



Accessory Dwelling Unit (ADU) Procedure & Checklist

General Requirements for an ADU

An accessory dwelling unit (ADU) is allowed to promote and encourage workforce housing that is a habitable living unit added to, created within, or detached from a single-family dwelling that provides the basic requirements of living, sleeping, eating, cooking and sanitation.

Accessory dwelling units will be allowed within the PUD Zoning District subject to the following criteria:

- (1) ADUs are allowed only on parcels conforming to the zoning and land use requirements of Clay County. ADUs are not permitted on lots created through the Heirs or Homestead provisions or on lots containing a Mobile Home for Medical Hardship or a Dwelling Unit with Kitchen Addition as defined in the Conditional Uses section of this Code.
- (2) Not more than one ADU shall be permitted for each single family dwelling in the zoning districts where allowed. The ADU may be in the form of a separate and detached unit or as an apartment over a garage. In either case, the ADU shall be subordinate to the principal building as to location, height, square footage and building coverage.
- (3) An ADU shall not be permitted before construction of the principal building has commenced or a lawful principal use is established.
- (4) ADUs are permitted only if the owner occupies the primary residence and only if the primary residence is homesteaded. The ADU cannot be sold separately from the primary residence.
- (5) The establishment of a new ADU shall only be allowed if the lot area of the principal building is at least 15,000 square feet. A lot containing an ADU shall not be subdivided to separate the ADU from the principal use.
- (6) The design of the ADU shall be uniform in appearance to the primary residence. The floor area shall be no less than 375 square feet and no greater than 40 percent of the primary building's gross floor area or 1000 square feet, whichever is less. Maximum lot coverage for all buildings may not exceed 35%.
- (7) Where an ADU is proposed at a second story level, all exterior doorways and outdoor living areas such as porches or balconies, shall be oriented toward the interior of the property.
- (8) One off-street parking space is required for each ADU, in addition to the parking required for the primary residence.
- (9) The ADU shall comply with the requirements of any applicable housing or building codes.

ADUs are also allowed within the AG, AR, AR-1, AR-2, RA, RB, and RE Zoning Districts subject to the above criteria, provided that the use is approved by the Planning Commission following a public hearing and providing for notification of property owners within 300 feet. One sign shall be posted on the property to be considered for the ADU, not less than twenty-one (21) days in advance of the date of the public hearing held before the Planning Commission. The sign shall be erected in full view from the street on the land which is the subject of the application, and shall be maintained by the Applicant, as applicable, until the conclusion of all public hearing. The sign shall include the date, time and purpose of the public hearing.

Application Filing Procedures

Step 1. Do I qualify for an ADU?

	Yes	No	Comments
1. Do you own property large enough to have an ADU, is it zoned properly and is it a legal lot?	<input type="checkbox"/>	<input type="checkbox"/>	Contact the Planning and Zoning Division to confirm (904) 278-4705
2. Is the property that you want the ADU on have your primary dwelling that you homestead?	<input type="checkbox"/>	<input type="checkbox"/>	Proof of homestead exemption may be required.
3. Do I have enough land area to provide for additional parking for the ADU?	<input type="checkbox"/>	<input type="checkbox"/>	ADU's are required to have 1 off street parking space that is independent of the primary dwelling driveway.
4. Will the ADU be a minimum 375 sf?	<input type="checkbox"/>	<input type="checkbox"/>	
5. Was the lot that has the primary dwelling created through an heirs or homestead provision?	<input type="checkbox"/>	<input type="checkbox"/>	Contact the Planning and Zoning Division to confirm (904) 278-4705
6. Is there a mobile home for a medical hardship on the property?	<input type="checkbox"/>	<input type="checkbox"/>	
7. Will the addition of an ADU exceed the floor to area ratio (FAR) for the property? Maximum 35%	<input type="checkbox"/>	<input type="checkbox"/>	FAR is calculated by taking the square footage of all buildings existing and proposed and ensuring that that percentage does not exceed 35% of the total land area.
8. Do you intend to sell the ADU after construction?	<input type="checkbox"/>	<input type="checkbox"/>	ADU's may not be sold.
9. Will the ADU exceed 1000 sf or 40 % of the primary dwellings area whichever is less?	<input type="checkbox"/>	<input type="checkbox"/>	

If you checked yes to 1, 2,3 and 4 and check no to 5, 6, 7, 8, and 9, then proceed to Step 2.

Step 2. Applying for the ADU Approval

All ADU's shall be approved by the Clay County Planning Commission prior to issuance of a building permit. All applicants will be subject to a public hearing and will be required to post signage on their property stating the change and the meeting time and dates.

When you are ready, you will then need to apply for an ADU application with the County and you will be placed on the next available Planning Commission meeting agenda for consideration. Time, date and location will be given for that meeting once the application is filed. The application may be obtained at:

Clay County Planning and Zoning Division
477 Houston Street 3rd Floor
Green Cove Springs, FL 32044

Or download here: [ADU Application](#)

Step 3. Filing the Application

Once you have filled out the application you are now ready to file the application with Clay County. Applications are to be filed at:

Clay County Planning and Zoning Division
477 Houston Street 3rd Floor
Green Cove Springs, FL 32043

You will need the following items:

Required Documents			
	Yes	No	Comments
ADU Application	<input type="checkbox"/>	<input type="checkbox"/>	Provided by Clay County
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	Showing building locations, property dimensions, setbacks, parking and any other pertinent data.
Floor Plan	<input type="checkbox"/>	<input type="checkbox"/>	Showing the layout of the proposed ADU and dimensions.
ADU Building Elevations	<input type="checkbox"/>	<input type="checkbox"/>	These are drawing showing how the ADU will look so that it can be demonstrated that the new ADU is the same type, color, etc. as the primary
Photos of Existing Primary Dwelling	<input type="checkbox"/>	<input type="checkbox"/>	These should include all sides of the home and an overall.
Fee	<input type="checkbox"/>	<input type="checkbox"/>	\$250.00

The applicant will be required to provide 3 copies of the aforementioned as well as 1 electronic copy of all items in .PDF format.

The Planning and Zoning Staff will accept the application and review it for consistency. Once the application is determined to be complete, the county staff will place it on the next available Planning Commission agenda for consideration. The applicant will proceed to install the "NOTICE" sign on their property, at a minimum of 21 days prior to the date of the Planning Commission Hearing that the request will be considered.

The applicant will then attend the Planning Commission Hearing and demonstrate the need for the proposed ADU. After a public hearing the Planning Commission will either approve or disapprove the application. If approved, the applicant will be issued a certificate from the Planning and Zoning Division. This certificate along with the approved site plan, elevation and floor plan shall be required at the time of permitting.

If you have any questions regarding ADU's please contact the Clay County Planning and Zoning Division at (904) 278-4705