



AB 2533 – UNPERMITTED ADUS/JADUS AMNESTY

Information Handout

City of Solvang | Community Development Department

In compliance with [AB 2533](#) the following process has been established for a homeowner to apply for a permit to legalize an unpermitted accessory dwelling unit (ADU) or junior accessory dwelling unit (JADU) constructed before January 1, 2020. This process reduces barriers and eliminates penalties for dwellings that meet minimum requirements.

In order to qualify for amnesty, an ADU or JADU shall be to in compliance with the minimum conditions specified in the Substandard Housing Checklist (SHC), complying with [Section 17920.3 of the Health and Safety Code](#) which determines if a residential structures is substandard.

Prior to submitting for a permit to legalize an unpermitted ADU/JADU the homeowner may opt to obtain a confidential third-party code inspection from a licensed contractor utilizing this Checklist. If a homeowner chooses to submit application without a third-party inspection, a City Inspector will be perform an inspection utilizing the Substandard Housing Checklist (there is a charge for this service).

Where non-compliance is found by the City Building Inspector or the third-party inspector utilizing the Substandard Housing Checklist, the property owner shall obtain a permit to correct the items identified from the SHC inspection prior to granting final permit for said ADU/ JADU.

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Step 1: Homeowners submit a permit application to legalize an unpermitted accessory dwelling unit (ADU) or junior accessory dwelling unit (JADU) constructed before January 1, 2020. [This application can be found here](#), along with its [corresponding checklist](#). If you want a stand along Substandard Housing checklist, [click here](#)

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Step 2. City of Solvang Staff reviews the application for completeness, ensuring that the required application information is provided. If information is missing, we will reach out to you on steps to ensure complete application.

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Step 3. Homeowners applying for a permit for an ADU/ JADU constructed before January 1, 2020, are not required to pay development impact fees or connection charges unless utility infrastructure improvements are necessary to meet health and safety standards as outlined in the [Health and Safety Code](#). Homeowners are required to pay permit and inspection fees related to the work provided by city staff. The minimum required fee will be for a single plan review; however, additional fees will be assessed for each subsequent plan review and inspection as required. If a separate permit is required, based on an inspection or from information provided by the third-party inspection, all typical permit fees are required as part of that permit issuance.

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Step 4. Once the submitted application is complete and initial payment is made, this will be routed to City staff for review.

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Step 5A – Third Party Inspector. Where a third-party inspection was performed utilizing the Substandard Housing Checklist, submitted documents and/or items on the checklist are determined to be lacking or non-compliant, comments will be provided to the applicant to clarify all insufficient information, and a resubmittal will be required. Resubmittals to address missing or incomplete information on the SHC will require documentation from the original third-party inspector for verification of compliance.

When checklist items are identified as being in violation, and the applicant is advised that a permit is required, a separate code correction permit will be required to correct all deficiencies. After finalization of the code correction permit, the applicant must resubmit for review under the original ADU amnesty permit and provide documentation from the original third-party inspector that the items have been re-inspected and determined compliant.

Step 5B – City Inspector. Upon application acceptance, where no SHC is filled out, all required documentation will be reviewed for compliance. Where submitted documents and/or items on the checklist are determined to be noncompliant, comments will be provided to the applicant to clarify all insufficient information, and a resubmittal will be required. When all submitted documents are determined to be compliant, the applicant will be notified that the permit is ready for issuance. After issuance, the applicant/homeowner must call for inspection.

The city inspector will use the SHC to verify compliance with all required Health & Safety regulations, regardless of whether portions of a previously submitted checklist were completed by a third-party inspector. Access to all areas of the ADU/ JADU will be required, including any crawlspaces, attics and attached accessory structures serving the ADU/ JADU. Where violations or non-compliance are found in accordance with the SHC, the inspector shall list the items of violation, and the homeowner must correct all noted deficiencies. Once all corrections are made, the applicant or homeowner is responsible for contacting the city inspector to schedule a reinspection.

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Step 6. Where the ADU has been found to be compliant with all required Health & Safety regulations, city staff shall move forward with finalizing the permit for the ADU/ JADU. Prior to finalizing the permit legalizing the ADU/ JADU, all required fees shall be paid, including school fees.