

The City of Roseville welcomes your participation.

Meeting Schedule: Regular meetings of the Planning Commission are held on the second and fourth Thursday of the month at 6:30 p.m.

Public Comment: Speakers have three (3) minutes under Public Comment to address the Chair of the meeting on issues that are not listed on the agenda and are within the City’s jurisdiction. Please submit a yellow speaker card to the Secretary before the item is heard if you wish to make a comment.

Brown Act: The Planning Commission cannot discuss or act on items not listed on the agenda.

Agenda Items: Speakers have five (5) minutes to address items that are listed on the agenda.



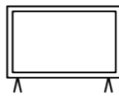
Levine Act Provisions: If you’ve made a campaign contribution totaling more than \$500 (\$250 prior to January 1, 2025) to City Council Members in the last twelve (12) months, you must disclose it before addressing an item on the agenda. Please visit [Levine Act – City of Roseville](#) for updated forms and information.

Audio/Visual Presentations: If making a presentation regarding an agenda item, audio/visual materials must be submitted to the Secretary for consideration at least 72 hours in advance.

Americans with Disabilities Act: If special assistance is required to participate in a meeting including the need of auxiliary aids or services, please notify the City Clerk at least 72 hours in advance of the meeting.
City Clerk 311 Vernon Street cityclerkroseville@roseville.ca.us 916-774-5263 TDD: 916-774-5220

Security Measures: All Roseville meeting attendees must successfully pass through a security metal detector. Any person with a prohibited item will not be allowed entry. Prohibited items include but are not limited to firearms (even with valid CCW), knives, pepper spray/mace, explosives of any kind/any weapons and/or dangerous devices of any kind, illegal drugs, and alcohol. (City Council Only)

Viewing Options: The City of Roseville provides three options for viewing meetings:

<p style="text-align: center;">In person</p>  <p style="text-align: center;">Meetings take place at the Roseville Electric Building, First Floor 116 S. Grant Street</p>	<p style="text-align: center;">Online</p>  <p style="text-align: center;">Watch meetings live on the City's YouTube channel or at roseville.ca.us/watch. Past meetings are also available on the City's YouTube channel.</p>	<p style="text-align: center;">On TV</p>  <p style="text-align: center;">Watch live on government access channel (Comcast 14).</p>
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Clifford Haggengos, Jr., Chair
Erich Brashears, Vice Chair
Bruce Hagler, Commissioner
Ed Kriz, Commissioner
Einar Maisch, Commissioner
John Prior, Commissioner
Kim Ryan Unidad, Commissioner
Lupe Nelson, Secretary
Greg Bitter, Liaison

AGENDA

Planning Commission Meeting

March 26, 2026

6:30 PM

Roseville Electric Building, 116 S. Grant Street, 1st Floor

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC COMMENTS

V. CONSENT CALENDAR

Items appearing on the Consent Calendar are considered routine and may be approved by one motion of the Planning Commission. Any person may request an item be removed from the Consent Calendar for further discussion.

1. Minutes of March 12, 2026

VI. REQUESTS/PRESENTATIONS

VII. STAFF/COMMISSIONER REPORTS

1. Accessory Dwelling Unit (ADU) Ordinance Update 2026, File # PL26-0134

Request: The project is a request to amend Roseville Municipal Code Chapter 19.60 (Accessory Dwelling Unit Ordinance) and amend Roseville Municipal Code Section 19.10.030 to update and reorganize the City's Accessory Dwelling Unit (ADU) Ordinance. Key changes include updating multiple sections to reflect legislation passed in 2025, including changing square footage limitations to be based on square footage of livable space, adding a definition for livable space, revising the number of ADUs permitted to reflect that any combination of permitted units is allowed, revising the Residential Zone General Development standards table of Roseville Municipal Code Section 19.10.030 to refer to Chapter 19.60 instead of stating the number of ADUs permitted, and limiting the owner occupancy requirement for a Junior ADU to cases where

sanitation facilities (bathrooms) are shared. Additional changes include eliminating the Administrative Permit process allowing deviations from standards, adding references to the definition of "kitchens" found in Roseville Municipal Code Chapter 19.95, a new definition for "separate entrance" and "separate exterior entrance," and other changes to improve readability and clarity.

CONTACT: Lauren Hocker 916-774-5272 lhocker@roseville.ca.us

The Planning Commission will consider the recommendation to:

1. Consider the two (2) findings of fact and recommend City Council approve the Ordinance Amendment to Title 19 of the Roseville Municipal Code.

