



DRAFT

ADU Incentive Program: **A program to encourage legalization of second units**

Contra Costa County encourages property owners with unpermitted second living units, also known as accessory dwelling units, or ADUs, to legalize their units. The ADU Incentive Program offers property owners an opportunity for a limited time to apply for and obtain required permits without paying penalty fees that would typically be associated with previously unpermitted construction. The County is interested in working with property owners to legalize their existing unpermitted ADUs with the minimum changes and disruptions necessary to achieve compliance with zoning and building code requirements.

Program Process

The process starts with an initial, informal meeting with County staff to review the conditions on the property. Interested property owners should [click here](#) (add link) to schedule an initial meeting. To make this meeting with County staff most productive, the property owner should bring photographs showing the conditions on the property, a drawing showing all property lines and structures on the property, and a floor plan of the unpermitted ADU.

The requirements necessary to obtain permits will vary depending on the type of ADU. For example, conversion of existing living area in the primary residence into a separate living unit involves a different set of steps than conversion of an unpermitted cottage or other detached structure. [Click here](#) (add link) for more information about some of the specific requirements associated with different types of ADUs.

At the conclusion of the initial meeting, County staff will provide guidance to the property owner concerning steps required to legalize the unpermitted unit. If the property owner does not wish to proceed with a project after receiving feedback from County staff, the property owner can withdraw from the program with no penalty. County staff will not keep any record of the initial meeting.

The steps required to legalize an unpermitted unit will vary depending on the circumstances of the project, and may require the property owner to obtain approvals from multiple public agencies. To obtain these approvals, the property owner may need to hire a licensed architect, engineer or other design professional to prepare building plans for the proposed project. Building plans will be necessary to obtain building permits.

Fees and Costs

While less expensive than building and permitting a new single family residence, the costs of permitting and making required improvements to an unpermitted ADU can be substantial, depending on the circumstances. Property owners are encouraged to obtain cost estimates for construction from one or more licensed contractors. Construction costs for an ADU project can vary significantly depending on the nature of the project.

The property owner will also need to pay permit fees to the County. For example, the property owner will need to pay an ADU permit fee to the Community Development Division. Building permits for the ADU will require payment of building permit fees. The County will waive penalty fees for planning and building permits.

Prior to obtaining building permits, the property owner may also be required to pay fees to the County Public Works Department, the local school district, the local fire district, utility providers and other agencies depending on the nature of the project ([click here](#) for links to other local permitting agencies). These fees can be significant, depending on the project. The County is currently working to reduce or eliminate traffic mitigation fees for ADUs. County staff will assist the property owner to develop a fee estimate for the project and provide guidance on which public agencies the property owner will need to contact to pay fees and obtain approvals.