the Governor signed into law AB 1154 and SB 543 which amend state ADU and JADU law;

WHEREAS, the City desires to amend the ADU Ordinance to remain consistent with state ADU law as amended by AB 1154 and SB 543;

WHEREAS, Government Code Sections 66452, 65852.21 and 66411.7 ("SB 9") requires local agencies to allow, in single-family zoning districts, two primary dwellings on one lot and an urban lot split with two dwelling units allowed on each newly created lot for projects that meet specified requirements;

WHEREAS, on May 15, 2024 the City Council adopted Ordinance No. 16.141 establishing regulations for SB 9 development and urban lot splits in Scotts Valley ("SB 9 Ordinance");

WHEREAS, SB 450 (Chapter 286, Statutes of 2024), amended the Government Code to prohibit local jurisdictions from imposing standards on SB 9 development that do not apply uniformly to development in the underlying zone unless these standards are more permissive than the generally applicable standards;

WHEREAS, on June 18, 2025 the City Council adopted Ordinance No 16.142.1

amending the City's SB 9 Ordinance to comply with SB 450;

WHEREAS, the City desires to adopt additional amendments to the SB 9 Ordinance to clarify the maximum height requirement for SB 9 development;

WHEREAS, the Planning Commission held a duly noticed public hearing on November 20, 2025 at which time it considered all evidence presented, both written and oral, and at the end of the hearing voted to recommend that the City Council adopt this Ordinance; and

WHEREAS, the City Council held a duly noticed public hearing on this Ordinance on December 3, 2025, at which time it considered all evidence presented, both written and oral.

WHEREAS, pursuant to Government Code sections 65852.21(k) and 66411.7(n), a local ordinance to implement SB 9 shall not be considered a project under the California Environmental Quality Act ("CEQA"); and

WHEREAS, pursuant to Public Resources Code section 21080.17 and CEQA Guidelines section 15282(h), a local ordinance to implement state ADU law shall not be considered a project under the California Environmental Quality Act ("CEQA"); and

NOW, THEREFORE, the City Council of the City of Scotts Valley does hereby ordain as follows:

Section 1. Subsection F, Setbacks, in Section 16.78.040, General requirements, of Chapter 16.78, Urban Lot Splits, of Title 16, Subdivisions, of the Scotts Valley Municipal Code is hereby amended to read as follows:

"F. Setbacks. An SB 9 residential development on a parcel created by an urban lot split shall comply with the following setback requirements:

1. Minimum Yards:
    a. Front: As required in the applicable zoning district.
    b. Side: Four feet, except that no yard is required for a new side lot line shared between two parcels created through the urban lot split.
    c. Rear: Four feet.
2. As provided in Section 17.55.050, an SB 9 residential development that complies with the minimum yard requirement for a single-family dwelling in the applicable zoning district is eligible for greater unit size than is allowed for SB9 residential development that does not comply with the zoning district minimum yard requirement.
3. Notwithstanding Paragraph 1 above, no setback is required for an existing structure or a structure reconstructed in the same location and to the same dimensions as an existing structure."

Section 2. The definition of junior accessory dwelling unit (JADU) in Section 17.04.130, Definition of “J” terms, of Chapter 17.04, Definitions, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to read as follows:

“17.04.130 - Definition of "J" terms.

"Junior accessory dwelling unit (JADU)" means a converted accessory dwelling unit that is no more than five hundred square feet of interior livable space in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.”

Section 3. Section 17.50.035, Ministerial design review, of Chapter 17.50, Administrative Procedures, Required Permits and Appeals, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to read as follows:

“17.50.035 Ministerial design review.

A. Purpose. Ministerial design review is a by-right approval process to determine project compliance objective standards.

B. Review Authority. The community development director shall review and act on design review applications or may refer the application to the planning commission for review and final decision.

C. Application Submittal and Review. A ministerial design review application shall be made using a form provided by the planning department, together with all required information, materials, and application fees.