VIII. ADJOURNMENT



Planning Commission Communication

Meeting Date: 3/26/2026
Item #: V.1
Item ID: 2026-253

Title: Minutes of March 12, 2026
Contact: Lupe Nelson 916-774-5281 lnelson@roseville.ca.us

REQUEST

Approve the Minutes of March 12, 2026.

RECOMMENDATION

The Planning Division recommends that the Planning Commission take the following actions:

1. Approve the Minutes of March 12, 2026.

Respectfully Submitted,
Lupe Nelson, Administrative Assistant

Greg Bitter, Assistant Development Services Director

ATTACHMENTS:

1. Draft Minutes

REVIEWERS:

Lupe Nelson, Development Services Department

Created -



Clifford Haggenjos, Jr., Chair
Erich Brashears, Vice-Chair
Bruce Hagler, Commissioner
Ed Kriz, Commissioner
Einar Maisch, Commissioner
John Prior, Commissioner
Kim Ryan Unidad, Commissioner
Lupe Nelson, Secretary
Greg Bitter, Liaison

DRAFT MINUTES

Planning Commission Meeting

March 12, 2026

6:30 PM

Roseville Electric Building, 116 S. Grant Street, 1st Floor

I. CALL TO ORDER

Chair Haggenjos called the meeting to order at 6:30 p.m.

II. ROLL CALL

Present: Hagler, Kriz, Maisch, Prior, Unidad, Brashears, Haggenjos

Absent: None

III. PLEDGE OF ALLEGIANCE

Chair Haggenjos led those in attendance in the Pledge of Allegiance.

IV. PUBLIC COMMENTS

Chair Haggenjos opened the Public Comment period. Hearing none, Chair Haggenjos closed the Public Comment period.

V. CONSENT CALENDAR

1. Minutes of February 12, 2026

2. Infill PCL 10 & 339 – Sierra View Country Club Pickleball Courts, 105 Alta Vista Av, File #PL25-0531

Request: The applicant requests approval of a Conditional Use Permit Modification and Design Review Permit Modification to allow the construction of four (4) new pickleball courts at the Sierra View Country Club.

Motion by Commissioner Prior, seconded by Commissioner Maisch to approve the Consent Calendar.

Ayes: Unidad, Brashears (recused himself from Item 5.2), Prior, Maish, Kriz, Hagler, Haggenjos

Noes: None

The Motion passed

VI. REQUESTS/ PRESENTATIONS

1. INFILL Parcel 373 - Phillip Road Site, 6382 Phillip Rd, File #PL24-1010

Request: Staff requests the Planning Commission accept public comment on the Draft Environmental Impact Report (DEIR) for the Phillip Road Site project. The DEIR has been prepared to support a request that includes a General Plan Amendment, Rezone, Major Project Permit (MPP) Stage 1 and 2, Tentative Subdivision Map, Tree Permit, and Development Agreement for the Phillip Road Site development project. The Phillip Road Site DEIR has been circulated for a 45-day public review and comment period, which ends at 5:00 p.m. on Monday, March 23, 2026. The purpose of this hearing item is to allow the public to provide oral comments on the contents and adequacy of the Phillip Road Site DEIR. All comments provided during this hearing will be collected, transcribed and a response will be provided with the preparation of the Final Environmental Impact Report (FEIR).

Associate Planner, Eric Singer, presented the staff report.

Chair Haggenjos opened the Public Hearing and invited public comments from the audience on the contents and adequacy of the Draft Environmental Impact Report for the Phillip Road Site project, File #PL24-1010 (SCH# 2025060240).

Ann Neumann, Olga Ledergerber, Kevin Carmichael, and Josh Hickson provided comments.

Chair Haggenjos closed public comment and Public Hearing.

VII. STAFF/COMMISSIONER REPORTS

Staff Reports

- There will not be a March 26, 2026, Planning Commission meeting.
- There will be an April 23, 2026, Planning Commission meeting

Commissioner Reports

- None

VIII. ADJOURNMENT

Motion by Commissioner Halger, seconded by Vice-Chair Brashears, to adjourn the meeting. The Motion passed unanimously at 6:51 p.m.



