

## Title 17. Zoning

### Chapter 17.04. USE REGULATIONS

#### Article III. Specific Uses in Residential Zones

##### § 17.04.210. Accessory dwelling units.

- A. Purpose. The purpose of this section is to comply with **Government Code** Section 65852.2, which allows the City to enact standards for the development of accessory dwelling units (ADUs) to increase the supply of affordable housing while ensuring that ADUs remain compatible with existing neighborhoods.
- B. Submittal Requirements and Application Processing.
  - 1. The Director of Community Development shall prescribe the form of applications, documents to be submitted and the type of information to be provided by the applicant.
  - 2. Application Requirement. Any application for an ADU that meets the standards contained in this Code shall be approved ministerially, without discretionary review, by the Director of Community Development or designee.
- C. Use Restrictions.
  - 1. If either the primary dwelling or ADU is rented, the property owner must occupy either the primary dwelling or ADU as his or her principal residence.
  - 2. The unit on the lot that is rented (i.e., either the primary dwelling or the ADU) shall be rented only for terms longer than 30 days.
  - 3. The ADU is not to be sold or conveyed separately from the primary dwelling.
- D. Location Requirements.
  - 1. One ADU may be developed on properties that are zoned for single-family residential uses, including R-1, R-2, R-3, R-4, and R-H zones.
  - 2. The property shall contain exactly one existing or proposed single-family dwelling.
  - 3. The ADU may not be located on real property that is listed on the California Register of Historic Places.
- E. Development Standards for ADUs with New Construction. The following development standards shall apply to: (1) ADUs involving new construction, which includes, but is not limited to, an ADU that is entirely made up of new construction, and an ADU comprised of part of an existing accessory structure or residence but the ADU does not fit within the existing space of the single-family residence or accessory structure; and (2) newly established ADUs within existing structures listed in subsection **(F)(2)**.
  - 1. Lot Size.

- a. For properties with an R-1 or R-H zoning designation, the minimum lot size shall be 10,000 square feet.
  - b. For properties with an R-2, R-3, or R-4 zoning designation, the minimum lot size shall be 5,000 square feet.
2. Lot Width. All properties shall contain a minimum lot width of 50 feet.
3. Setbacks.
  - a. For properties with an R-1, R-2, R-3, or R-4 zoning designation, the setbacks for ADUs shall be in accordance with the yard requirements listed in Article I, Article II, Article III, or Article V, respectively of Chapter **17.05**.
  - b. For properties with an R-H zoning designation, the setbacks for ADUs shall be in accordance with the yard requirements listed in Article IV of Chapter **17.05**.
  - c. An ADU shall not be built above an existing structure if the structure is located within the required front or rear yard.
  - d. A detached ADU shall not be located in front of the primary dwelling.
4. Separation. A detached ADU shall not be located within five feet of another accessory structure or primary dwelling, as measured from the nearest portions of the buildings.
5. Building Height.
  - a. For properties with an R-1, R-2, R-3, or R-4 zoning designation, the building height for ADUs shall be in accordance with the height requirements listed in Article I, Article II, Article III, or Article V, respectively of Chapter **17.05**.
  - b. For properties with an R-H zoning designation, the building height for ADUs shall be in accordance with the height requirements listed in Article IV of Chapter **17.05**.
  - c. No portion of an ADU shall exceed the height of the primary dwelling. For the purpose of calculating the allowable building height for an ADU, the height of the primary dwelling shall include the roof, and shall not include the height of chimneys or other architectural projections that do not contribute to the gross floor area of the primary dwelling.
6. Open Space. A minimum of 500 square feet of open space shall be provided for the ADU. This requirement shall be in addition to any open space required for the primary dwelling. Open space for an ADU shall:
  - a. Be contiguous (i.e., not separated);
  - b. Have no linear dimension at any point of less than 10 feet; and
  - c. Be located on the same lot.
7. Unit Size.
  - a. The primary dwelling must contain a minimum of 800 square feet of gross floor area and the unit width shall be 20 feet in width in accordance with Section **17.05.090(A)(4)**.
  - b. The gross floor area of an ADU shall be a minimum of 150 square feet, and shall not exceed 50% of the gross floor area of the existing primary dwelling or 720 square feet, whichever is less. For the purpose of calculating the allowable gross floor area for an ADU, garages, unenclosed accessory structures and detached accessory buildings on the property shall not be included in the gross floor area of the existing primary dwelling.
  - c. An ADU may be attached to another accessory structure. In that case, the square footage of the attached accessory structure shall not contribute to the maximum gross floor area for the ADU.