D. Public Notice and Hearing.

    1. No public notice or hearing is required for ministerial design review applications acted on by the community development director.

    2. The following public notice and hearing requirements apply to ministerial design review applications acted on by the planning commission.

        a. The planning commission shall consider a ministerial design review application at a hearing with notice given in the same manner as required for discretionary design review applications.

        b. After receiving public comment and considering the proposed project, the planning commission must either approve the application, deny the application, or continue the hearing to a future date.

        c. The hearing may be continued only if additional information is needed to determine project conformance with objective standards. A hearing may be continued one time after which the planning commission must render a decision.

E. Decision. The planning commission shall approve a ministerial design review application if the project complies with all applicable objective standards in the general plan, any applicable specific plan, and the municipal code.

F. Appeals.

1. Ministerial design review decisions may be appealed as provided in Section 17.50.060 of this chapter.

2. The subject of appeal is limited to the determination of project conformance with applicable objective standards."

Section 4. Subsection A, Building Height, in Section 17.55.050, Development standards, of Chapter 17.55, SB 9 Development, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to read as follows:

"A. Building Height. The maximum building height for SB 9 residential development is the same as for single-family dwellings in the applicable zoning district and combining district.

"

Section 5. Subsection C, Yards, in Section 17.55.050, Development standards, of Chapter 17.55, SB 9 Development, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to read as follows:

"C. Yards.

1. Minimum yards for an SB 9 residential development are as follows:
    a. Front: As required in the applicable zoning district
    b. Side: Four feet, except that no yard is required for a new side lot line shared between two parcels created through an urban lot split.
    c. Rear: Four feet.
2. As provided in A and B above, an SB 9 residential development that complies with the minimum yard requirement for a single-family dwelling in the applicable zoning district is eligible for greater unit size than is allowed for SB9 residential development that does not comply with the zoning district minimum yard requirement."

Section 6. Chapter 17.57, Accessory Dwelling Units, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to read as follows:

"Chapter 17.57 ACCESSORY DWELLING UNITS

17.57.010 Purpose.

This chapter establishes standards for accessory dwelling units (ADUs) consistent with Government Code Sections 66310—66342. These standards are intended to increase the supply of affordable housing options in Scotts Valley while maintaining the character and quality of life of residential neighborhoods.

A. This chapter applies only to a proposed ADU as defined in Chapter 17.04 (Definitions). Standards for junior accessory dwelling units (JADUs) are found in Chapter 17.58 (Junior Accessory Dwelling Units).
B. It is the city's intent for this chapter to be consistent with state law as it is amended from time to time. In cases of conflict between this chapter and state law, state law governs.

17.57.020 Permitting process.

A. Building Permit.
    1. Creating an ADU requires city approval and issuance of a building permit.
    2. The city shall ministerially approve a building permit for an ADU if the application complies with this chapter and all other applicable standards. No public hearing or discretionary review is required.

B. Time Period for City Action.

1. The city shall determine whether an application to create an ADU is complete and provide written notice of this determination to the applicant not later than 15 business days after receiving the application.
2. If the city determines an application is incomplete, the city shall provide the applicant with a list of incomplete items and a description of how the application can be made complete. The list and description shall be provided with the written notice required by Paragraph (1) above.
3. After receiving a notice that the application was incomplete, an applicant may submit to the city additional application materials to cure and address the items that are deemed to be incomplete by the city.
4. In the review of additional application materials submitted pursuant to Paragraph (3) above, the city shall not require the application to include an item that was not included in the list required by paragraph (2) above.
5. If an applicant submits additional application materials pursuant to Paragraph (4) above, the city shall determine whether the additional materials remedied all incomplete items listed in the determination issued pursuant to Subsection (2) above. The city shall provide written notice of this determination to the applicant not later than 15 business days after receiving the additional materials.
6. If the city does not make a timely determination as required by this subsection, the application shall be deemed to be complete.
7. If an ADU is proposed on a lot with an existing single-family or multifamily dwelling, the city shall approve or deny the application within sixty days from the date the city receives a completed application. If the applicant requests a delay in writing, the sixty-day time period shall be tolled for the period of the delay.
8. If an ADU is proposed as part of an application to create a new single-family or multifamily dwelling, the city may delay approving or denying the ADU application until the city approves or denies the permit application for the new dwelling. The city shall approve or deny the ADU application without a public hearing or discretionary review within sixty days of action on the new dwelling.
9. If the city does not approve or deny the completed application within the required sixty-day time period, the application shall be deemed approved.

