

ACCESSORY DWELLING UNITS (ADU) PROGRAM

FOR SINGLE-FAMILY HOMES

THAT DO NOT NEED WAIVERS FROM THE PLANNING CODE

("NO-WAIVER" ADUs)

Accessory Dwelling Units (ADUs), also called secondary units, in-law units, or cottages, are subordinate units added to existing residential buildings. In 2016, San Francisco's ADU Program became available in all zoning districts that permit residential use. Adding an ADU to your property can provide several benefits, such as providing housing for family members, simplifying your lifestyle, and increased financial flexibility. For more information on the benefits of ADUs, please see our video, "Are ADUs Right For You?" on our website at sf-planning.org/accessory-dwelling-units.

San Francisco's ADU Program allows two different types of ADUs:

- "Waiver" ADUs – all multi-family buildings and single-family homes that need one or more waivers from the Planning Code for requirements like exposure, open space, or rear yards; and
- "No-Waiver" ADUs – single-family homes that do not need waivers from the Planning Code.

This fact sheet describes the program for "No-Waiver" ADUs, which is governed by Planning Code Section 207(c)(6). If you are a single-family homeowner, this fact sheet helps you determine if the "No-Waiver" Program applies to your proposed ADU. Please also reference our accompanying handout on "Waiver" ADUs, visit the ADU Planning Counter or email CPC.ADU@sfgov.org if you have further questions. Please be aware that recent amendments were made to the Planning Code that may offer more flexibility to your project.

This fact sheet is intended to distribute helpful information; however, please consult a Planner for a more detailed review and discussion before submitting a permit. You do not need to make the determination between a waiver or no-waiver ADU, an ADU planner can assist you.

How many ADUs can I add to my property?

The "No-Waiver" program allows one (1) ADU to be added to a property containing a single-family home. If the building is eligible for the Voluntary Seismic Retrofit Program, you may be eligible to add more than one ADU under the "Waiver" ADU Program. You can learn more by reading our Fact Sheet on "Waiver" ADUs. For more information on the Voluntary Seismic Retrofit Program, please visit sfdbi.org/ADU.

Where can I put an ADU in my home?

Most ADUs are converted from existing storage or garage space. Under the "No-Waiver" ADU Program, ADUs can be constructed anywhere within the buildable area of the lot, which means the entire lot minus all required setbacks and yards.

This means that ADUs can be added as a Code-compliant expansion to the existing building, by taking habitable space from within the existing single-family home, or by constructing a new structure within the buildable area of the lot. If an expansion is proposed for your project as part of the "No-Waiver" Program, neighborhood notice (Section 311/312) and design review will be required.

Does this program apply to my proposed ADU?

In order to be eligible for this program, you must meet all other Planning Code requirements. The project must not need any waivers, or the administrative exceptions, from open space, rear yard or reduced exposure:

Rear Yard Setbacks: Rear yard setbacks vary by zoning district. If your lot is zoned RH-1 or RH-1(D), 25 percent of your rear yard must remain open. For all other zoning districts, this requirement ranges from 25-45 percent, with provisions to adjust based on your neighbors' rear yards. In any zoning district, the required rear yard may not be less than 15 feet. If there is an authorized auxiliary structure located in the rear yard, the "No-Waiver" ADU Program cannot be used to convert that structure to an ADU.

Open Space: If your lot is zoned RH-1 or RH-1(D), there must be 300 sq. ft. of private open space per unit (such as on private decks), or 400 sq. ft. of shared space per unit (such as a shared rear yard). The open space requirement depends on zoning district, and in districts other than RH-1 or RH-1(D) the requirements can range from 125 to 36 square feet of open space per unit. It is important to ensure that access to open space from all existing units is retained.

Exposure: This is Planning's requirement for access to natural light. The proposed ADU must be able to place a window in a living room or bedroom that faces onto an open area. This open area could be a rear yard that meets Code (as discussed above), onto a street, or onto an open area that is at least 25'x 25' and expands at each story at upper levels.

If your proposed ADU needs waivers from one or more of these requirements, the "Waiver" ADU Program may be applicable. Please reference our Fact Sheet on the "Waiver" ADUs.

Other Planning Code Requirements

The most common requirements include permeability and landscaping in your required front setback, and street tree planting or payment of the in-lieu fee (under the regulations of Public Works); all other Code requirements must be met. Certain impact fees may also be required, including a child care impact fee. No parking is required for the ADU under this program.

Will my ADU be rent controlled?

Under the "No-Waiver" Program, a new ADU would not be subject to rent control but may be subject to other components of the Rent Ordinance such as eviction controls. However, if you fall under the "Waiver" Program, the ADU will likely be subject to rent control. Please see our Fact Sheet for "Waiver" ADUs.

Can I use my ADU for short-term rentals?

No. Accessory Dwelling Units are ineligible for the Short Term Rental program.

Can I Sell my ADU?

No; ADUs under this program are ineligible to be subdivided and sold separately.

Review Process: What's involved?

If the proposed ADU is within the existing built area of your single-family home, the review process will be straightforward and should take less than 120 days. Planning will review and provide comments at the counter.

If the proposed ADU includes an expansion, neighbors within 150 feet of the subject property and relevant neighborhood groups must be notified for a 30-day public review period. This process, under Planning Code Section 311 or 312, is called Neighborhood Notification and may take 4 to 6 months. The Discretionary Review process will also apply, similar to all other expansion permits reviewed by the Planning Department.

NEXT STEPS



ADDITIONAL RESOURCES

Zoning:

Find your zoning using the Property Information Map at <http://propertymap.sfplanning.org>

Rent Control:

Find out if your building is under rent control by contacting at the San Francisco Tenants Union at www.sftu.org/rentcontrol or learn more about Rent Control from the San Francisco Rent Board at www.sfrb.org

Historic Preservation:

Depending on the age of your building and its historic resource status, your ADU may be subject to historic preservation review most likely through the building permit plan review process, if your project includes changes to the front facade of the building. Visit <http://sf-planning.org/historic-preservation-faqs> for more information. Email CPC.ADU@sfgov.org to learn more about designing your project and if any special review may apply to your property, and review the ADU Handbook for guidance.

Building Code Requirements:

All life safety requirements under the San Francisco Building Code must be met during ADU construction. These requirements can affect the design of your ADU and should be considered



ADU Handbook:

The ADU Handbook contains detailed information regarding the ADU construction process, the Building and Planning Codes, potential designs, and financial feasibility. You can download the handbook at: <http://sf-planning.org/accessory-dwelling-unit>.

Questions? Please Contact:

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*Inquiries about ADU Screening Form