8. Floor Plan.
  - a. The ADU shall contain a kitchen, which shall include a kitchen sink, cooking appliance, refrigeration facilities and a counter top with minimum dimensions of 16 inches by 24 inches.
  - b. The ADU shall contain a bathroom, which shall include a sink, toilet, and bathtub or shower.
  - c. The ADU shall contain independent exterior access from the primary dwelling.
9. Architectural Design.
  - a. The ADU shall incorporate the same or similar architectural features, building materials, and colors of the primary dwelling. This includes, but is not limited to: roof pitches, exterior wall finishes, eaves, fascia boards and windows.
  - b. The exterior access to the ADU shall not be visible from the street, including from the front or street side yard areas, in order to maintain the appearance of a single-family dwelling.
  - c. Exterior staircases leading to a second story shall not be permitted. Any staircase providing access to an ADU located on the second story, or to a part of an ADU located on the second story, must be contained within the interior of the building.
  - d. The ADU must comply with the standards contained in Section **17.05.090**.
10. Landscaping. Landscaping shall be provided pursuant to Chapter **17.03**, Article I.
11. Off-Street Parking.
  - a. No parking shall be required for an ADU.
  - b. If a garage, carport, or covered parking structure is reduced or demolished in conjunction with construction of an ADU or if an existing accessory structure that provides required parking spaces for the primary dwelling is converted into an ADU, the off-street parking spaces for the primary dwelling that are lost as a result of the demolition or conversion shall be replaced on-site. The replacement parking spaces shall comply with the following:
    - i. Spaces may be covered or uncovered.
    - ii. Spaces may be located anywhere on the property and must comply with the parking layout standards contained in Section **17.03.050**, except tandem spaces are allowed.
    - iii. A mechanical automobile parking lift may be utilized.
12. Utility Connections. All ADUs shall share all gas, electrical, and water meters assigned to the primary dwelling.
13. Address. All ADUs shall share the same address assigned to the primary dwelling.
14. Covenant. Prior to issuance of a building permit for an ADU, the property owner shall file with the County Recorder a declaration of restrictions, which has been approved by the City Attorney as to form and content, containing a reference to the deed under which the property was acquired by the owner, placing the following restrictions on the property, the property owner, and all successors in interest:
  - a. If either the primary dwelling or ADU is rented, the property owner must occupy either the primary dwelling or ADU as his or her principal residence.
  - b. The unit on the lot that is rented (i.e., either the primary dwelling or the ADU) shall be rented only for terms longer than 30 days.
  - c. The ADU is not to be sold or conveyed separately from the primary dwelling.

- F. Development Standards for Conversions of Existing Space into ADUs. The following development standards shall apply to conversions of existing space within a single-family residence or an existing accessory structure:
1. Limited Scope of Work. Subsection **F** shall apply only to projects where the proposed ADU is contained entirely within the existing gross floor area of an existing single-family residence or accessory structure.
  2. Conversion of the following structures are subject to the requirements contained in subsection **E**:
    - a. Unenclosed accessory buildings or unenclosed accessory structures, such as patios, gazebos, breezeways, carports, porte cochères, or similar structures.
    - b. Animal enclosures or buildings used for the housing of animals.
    - c. Accessory buildings or accessory structures that are less than 150 square feet in area.
  3. Setbacks. No setbacks shall be required beyond what the existing structure currently has, except modifications to the existing structure that may be required by the Building Code and Fire Code.
  4. Unit Size.
    - a. The primary dwelling must contain a minimum of 800 square feet of gross floor area and the unit width shall be 20 feet in width in accordance with Section **17.05.090(A)(4)**.
    - b. The gross floor area of an ADU shall be a minimum of 150 square feet, and shall not exceed 50% of the gross floor area of the existing primary dwelling or 720 square feet, whichever is less. For the purpose of calculating the allowable gross floor area for an ADU, garages, unenclosed accessory structures and detached accessory buildings on the property shall not be included in the gross floor area of the existing primary dwelling.
    - c. An ADU may be attached to another accessory structure. In that case, the square footage of the attached accessory structure shall not contribute to the maximum gross floor area for the ADU.
  5. Floor Plan.
    - a. The ADU shall contain a kitchen, which shall include a kitchen sink, cooking appliance, refrigeration facilities and a counter top with minimum dimensions of 16 inches by 24 inches.
    - b. The ADU shall contain a bathroom, which shall include a sink, toilet, and bathtub or shower.
    - c. The ADU shall contain independent exterior access from the primary dwelling.
  6. Landscaping. Landscaping shall be provided pursuant to Chapter **17.03**, Article I.
  7. Off-Street Parking.
    - a. No parking shall be required for an ADU.
    - b. If a garage, carport, or covered parking structure is reduced or demolished in conjunction with construction of an ADU or if an existing accessory structure that provides required parking spaces for the primary dwelling is converted into an ADU, the off-street parking spaces for the primary dwelling that are lost as a result of the demolition or conversion shall be replaced on-site. The replacement parking spaces shall comply with the following:
      - i. Spaces may be covered or uncovered.

- ii. Spaces may be located anywhere on the property and must comply with the parking layout standards contained in Section **17.03.050**, except tandem spaces are allowed.
    - iii. A mechanical automobile parking lift may be utilized.
  - 8. Utility Connections. All ADUs shall share all gas, electrical, and water meters assigned to the primary dwelling.
  - 9. Address. All ADUs shall share the same address assigned to the primary dwelling.
  - 10. Covenant. Prior to issuance of a building permit for an ADU, the property owner shall file with the County Recorder a declaration of restrictions, which has been approved by the City Attorney as to form and content, containing a reference to the deed under which the property was acquired by the owner, placing the following restrictions on the property, the property owner, and all successors in interest:
    - a. If either the primary dwelling or ADU is rented, the property owner must occupy either the primary dwelling or ADU as his or her principal residence.
    - b. The unit on the lot that is rented (i.e., either the primary dwelling or the ADU) shall be rented only for terms longer than 30 days.
    - c. The ADU is not to be sold or conveyed separately from the primary dwelling.
- (Prior code § 27-22.23; Ord. 1540 § 4, 2003; Ord. 18-1701 § 6; Ord. 21-1722 § 2)