C. Comments for Denied Application.

1. If the city denies an application for an ADU, the city shall provide written comments to the applicant that list the items that are defective or deficient and describe how the application can be remedied by the applicant.
2. Written comments required by Paragraph (1) above shall be provided to the applicant not later than 15 business days after the city denies the application..
3. If the city determines an application is incomplete or denies the application, the applicant may appeal the decision to the Planning Commission and may

appeal the Planning Commission decision to the City Council. The city shall make a final decision on the appeal not later than 60 business days after receiving the applicant's written appeal.

17.57.030 General requirements.

The requirements in this section apply to all ADUs subject to this chapter.

A. Where Allowed. An ADU is permitted:

1. In any zoning district where single-family or multifamily dwellings are a permitted use; and

2. On a lot with an existing or proposed single-family or multifamily dwelling.

B. Maximum Number per Lot.

1. Lots with Single-Family Dwellings. No more than one ADU is permitted on a lot with a single-family dwelling, except as allowed by Section 17.57.040 (Statewide Exemption ADUs).

2. Lots with Multifamily Dwellings. The number of ADUs on a lot with multifamily dwellings shall not exceed:

a. Up to twenty-five percent of existing multifamily dwellings within portions of existing multifamily dwelling structures that are not used as livable space as provided in Section 17.57.040.C (Non-Livable Multifamily Space); and

b. Up to eight detached ADUs on a lot with a existing multifamily dwelling and up to two detached ADUs on a lot with a proposed multifamily dwelling as provided in Section 17.57.040.D (Detached ADUs on Multifamily Lots).

C. Separate Sale from Primary Dwelling. An ADU shall not be sold or conveyed separately from the primary dwelling except as provided in Government Code Section 66340—66342.

D. Rental. A rented ADU shall not be leased for any period less than thirty days.

E. Guaranteed Allowance. Limits on floor area, lot coverage, open space, and front setbacks ("Specified Standards"), as outlined in Section 17.57.050 below, must permit an attached or detached ADU with at least an eight hundred square feet of interior livable space with four-foot side and rear yards ("Baseline ADU") if the proposed ADU complies with all other development standards. The community development director shall grant an exception to a Specified Standard if:

1. The Specified Standard would physically preclude the creation of a Baseline ADU otherwise allowed by this section;

2. The exception is the minimum necessary to allow for a Baseline ADU; and

3. There is no alternative to achieve a Baseline ADU without the exception.

F. Converting and Replacing Existing Structures.

1. A converted ADU may be established regardless of whether the structure in which it is located conforms to the current zoning requirement for setbacks.
2. If an existing structure is demolished and replaced with an ADU, the ADU may be constructed in the same location and to the same dimensions (i.e., footprint and height) as the demolished structure.

G. Nonconformities. The city shall not require, as a condition for approval of an ADU, the correction of nonconforming zoning conditions on the property.

H. Placement within Easement. An ADU shall not be located in an easement that prohibits habitable structures therein.

I. Foundation. An ADU shall be constructed on a permanent foundation. A manufactured home, as defined in California Health and Safety Code Section 18007, is allowed as an ADU if it is placed on a permanent foundation.

