



ACCESSORY DWELLING UNITS

9102.01.060 Accessory Structures in Single-Family Residential Zones

Amended by Ord. No. 2347

Amended by Ord. No. 2369 & 2370

Accessory structures, as defined in Division 9 (Definitions) of this Development Code, but excluding required garages, are allowed in residential zones and are subject to the development standards set forth in Table 2-5 (Development Standards for Accessory Structures in the R-M, R-0, and R-1 Zones). Accessory dwelling unit regulations are set forth in Subsection 9102.01.080 (Accessory Dwelling Units). Any allowable accessory structure that does not require a building permit shall meet the requirements of this Development Code for use, placement on the lot, height, and size. The construction and/or relocation of an accessory structure shall require review and approval per the Site Plan and Design Review, as set forth in Section 9107.19 (Site Plan and Design Review).

A. Restrictions on Number and Use

1. **Primary Building Required.** An accessory structure(s) is allowed onsite only when there is a primary dwelling on site.
2. **Number Allowed.** A maximum of two detached accessory structures are allowed on any one lot, including accessory dwelling units.
3. **Kitchen.** No kitchen is allowed within the accessory structure
4. **Bathroom.** The accessory structure may contain a sink, a toilet and/or a shower.
5. **Rooms.** No more than one room is allowed within the accessory structure, aside from a bathroom containing a sink, toilet and/or a shower.
6. **Covenant Required.** A covenant approved as to form by the City shall be recorded prior to the issuance of any building permit for any accessory structure stating that the accessory structure will not be used for overnight stay, rented, or used as a dwelling unit.

9102.01.080 Accessory Dwelling Units

Amended by Ord. No. 2347

Amended by Ord. 2369 & 2370

Accessory dwelling units and junior accessory dwelling units, as defined in Division 9 (Definition) of this Development Code, are allowed in the R-0, R-1 and R-M, R-2, and R-3 zones if the lot is currently improved with only one dwelling unit. Accessory dwelling units are subject to all development standards for the underlying zoning of the property, as set forth in Table 2-2 (Development Standards for Single-Family Residential Zones) or in Table 2-6 (Development Standards for Multiple-Family Residential Zones) unless otherwise specified in Subsection 9102.01.080.B.

A. Development Standards

1. **General.** Except as identified in this Subsection, accessory dwelling units shall comply with all the development

standards (setbacks, lot coverage, height, etc.). All accessory dwelling units shall be clearly subordinate in location and size to the primary structure and consistent in exterior appearance with the primary structure through the use of similar/matching exterior paint colors, material types, and architectural styles. Accessory dwelling units shall have independent exterior access. An accessory dwelling unit is allowed on a site only when a primary residence exists.

2. **Location:** An accessory dwelling unit is permitted on any residentially zoned property if a single-family dwelling exists on the lot or will be constructed in conjunction with the accessory dwelling unit. An accessory dwelling unit may be either attached to the existing dwelling unit, or located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling. A junior accessory dwelling unit may only be located within an existing or proposed single family structure. For the purpose of this Section, "Living Area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
3. **Maximum Floor Area and Lot Coverage.** No accessory dwelling unit may cause the total Floor Area Ratio (FAR) of the lot to exceed 45%. No accessory dwelling unit may cause the lot coverage of the lot to exceed 50%.
4. **Minimum Open Space.** No ADU to this Section may cause the total percentage of open space of the lot to fall below 50 percent.
5. **Maximum Size**
 - a. **Accessory Dwelling Unit.** The maximum size of detached or attached accessory dwelling unit is 850 square feet for a studio or one-bedroom unit and 1,000 square feet for a unit with two bedrooms. No more than two bedrooms are allowed.
 - b. **Junior Accessory Dwelling Unit.** The maximum size within an existing or proposed single-family dwelling is 500 square feet.
 - c. An attached accessory dwelling unit that is created on a lot within an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.
 - d. Application of other development standards, such as FAR or lot coverage, might further limit the size of the accessory dwelling unit, but no application of FAR, lot coverage, or open space requirements may require the accessory dwelling unit to be less than 800 square feet.
6. **Maximum Height and Story**
 - a. A single-story attached or detached accessory dwelling unit may not exceed 16 feet in height, measured to the top of the roof ridge.
 - b. A second story or two-story attached accessory dwelling unit may not exceed the height of the primary residence.
 - c. A detached accessory dwelling unit may not exceed one story.
7. **Required Parking.** An accessory dwelling unit shall be provided with a minimum of one on-site parking space (covered or uncovered). The uncovered parking space shall be located on a paved surface, and may be provided in the setback areas or as tandem parking.

