



## SAFE ADU NEWPORT BEACH



# Is your accessory dwelling unit (ADU) legally permitted?

**If not, Newport Beach's Safe ADU Program can help.**

**SAFE ADU** is a new program from the City of Newport Beach that increases community safety and reduces homeowner risk of code enforcement through legalization of unpermitted ADUs. Under a new state law, homeowners can legalize most unpermitted ADUs as long as all health and safety issues are addressed.

**The ADU does not have to comply with current zoning standards, but it does need to meet current building codes.**

Note: ADUs in the Coastal Zone cannot result in impacts to coastal resources such as public views and access, habitat, or wetlands.

### WITH SAFE ADU YOU CAN:

- ✓ Legalize your existing, unpermitted ADU.
- ✓ Receive a waiver of zoning standards.
- ✓ Take advantage of an ongoing fee waiver program through 2024.
- ✓ Protect against code enforcement fines.
- ✓ Improve safety for occupants and reduce your liability.
- ✓ Increase property value.

**WHAT IS AN ADU?** Often called a granny flat, in-law unit, converted garage, casita, or backyard cottage, an ADU or Junior ADU is a self-contained home that is smaller than the main house and legally part of the same property.

SEE MORE AT  
[NEWPORTBEACHCA.GOV/ADU](http://NEWPORTBEACHCA.GOV/ADU)



## READY TO GET STARTED?

- TURN THIS SHEET OVER FOR MORE INFO!
- VISIT [NEWPORTBEACHCA.GOV/SAFEADU](http://NEWPORTBEACHCA.GOV/SAFEADU)
- CONTACT STAFF AT [NEWPORTBEACHCA.GOV/ADUASSIST](http://NEWPORTBEACHCA.GOV/ADUASSIST)



## SAFE ADU FAQs



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**WHAT IS THE SAFE ADU PROGRAM?** The Safe ADU program is a process allowing residents of Newport Beach to legalize their existing, unpermitted ADU. **Through 2024, the City is waiving City permit fees associated with legalization, saving homeowners thousands of dollars.**

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**WILL MY ADU QUALIFY FOR THE PROGRAM?** Any ADU built before 2018 qualifies for the Safe ADU program. In order to be legalized, all health and safety issues must be remedied and the ADU must be brought into compliance with the current building code. Unpermitted ADUs do not have to comply with the California Green Building Standards Code or California Energy Code.

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**WHAT DOES IT MEAN THAT MY ADU HAS TO COMPLY WITH THE CURRENT BUILDING CODE?** State law SB897 requires all ADUs to comply with life and safety standards to be legalized, which means they must comply with the building code. In the past, inspectors have found unpermitted units lacking the following: fire rated walls; emergency egress windows; proper heaters; moisture barriers for foundations; shear walls, among others. Generally, an unpermitted unit created out of a living space will have fewer necessary upgrades than a unit created out of a non-living space (such as a garage).

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### **I'M READY TO LEGALIZE MY ADU. WHAT ARE THE NEXT STEPS?**

1. Talk to Planning Division staff without disclosing your address to obtain general guidance on bringing your unit into code compliance.
  2. Consider hiring a licensed architect or design professional familiar with building code compliance.
  3. Document that the ADU was constructed prior to 2018 using utility bills, income tax bills, dated rental agreements, contractor bills, photos, or written affidavits from neighbors, former owners, or former tenants (final determination made by the City).
  4. Work with the Building Division on resolving all life safety issues.
  5. Submit a set of as-built plans demonstrating the ADU complies with the building code.
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**CAN I RECEIVE ADVICE OR INFORMATION FROM THE CITY WITHOUT DISCLOSING MY ADDRESS?** You can get more information about the program confidentially by visiting the Permit Center or submitting an online request through [newportbeachca.gov/aduassist](https://newportbeachca.gov/aduassist). You do not need to disclose your address.

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**WHAT IF I'VE RECEIVED A CODE ENFORCEMENT NOTICE OF VIOLATION REGARDING MY UNPERMITTED UNIT?** Correction of the violation is mandatory; however, the Safe ADU program is an excellent opportunity to legalize the unit while taking advantage of the program benefits, such as zoning and fee waivers.

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