J. Vehicles/Trailers Prohibited. An ADU shall not be within a vehicle or trailer of any kind, with or without wheels.

K. Exterior Entrance. An ADU must have an exterior entrance separate from that of the primary dwelling.

L. Fire District Requirements. An ADU must comply with:

1. The California Fire Code with modifications and amendments as adopted by the Scotts Valley Fire Protection District ("Fire District"); and
2. The Santa Cruz County Fire Prevention Officers Association Fire Prevention Standards as adopted by the Fire District.

M. Fire Sprinklers.

1. Fire sprinklers are not required in an ADU where fire sprinklers were not required for the primary dwelling at the time of construction, except as provided by Paragraph 2 below.
2. If fire sprinklers were not required for the primary dwelling at the time of construction, but the primary dwelling is altered in a manner that later required fire sprinklers, an ADU created after the alteration must be provided with fire sprinklers.
3. The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in an existing single-family or multifamily dwelling on the lot.

N. Parking.

1. A minimum of one off-street parking space is required for an ADU, except as provided in paragraph 3 below. The off-street parking space may be uncovered, compact, and/or tandem.
2. Driveways and parking spaces in a required setback shall comply with Zoning Code Section 17.44.030.J.2.

3. No off-street parking is required for an ADU where one or more of the following circumstances exist:
    a. The ADU is approved pursuant to Section 17.57.040 (Statewide Exception Exemption ADUs).
    b. The ADU is located within one-half mile walking distance of public transit. As defined in Government Code Section 66313(l), public transit means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
    c. The ADU is located within an architecturally and historically significant historic district.
    d. The ADU is part of a proposed or existing primary dwelling or an existing accessory structure.
    e. When on-street parking permits are required but not offered to the occupant of an ADU.
    f. When there is a car share vehicle located within one block of the ADU.
    g. When a permit application for an ADU is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the ADU or the parcel satisfies any other criteria listed in this subdivision.
4. To qualify for an exception listed in paragraph 3 above, the applicant must provide supporting evidence, such as a map illustrating the location of the ADU and its proximity to a public transit stop or car share vehicle, or proof of local parking permit requirements.
5. No replacement parking is required when an ADU is created through the conversion or demolition of a garage, carport, covered parking structure, or uncovered parking space.

O. Utilities.
1. All ADUs shall be served by municipal water service, except as provided in paragraph 3 below.
2. Except as provided in paragraph 3 below, an ADU shall be served by municipal sewer services when located within two hundred feet from the point at which a connection can be made to the municipal system. For an ADU more than two hundred feet from a municipal sewer service connection, the ADU may use a septic system only if approved by the designated regulatory authority.
3. A converted ADU is not required to install a new or separate utility connections directly between the ADU and the utility unless the ADU was constructed with a new single-family dwelling.

4. The designated regulatory authority may require, as part of the application for a permit to create an ADU connected to an onsite septic system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last ten years.

5. An ADU shall not be considered a new residential use for purposes of calculating city connection fees or capacity charges for utilities, including water and sewer service, unless the ADU was constructed with a new single-family dwelling.

P. Impact Fees. City development impact fees shall not be imposed upon the development of an ADU less than seven hundred fifty square feet of interior livable space. Any impact fees for an ADU of seven hundred fifty square feet or more of interior livable space shall be charged proportionately in relation to the square footage of the primary dwelling unit.

Q. Highway 17 Access Hazards. An ADU is not permitted where vehicle access to the site is provided solely from Highway 17 at the following locations as identified in the Highway 17 Access Management Plan (California Department of Transportation, 2016):

1. Driveway at PM 6.712 (Map ID #24).

2. Crescent Drive (Map ID #25).

3. Driveway at PM 6.485 (Map ID #26).

17.57.040 Statewide exemption ADUs.

Statewide Exemption ADUs described in this section require compliance only with the standards in Section 17.57.030 (General Requirements). Standards in Section 17.57.050 (Development Standards) and Section 17.57.060 (Objective Design Standards) do not apply to a Statewide Exemption ADU. Statewide exemption ADUs may be combined on a single parcel as allowed by the site and lot conditions.