When a garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit, the required parking spaces shall be replaced as specified in Table 3-3. If code compliant replacement parking cannot be provided, the replacement parking spaces may be located in any configuration on the

same lot as the accessory dwelling unit, including but not limited to, covered spaces, uncovered spaces, or tandem spaces or by the use of mechanical automobile parking lifts within an enclosed garage (This section was previously in Division 3):

- a. The property is an R-M zoned property, a hillside property, located within a designated fire zone, or a non-conforming lot, or if the Director determines that such parking arrangements are not feasible based upon specific safety conditions, or that such arrangements are not permitted anywhere in the City.

8. Fire Sprinklers. An accessory dwelling unit is required to have sprinklers if the primary residence is also required to have fire sprinklers.

B. Permit Procedures for Accessory Dwelling Units and Junior Accessory Dwelling Units. If the an accessory dwelling unit does qualify for a Building Permit Only, the procedures specified in Subsection 9102.01.080.B.2, shall be followed.

1. **Building Permit Only.** An accessory dwelling unit or junior accessory dwelling unit is only subject to a building permit when it is proposed on a residential or mixed use zone and meets one of the following scenarios:

A. **Converted Accessory Dwelling Unit in Single-Family Zones:** Only one accessory dwelling unit or junior accessory dwelling unit on a lot with a proposed or existing single family dwelling on it, where the accessory dwelling or junior accessory dwelling unit:

1. Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or within the existing space of an accessory dwelling, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress.
2. Has exterior access that is independent of that for the single-family dwelling.
3. Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.
4. The converted ADU shall not exceed 50% of the livable area of the primary residence.

B. **Detached Accessory Dwelling Unit:** One detached, new construction of an accessory dwelling unit on a lot with a proposed or existing single-family dwelling (in addition to any junior accessory dwelling unit that might otherwise be established on the lot under Subsection A), if the detached accessory dwelling unit satisfies the following limitations:

1. The side and rear yard setbacks are at least four (4) feet.
2. The total floor area is 800 square feet or less.
3. The structure does not exceed 16 feet in height and one-story.

Converted Accessory Dwelling Unit in Multifamily Zones: Multiple accessory dwelling units within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, may be converted into an accessory dwelling unit if it complies with the state building standards for dwellings. Only one (1) converted accessory dwelling unit is allowed within an existing multifamily dwelling, and up to 25 percent of the existing multifamily dwelling units on the lot may each have a converted accessory dwelling unit.

C. **Detached Accessory Dwelling Unit in Multifamily Zones:** No more than two detached accessory dwelling units may be located on a lot that has an existing multifamily dwelling if each detached accessory dwelling units satisfies the following

limitations

1. The side and rear yard setbacks are at least four (4) feet.
2. The total floor area is 800 square feet or less, and shall not be larger in size than the existing multifamily unit.

2. **Accessory Dwelling Unit Permit**

Any construction that exceeds the requirements listed above listed in Subsection 1 above (Building Permits Only) shall require a Zoning Clearance for an Accessory Dwelling Unit pursuant to the provisions of Section 9107.27 (Zoning Clearance for Accessory Dwelling Units).

3. **Process and Timing**

- A. A Zoning Clearance for an Accessory Dwelling Unit permit is considered and approved ministerially, without discretionary review or a hearing, unless the unit exceeds the code requirements (e.g. FAR) and is subject to an Administrative Modification.
- B. The City must act on an application within 60 days from the date the City receives a completed application, unless either:

1. The Applicant requests for a delay, in which case the 60 day time period is tolled for the period of the requested delay, or
2. A junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application until the City acts on the application for the new single-family dwelling, but the application to create the junior accessory dwelling unit is still considered ministerially without discretionary review or a hearing.

4. **Covenant Required.** An accessory dwelling unit is not intended for sale separate from the main dwelling unit and lot or to be used as a short term rental (terms less than 30 days). A covenant in a form approved by the City Attorney shall be recorded for each accessory dwelling unit specifying its size and attributes, and requiring that the accessory dwelling unit shall not be sold independently of the main dwelling unit and lot and that no more than one lease agreement for terms of no less than 30 days may be entered into at any time.

C. **Impact Fees.**

1. Impact Fees. No impact fee is required for an accessory dwelling unit that is less than 800 square feet in size.
2. Any impact fee that is required for an accessory dwelling unit that is 800 square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling (e.g. the floor area of the primary dwelling, divided by the floor area of the accessory dwelling unit, times the typical fee amount charged for a new dwelling). Impact fees does not include any connection fee or capacity charge for water or sewer service.

