



## Public Works & Community Development Department Planning Division

### ACCESSORY DWELLING UNITS

**WHAT IS AN ACCESSORY DWELLING UNIT?** An accessory dwelling unit is a second living unit located on an existing residential lot. They are often referred to as "granny" or "mother-in-law" units. The purpose of the accessory dwelling unit is to provide a small, self-contained living unit which can be used by a family member, or rented out. One accessory dwelling unit per parcel is permitted by right in all residential districts (RS, RM, or RH), and on lots with a single-family dwelling, subject to certain development standards. The City's General Plan Housing Element encourages the creation of accessory dwelling units to help increase housing opportunities for the community through use of existing housing resources and infrastructure.

**WHERE CAN IT BE PLACED ON MY LOT?** Accessory dwelling units may only be constructed on lots measuring 6,000 square feet in area or more. Units can be constructed in one of three different ways, and placement is determined by the type of unit proposed:

**Within a residence:** If it is completely contained within your existing home, and no exterior changes will be needed, no setback or other normal development regulations will apply, since you will not be changing the existing "footprint" of the house. Other requirements, as detailed in further sections below, do still apply.

**Attached:** If the unit involves an addition to an existing residence, all normal development regulations of the residential zone where the property is located, will apply. See the "Property Development Standards" summary sheet, as well as the "Building Additions to Residences" information sheet, for more information.

**Detached:** If the unit is completely detached from the existing residential unit, all normal development regulations of the residential zone where the property is located, will apply. See the "Property Development Standards" summary sheet for more information. However, three additional regulations apply to detached units:

- 1. Alley setback:** If the lot has alley access, and the dwelling unit structure includes a garage area, then the structure may be located within the required rear yard setback, subject to the setbacks for accessory structures (see "Accessory Structures" information sheet). Each garage door facing the alley must be placed at least 4 feet from the alley property line.
- 2. Distance from residence:** The new accessory unit must be built at least 6 feet away from the existing residence.
- 3. Height:** The maximum wall height of a detached unit is 12 feet at the eaves. Pitched roofs may have a maximum wall height of 15 feet. No second story, other than an unfinished storage area, may be developed for any accessory dwelling unit or structure.

**HOW BIG CAN IT BE?** Regardless of type, the maximum size of any accessory dwelling unit is 800 square feet. If the existing house on the lot is 800 square feet or less and meets all other regulations applicable to accessory dwelling units, then the existing house may be considered the accessory unit, and a new primary dwelling unit built. The new home would also have to meet all zoning ordinance standards for new construction.

**WHAT ABOUT PARKING?** A minimum of 3 off-street parking spaces is required for a lot containing an accessory dwelling, regardless of the number of existing spaces on a lot. One of the spaces must be designated for the accessory unit. The parking space for the accessory unit may not be located in the front yard setback of the lot, unless the Public Works & Community Development Director determines there is no other reasonable place for a space. In addition, the size and location of the spaces must meet all zoning ordinance requirements for parking in residential areas, which are detailed in an information sheet called, "Parking Requirements in Residential Areas".

**WHAT DOES IT NEED TO LOOK LIKE?** Accessory dwelling units must be designed to be compatible and in harmony with existing development in the immediate neighborhood. The building materials, architectural features, colors, and exterior finish of the unit should be substantially similar to those of the existing residence. In addition, the orientation of the unit must reasonably preserve the privacy of adjacent neighbors. For example, this can include measures such as limiting windows that have openings facing adjacent properties, height considerations, and/or window glass treatments. All accessory dwelling units must have a backlit, illuminated address sign.

Commission-level design review is required for accessory dwelling units proposed to be located on property designated in the City's Downtown or Arsenal Historic Conservation plans as a historic, potentially historic, contributing or potentially contributing landmark or building, when the application involves an exterior modification to an existing structure or is a detached structure.

**WHO MAY LIVE IN THE UNIT?** At least one of the two residences on the lot (either the new accessory unit or the existing residence) must be owner-occupied. The other unit may be occupied by a family member, or may be utilized as a rental unit. The owner-occupancy requirement may be waived by the Public Works & Community Development Director in a situation where a caregiver occupies the accessory dwelling unit to serve a person living in the primary dwelling.

**APPLICATION:** In order to establish any type of accessory dwelling unit, two approvals are required:

1. A building permit, including related plumbing and electrical permits – the Building Division issues permits for new construction and building alterations; it also collects any necessary development fees, such as school impact, sewer connection, water connection, and County fees, prior to construction of the unit. An inspection is typically required. Please see the Building Division's handout regarding accessory dwelling units, or contact the Building Division at 746-4230.
2. An administrative planning approval – file a completed Planning Application Form and fee with the Planning Division at the same time you apply for a building permit.

**ACTION:** The Planning Division processes accessory dwelling unit applications administratively, that is, an application is approved as long as the proposed unit meets all applicable codes and regulations. This process does not involve a public hearing. The Public Works & Community Development Director issues a letter notifying you of an approval, approval with conditions, or denial. If your application is approved, you will also receive a deed restriction document to record at the County Recorder. You will need to record this document (and pay all necessary recording fees), and provide proof of recordation to the Community Development Department, before a building permit can be issued. Following issuance of a building permit, construction or alterations to create the unit must take place within two years of approval.

The decision of the Public Works & Community Development Director is final unless the application is appealed to the Planning Commission within 10 business days of the date of action. Information on appeals can be found in a separate information sheet. An approved project may not commence construction until the close of the appeal period, and until all applicable permit approvals have been secured.

**RELATED FORMS AND INFORMATION:**

- Property Development Standards
- Fee Schedule
- Building Additions to Residences
- Parking Requirements in Residential Areas
- Accessory Structures