A. Converted ADUs. One converted ADU per lot with a proposed or existing single-family dwelling subject to the following:

1. The converted ADU shall be within the space of a single-family dwelling or an accessory structure on a lot with a single-family dwelling.

2. A converted accessory structure may be expanded by up to one hundred fifty square feet to accommodate an entrance into the ADU.

3. The converted ADU shall have exterior access from the single-family dwelling.

4. The side and rear setbacks must be sufficient for fire and safety. If a converted ADU complies with applicable building code and Fire District requirements, side and rear setbacks shall be deemed sufficient for fire and safety.

B. Detached ADUs. One detached new construction ADU on a lot with a proposed or existing single-family dwelling.. The ADU must comply with the following:

1. Maximum floor area: Eight hundred square feet of livable space.

2. Maximum height:

    a. Sixteen feet for a detached ADU on a lot with an existing or proposed single family dwelling unit.

    b. Eighteen feet for a detached ADU on a lot with an existing or proposed single family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. An additional two feet in height is allowed to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

3. Minimum rear and side setbacks: Four feet.

C. Non-Livable Multifamily Space.

    1. Multiple ADUs within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, subject to the following:

        a. At least one ADU is allowed within an existing multifamily dwelling up to maximum of twenty-five percent of the existing multifamily dwelling units.

        b. Each ADU shall comply with building code standards for dwellings.

    2. The ADU must be located within a structure containing existing multifamily units. The ADU may not be located in a detached garage, carport, or other accessory structure on the lot that contains no existing multifamily units.

    3. As used in this section, livable space means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.

D. Detached ADUs on Multifamily Lots. Detached ADUs located on a lot with an existing multifamily dwelling, subject to the following:

    1. Maximum number:

        a. On a lot with an existing multifamily dwelling, eight detached ADUs or the number of existing units on the lot, whichever is less.

        b. On a lot with a proposed multifamily dwelling, two detached ADUs.

    2. Maximum height: Sixteen feet if the existing multifamily dwelling is one story and eighteen feet if the existing multifamily dwelling is two or more stories.

3. Minimum rear and side setbacks: Four feet.

17.57.050 Development standards.

The standards in this section apply to all ADUs not approved pursuant to Section 17.57.040 (Statewide Exemption ADUs).

A. Floor Area.

1. Minimum. The floor area of an ADU shall be no less than two hundred twenty square feet.

2. Maximum.

a. Single-Family Lots. On lots with a single-family dwelling, the interior livable space of an ADU shall not exceed the maximums shown in Table 1.

Table 1: Maximum Interior Livable Space on Single-Family Lots

ADU Type and Placement on Lot	**Zoning District**	
	R-VH, R-H, R-M	**R-1, R-R, R-MT**
Detached and Attached [1]		
Complies with district yards	1,100 sq. ft.	1,200 sq. ft.
Does not comply with district yards	850 sq. ft. for studio/1 bdrm 1,000 sq. ft. for 2+ bdrm	
Converted	No maximum	
Notes: [1] The floor area of an attached ADU shall not exceed the maximums shown in this table or fifty percent of the existing primary dwelling floor area, whichever is less.		

b. Multifamily Lots. On lots with multifamily dwellings the floor area of an ADU shall not exceed:

(1) Eight hundred fifty sq. ft for a studio or one-bedroom ADU; and

(2) One thousand sq. ft. for an ADU with two more bedrooms.

B. Lot Coverage. An ADU shall conform to the maximum lot coverage standards of the zoning district in which it is located unless the lot coverage standard would preclude an eight hundred-square foot ADU, in which case the Community Development Director shall grant an exception to the standard as provided in Section 17.57.050.E (Guaranteed Allowance).