D. **Utility Fees.**

1. Converted accessory dwelling units and junior accessory dwelling units on a single-family lot that were approved by a building permit only are not required to have a new or separate utility connection directly between the accessory dwelling unit or junior accessory dwelling unit and the utility, Nor is a construction fee or capacity charge required unless the accessory dwelling unit is constructed with a new single-family home.
2. All accessory dwelling units and junior accessory dwelling units require a new, separate utility connection directly between the accessory dwelling unit or junior accessory dwelling unit and the utility. The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the accessory dwelling unit or junior accessory dwelling unit, based on either the floor area or the number of drainage-fixture (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system. The fee or charge may not exceed the reasonable cost of providing this service.

E. Owner Occupancy.

- a. All accessory dwelling units that were created before January 1, 2020 are subject to the owner-occupancy requirement that was in place when the accessory dwelling unit was created.
- b. An accessory dwelling unit that is created after that date but before January 1, 2025, is not subject to any owner-occupancy requirement.
- c. All accessory dwelling units that are created on or after January 1, 2025, are subject to an owner-occupancy requirement. A person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.
- d. All junior accessory dwelling units are subject to an owner-occupancy requirement. A person with legal or equitable title to the property must reside on the property, in either the primary dwelling or junior accessory dwelling unit, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.

F. Nonconforming Accessory Dwelling Units and Discretionary Approval

Any proposed accessory dwelling unit or junior accessory dwelling unit that does not conform to the objective design standards and/or exceeds the maximum size of 800 square feet for an accessory dwelling unit on a lot that already exceeds the maximum floor area, may be considered by the City with an Administrative Modification process in Section 9107.05.

G. Objective Design Standards for Accessory Dwelling Units

Architectural

1. The materials and colors of the exterior walls, roof, eaves, and windows and doors must match the appearance and architectural design of those of the primary dwelling.
2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.
3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.

4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling. The ADU entrance must be located on the side or rear building façade, not facing a public-right-of-way.
5. For new detached ADUs, there must be indentations and/or projections provided that are at least 8-inches in depth on at least two of the exterior walls to break-up flat wall planes. The interior wall height shall be at least seven feet tall.
6. All windows that are located 9-feet in height above the finished floor must be clerestory windows (no dormers), and must be frosted or obscure glass.
7. A new detached ADU may not be located closer to the front property line than the primary residence.
8. On a new detached ADU, exposed gutters and downspouts are not allowed.
9. The architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the federal, state, or local register of historic places must comply with all applicable ministerial requirements imposed by the Secretary of the Interior.

Landscape

10. Landscaping around the detached ADU must be drought-tolerant or low water-using plants that utilize a variety of drought tolerant resistant grasses, turf substitutes, or ground covers that maintain a living, continuous planting area, and provide screening between the ADU and adjacent parcels. Desert landscape or rock garden designs are not allowed.
11. All landscaping utilized must be taken from the city's approved planting materials listed in the City's Single-Family Design Guidelines.

Other

12. The ADU and primary dwelling must use the same driveway to access the street, unless otherwise required for fire-apparatus access, as determined by the Fire Department.
13. Each unenclosed parking space shall be at least 10 feet in width and 20 feet in length. On multifamily and mixed-use zoned properties, the unenclosed parking space shall be 9 feet in width and 19 feet in length. When a parking space is adjacent to a solid wall or structure, the parking space shall be 11'-6" in width and 20 feet in length.
14. Each parking space that is provided in an enclosed garage in a single-family zoned property shall be at least ten feet wide and twenty feet long and have at least seven and a half feet vertical clearance. On multifamily and mixed-use zoned properties, the parking space shall be 9 feet in width and 19 feet in length.
15. On corner lots, a separate walkway from the primary residence may be allowed to the detached ADU entrance and it must connect to the nearest public sidewalk or right-of-way.
16. ADUs must have clear addressing visible from the street. Addresses must be at least 4 inches high and shall be shown on the curb next to the primary address number.

9102.05.020 Land Use Regulations and Allowable Uses in Downtown Zones

Amended by Ord. No. 2348 & 2356

Amended by Ord. No. 2369 & 2370

- A. Allowed Uses.** Table 2-10 (Allowed Uses and Permit Requirements for Downtown Zones) indicates the land use

regulations for the Downtown zones and any permits required to establish the use, pursuant to Division 7 (Permit Processing Procedures). The regulations for each zone are established by letter designations as follows:

“P” represents permitted (allowed) uses.