C. Property Line Setbacks.

1. An ADU shall be setback from property lines as required by Table 2.

Table 2: Minimum Property Line Setbacks

Property Line	**ADU Type**		
	Attached	**Detached**	**Converted**

Front	Same as primary dwelling[1]		None required
Side	4 ft.	4 ft.	
Rear	4 ft.	4 ft.	
Notes: [1] If the front setback standard precludes an eight hundred-square foot ADU, the Community Development Director shall grant an exception to the standard as provided in Section 17.57.050.E (Guaranteed Allowance).			

2. As provided in Subsections A (Floor Area) and E (Height) of this section, an ADU that complies with the minimum yard requirement for a single-family dwelling in the applicable zoning district is eligible for greater building height and unit size than is allowed for an ADU that does not comply with the zoning district minimum yard requirement.
3. See also Section 17.57.030.F (Converting and Replacing Existing Structures) for setback exceptions that apply to an ADU created by converting or replacing an existing structure.

D. Building Separation. An ADU exceeding sixteen feet in height shall comply with the minimum building separation standard in Section 17.46.070.K.

E. Height. The height of an ADU shall not exceed the maximum shown in Table 3.

Table 3: Maximum ADU Height

ADU Type and Placement on Lot	**Zoning District**		
	R-VH, R-H, R-M	**R-1-10**	**R-1-20, R-1-40, R-R, R-MT**
Detached ADU			
Complies with district yards	18 ft. [1]	25 ft.	35 ft.
Does not comply with district yards	16 ft. [1]		
Attached ADU	Same as required for primary dwelling		
Notes: [1] Where a maximum height of 18 feet is allowed, an additional 2 feet in height is also permitted to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit. Where height is limited to 16 feet, a maximum of 18 feet is allowed for an ADU either 1) within one-half mile of major transit stop or high-quality transit corridor as defined in Public Resources Code Section 21155; or 2) on lot with a multistory multifamily dwelling.			

F. Hillside Residential Combining District. An ADU within the HR Hillside Residential Combining District shall comply with all objective standards in Chapter 17.40.

17.57.060 Objective design standards.

A. Applicability and Deviations.

1. The standards in this section apply to all ADUs not approved pursuant to Section 17.57.040 (Statewide Exception ADUs).
2. Deviations from standards in this section are allowed with planning commission design review approval at a noticed public hearing. To approve the deviation, the planning commission must make the findings in Section 17.50.030.E (Required Findings).

B. Driveways.
1. Vehicle access to parking spaces serving an ADU must be provided using a driveway curb cut shared with the primary dwelling.
2. The community development director may approve an exception to this requirement if the existing site layout or other physical constraints physically precludes shared use of a single driveway curb cut.

C. Massing. A building wall that faces and is within fifty feet of a street or an adjacent residential use shall not run in a continuous plane of more than twenty-five feet without one or more of the following treatments:
1. A change in wall plane with a minimum of four feet in depth for the facade.
2. A front porch or other covered entry feature with a minimum depth of three feet and width of six feet providing access to the dwelling's primary entrance.
3. An upper story stepback of at least six feet in depth for at least eighty percent of the street facing building wall.
4. A protruding window (such as a bay window) of at least two feet in depth.

D. Articulation. A building wall that faces and is within fifty feet of a street or an adjacent residential use shall not run in a continuous plane of more than fifteen feet without one of the following treatments included on the facade at every building story:
1. Window.
2. Entry door.
3. Two or more visibly contrasting primary materials and/or colors.
4. Wall mounted trellises for climbing plants

E. Roof Forms. Rooflines twenty-five feet or longer that face a street or an adjacent residential use shall be articulated with recessed or projecting gabled roof elements, roof dormers, changes in roof heights, changes in direction or pitch of roof slopes, and other similar methods.

F. Open Space.
1. An ADU shall have a minimum of one hundred square feet of private ADU open space or four hundred square feet of open space shared with the primary dwelling.
2. Required private open space shall comply with the following standards:

a. The open space shall be directly accessible from the ADU width and a minimum floor area of fifty square feet.

b. Patios shall have a minimum dimension of eight feet in depth and width and a minimum floor area of sixty-four square feet.

c. Open space may be covered but not fully enclosed. If covered, the minimum floor to ceiling height is eight and one-half feet.

d. Ground level private open space shall be screened or buffered from open space utilized solely by the primary dwelling by landscaping, fencing, walls, trellises, or other screening elements.

3. If the open space standard in this subsection precludes an eight hundred-square foot ADU, the community development director shall grant an exception to the standard as provided in Section 17.57.050.E (Guaranteed Allowance).

G. Exterior Materials. The primary wall finish material shall be wood, wood shingle, stone, brick, stucco, fiber cement or other cementitious material, or stone. T1-11 siding and all grooved or patterned wood panel or composite wood panel siding are prohibited.

H. Windows. Windows that face a street or an adjacent residential use shall comply with one of the following:

1. All windows shall feature built up profile trim/framing. Trim/framing must project at least two inches from the building wall with material that visually contrasts from the building wall.

2. Window glass shall be inset a minimum of two inches from the exterior wall or frame surface to add relief to the wall surface.

I. Neighbor Privacy.

1. If a building wall faces an adjacent residential use and does not comply with the minimum interior side or rear yard requirements of the applicable zoning district or combining district, windows on the wall must be:

a. 5-foot minimum sill height above the finished floor;

b. Clerestory; or

c. Opaque/frosted glass.

2. Second-story exterior decks and balconies may not face an interior side or rear yard that abuts an adjacent residential use.

3. No portion of a rooftop deck may be closer than twenty-five feet from an interior side or rear yard that abuts an adjacent residential use.

J. Entrance Orientation. The primary entrance to a detached or attached ADU shall face either:

1. The front or interior of the parcel; or

2. A side or rear property line that abuts an alley or a public street.

K. Garage Conversions. When a garage is converted into an ADU, the garage door shall be removed and replaced with materials matching the remainder of the structure."

Section 7. Chapter 17.58, Junior Accessory Dwelling Units, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to read as follows:

"Chapter 17.58 JUNIOR ACCESSORY DWELLING UNITS

17.58.010 Purpose.

A. This chapter establishes standards for junior accessory dwelling units (JADUs) consistent with Government Code Sections 66333—66339. These standards are intended to increase the supply of affordable housing options in Scotts Valley while maintaining the character and quality of life of residential neighborhoods.

B. This chapter applies only to a proposed JADU as defined in Chapter 17.04 (Definitions). Standards for accessory dwelling units (ADUs) are found in Chapter 17.57 (Accessory Dwelling Units).

C. It is the city's intent for this chapter to be consistent with state law as it is amended from time to time. In cases of conflict between this chapter and state law, state law governs.

17.58.020 Permitting process.

Creating a JADU requires city approval and issuance of a building permit. The city shall review and act on a permit application for a JADU in the same manner as required for an accessory dwelling unit. See Section 17.57.020 (Permitting Process).

17.58.030 JADU standards.

The standards in this section apply to all JADUs.

A. Where Allowed.

1. A JADU is permitted on a residential lot zoned for single-family dwellings with a single-family dwelling built, or proposed to be built, on the lot.

2. A JADU is allowed on a lot that also contains a detached accessory dwelling unit as provided in Section 17.57.040 (State Exemption ADUs.) The JADU must be located within the single-family dwelling on the lot.

B. Maximum Number. A maximum of one JADU is permitted per lot.

C. Owner Occupancy.

1. If the JADU has shared sanitation facilities with the existing structure, the property owner shall reside in either the single-family dwelling on the lot or the JADU.

2. Owner-occupancy is not required if the JADU has separate sanitation facilities, or if the property is owned by a governmental agency, land trust, or housing organization.