“A” represents accessory uses.

“M” designates uses that require the approval of a Minor Use Permit subject to requirements of Section 9107.09 (Conditional Use Permits and Minor Use Permits) of this Development Code.

“C” designates uses that require the approval of a Conditional Use Permit subject to requirements of Section 9107.09 (Conditional Use Permits and Minor Use Permits) of this Development Code.

“UF” designates uses that are permitted on upper floors only, and are not allowed on the ground floor of a structure. “--” designates uses that are not permitted.

- B. Director Determination.** Land uses are defined in Division 9 (Definitions). In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification substantially similar in character. Land uses not listed in the table or not found to be substantially similar to the land uses below are prohibited.
- C. Specific Use Regulations.** Where the last column in Table 2-10 (Allowed Uses and Permit Requirements for Downtown Zones) includes a Section, Subsection, or Division number, the regulations in the referenced Section, Subsection, or Division shall apply to the use.

Table 2-10 Allowed Uses and Permit Requirements for Downtown Zones	P A C M -- (UF)	Permitted by Right Permitted as an Accessory Use Conditional Use Permit Minor Use Permit Not Allowed Upper Floor Permitted, Not Allowed on Ground Floor			
		CBD	MU	DMU	CM
Residential Uses					
Accessory Dwelling Unit	A	A	A		If the site currently has a single-family dwelling or a multifamily dwelling.

Section 9107.01 – City-Required Permits and Approvals

9107.05.040 Allowed Modifications, Review Authority, and Noticing Requirements

Amended by Ord. No. 2347

Amended by Ord. No. 2369 & 2370

- A. Table 7-2.** In order to secure an appropriate improvement of a parcel, prevent an unreasonable hardship, and/or to promote uniformity of development, the applicable Review Authority shall have the authority to approve, conditionally approve, or deny Administrative Modifications for those matters specified in Table 7-2 (Allowed Modifications, Review Authority, and Noticing Requirements), below. Table 7-2 also identifies the applicable Review Authority responsible for reviewing and making decisions on each type of Administrative Modification application allowed by this Section, as well as the type of notice or hearing, if any, required by this Section.

Table 7-2 Allowed Modifications, Review Authority, and Noticing Requirements			
Type of Administrative Modification Allowed	Minor Director's Review	Major Director's Review	Commission's Review
	No Notice or Hearing Required	Notice, but No Hearing Required	Notice and Hearing Required
Accessory dwelling units – objective design standards		X	
Accessory dwelling units - unit sizes that exceeds the far			X

Section 9109.01 – Definitions

“A” Definitions

Accessory Dwelling Unit. Accessory Dwelling Units are residential dwelling units that are detached from, attached to, or located within the living area of an existing primary dwelling unit, and provides independent living facilities for one or more persons. An accessory dwelling unit also includes an efficiency unit, as defined in California Health and Safety Code section 17958.1, and structures defined in Health and Safety Code section 18007. Accessory Dwelling Units are subordinate in size, location, and appearance to the main dwelling unit.

Junior Accessory Dwelling Unit. A residential unit that is no more than 500 square feet in size, is contained entirely within an existing or proposed single-family structure, includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure, and includes an efficiency kitchen. An efficiency kitchen is a kitchen that includes a cooking facility with appliances, a food preparation counter or counters that total at least 15 square feet in area, and has food storage cabinets that total at least 30 square feet of shelf space.

Accessory Structure. A structure that is physically detached from, secondary and incidental to, and commonly associated with the primary structure.

“C” Definitions

Complete independent living facilities. Permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.

“D” Definitions

Dwelling. A structure or portion thereof designed exclusively for permanent residential purposes, but not including hotels, motels, emergency shelters, or extended stay locations.

Accessory Dwelling Unit. An attached or detached dwelling unit which provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as an existing qualified primary dwelling unit is situated.

Junior Accessory Dwelling Unit. An accessory dwelling unit that is contained entirely within an existing or proposed single family structure and is not more than 500 square feet in area, which provides independent living facilities, including provisions for cooking and either separate or shared sanitation on the same parcel as an existing qualified primary dwelling unit is situated.

Dwelling Unit. Any structure or portion thereof designed for living and sleeping purposes that contains independent cooking and sanitation facilities.

“P” Definitions

Passageway. A pathway that is unobstructed clear to the sky and extends from a street to one entrance of an Accessory Dwelling Unit or Junior Accessory Dwelling Unit.

“T” Definitions

Tandem Parking. Two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.