D. Location Within Single-Family Dwelling. The JADU shall be contained entirely within the walls of an existing or proposed single family dwelling. For purposes of this section, enclosed uses within the dwelling, such as attached garages, are considered a part of the single-family dwelling.

E. Entrance. The JADU shall include an exterior entrance separate from the main entrance to the single-family dwelling.

F. Bathroom.

1. A JADU must either:

   a. Contain its own full bathroom with a sink, toilet and shower and/or bath facilities; or

   b. Share use of a full bathroom located within the primary dwelling.

2. A JADU that shares a bathroom with the primary dwelling must have an interior entry into the main living area of the primary residence.

G. Kitchen.

1. A JADU must contain, at a minimum, an efficiency kitchen with:

   a. A kitchen sink, refrigeration, and cooking appliances; and

   b. At least three linear feet of food preparation counter space and three linear feet of cabinet space.

2. Cooking appliances may consist of either a permanent cook top and/or built-in oven, or a plug-in microwave oven, hot plate, and similar appliances intended for use on top of a countertop.

H. Parking. Off-street parking is not required for a JADU.

I. Fire Safety. For purposes of any fire or life protection ordinance or regulation, a JADU shall not be considered a separate or new dwelling unit.

J. Fire Sprinklers.

1. Fire sprinklers are not required in a JADU where fire sprinklers were not required for the primary dwelling at the time of construction, except as provided by Paragraph (2) below.

2. If fire sprinklers were not required for the primary dwelling at the time of construction, but the primary dwelling is altered in a manner that later required fire sprinklers, a JADU created after the alteration must be provided with fire sprinklers.

3. The construction of a JADU does not trigger a requirement for fire sprinklers to be installed in an existing single-family dwelling on the lot.

K. Utilities. For purposes of providing service for water, sewer, or power, including a connection fee, a JADU shall not be considered a separate or new dwelling unit unless the JADU was constructed with a new single-family dwelling.

L. A rented JADU shall not be leased for any period less than thirty days.

M. Impact Fees. City development impact fees shall not be imposed upon the development of a JADU.

17.58.040 Deed restriction.

A. Prior to occupancy of a JADU, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the current owner. The deed restriction shall state that:

1. The JADU shall not be sold separately from the single-family residence; and

2. The JADU shall not exceed five hundred square feet of total floor area and shall comply with all standards in Section 17.58.030 (JADU Standards).

B. The above declarations are binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement.

C. The deed restriction shall lapse upon removal of the JADU established under this chapter."

Section 8. GENERAL PLAN CONSISTENCY. The Municipal Code amendments are consistent with the General Plan. The Municipal Code amendments are adopted for the specific purpose of complying with state housing law and to maintain consistency with the General Plan Housing Element.

Section 9. CEQA COMPLIANCE. The proposed amendments are exempt pursuant to the CEQA Guidelines Section 15061(b)(3), which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed amendments are adopted to comply with state housing laws, bringing the Zoning Code into compliance with state requirements that already apply to proposed development. In addition, the proposed ADU Ordinance amendments are exempt from CEQA pursuant to Public Resources Code section 21080.17 and CEQA Guidelines section 15282(h), which exempts adoption of ordinances implementing state law regarding accessory dwelling units, and the proposed SB 9 Ordinance amendments are exempt from CEQA pursuant to Government Code sections 65852.21(k) and 66411.7(n), which exempts adoption of ordinances implementing SB 9.

Section 10. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be

declared invalid or unconstitutional.

Section 11. To the extent the provisions of the Scotts Valley Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 12. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

Section 13. PUBLICATION. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of adoption and shall post a certified copy of this Ordinance, including the vote for and against same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

This Ordinance was introduced on the 3rd day of December, 2025, and passed and adopted on the 17th day of December, 2025, at a duly held meeting of the City Council of the City of Scotts Valley by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____
Derek Timm, Mayor

ATTEST:

_____
Cathie Simonovich, City Clerk

APPROVED AS TO FORM:

_____

Kirsten Powell, City Attorney