Planning Commission Communication

Meeting Date: 3/26/2026
Item #: VII.1
Item ID: 2026-254

Title: Accessory Dwelling Unit (ADU) Ordinance Update 2026, File # PL26-0134
Contact: Lauren Hocker 916-774-5272 lhocker@roseville.ca.us

REQUEST

The project is a request to amend Roseville Municipal Code Chapter 19.60 (Accessory Dwelling Unit Ordinance) and amend Roseville Municipal Code Section 19.10.030 to update and reorganize the City's Accessory Dwelling Unit (ADU) Ordinance. Key changes include updating multiple sections to reflect legislation passed in 2025, including changing square footage limitations to be based on square footage of livable space, adding a definition for livable space, revising the number of ADUs permitted to reflect that any combination of permitted units is allowed, revising the Residential Zone General Development standards table of Roseville Municipal Code Section 19.10.030 to refer to Chapter 19.60 instead of stating the number of ADUs permitted, and limiting the owner occupancy requirement for a Junior ADU to cases where sanitation facilities (bathrooms) are shared. Additional changes include eliminating the Administrative Permit process allowing deviations from standards, adding references to the definition of "kitchens" found in Roseville Municipal Code Chapter 19.95, a new definition for "separate entrance" and "separate exterior entrance," and other changes to improve readability and clarity.

RECOMMENDATION

The Planning Division recommends that the Planning Commission take the following actions:

1. Consider the two (2) findings of fact and recommend City Council approve the Ordinance Amendment to Title 19 of the Roseville Municipal Code.

Respectfully Submitted,
Lauren Hocker, Senior Planner

Greg Bitter, Assistant Development Services Director

ATTACHMENTS:

1. Staff Report
2. Exhibit A Redlines Ordinance 19.10.030 and 19.60
3. Exhibit B Clean Ordinance 19.10.030 and 19.60

REVIEWERS:

Lupe Nelson, Development Services Department

Created -

**ITEM 6.#: ORDINANCE AMENDMENT – CITYWIDE – ACCESSORY DWELLING UNIT
ORDINANCE UPDATE 2026 – PL26-0134**

REQUEST

The project is a request to amend Roseville Municipal Code Chapter 19.60 (Accessory Dwelling Unit Ordinance) and amend Roseville Municipal Code Section 19.10.030 to update and reorganize the City’s Accessory Dwelling Unit (ADU) Ordinance. Key changes include updating multiple sections to reflect legislation passed in 2025, including changing square footage limitations to be based on square footage of livable space, adding a definition for livable space, revising the number of ADUs permitted to reflect that any combination of permitted units is allowed, revising the Residential Zone General Development standards table of Roseville Municipal Code Section 19.10.030 to refer to Chapter 19.60 instead of stating the number of ADUs permitted, and limiting the owner occupancy requirement for a Junior ADU to cases where sanitation facilities (bathrooms) are shared. Additional changes include eliminating the Administrative Permit process allowing deviations from standards, adding references to the definition of “kitchens” found in Roseville Municipal Code Chapter 19.95, a new definition for “separate entrance” and “separate exterior entrance,” and other changes to improve readability and clarity.

Applicant – City of Roseville

SUMMARY RECOMMENDATION

The Planning Division recommends the Planning Commission take the following actions:

1. Consider the two (2) findings of fact and recommend City Council approve the Ordinance Amendment to Title 19 of the Roseville Municipal Code.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this request.

BACKGROUND

For the last decade, the legislature has passed bills amending accessory dwelling unit (ADUs) regulations every year. The City’s Accessory Dwelling Unit Ordinance (Roseville Municipal Code Chapter 19.60) has been updated annually to keep pace with these changes. The bills passed during the 2025 legislative session have made some key changes to the regulation of ADUs. In looking at our Ordinance to assess the needed changes, staff realized that after a decade of iterative updates the chapter needed streamlining and reorganization for clarity. The proposed amendments to the ADU Ordinance are included as both redlines (see Exhibit A) and as a clean copy (see Exhibit B), and proposed changes are described below:

- **Section 19.10.030 (Residential Zone General Development Standards):** Changes to state law have made the number of permitted ADUs dependent on multiple factors. Staff proposes eliminating the stated number of ADUs permitted in favor of providing a reference to Chapter 19.60 (ADU Ordinance).
- **Section 19.60.030 (Definitions)**
 - Moved the requirement for a permanent foundation from the definition of an “Accessory dwelling unit” to the definition of “Permanent provisions or infrastructure,” and in the section on permanent provisions added a reference to the definition of a “kitchen.”

- Added a definition for “interior livable space” or “livable space” pursuant to Senate Bill 543 (2025). This bill amended the size limitations for ADUs from “square feet” to “square feet of interior livable space.” This calculation includes all living, sleeping, eating, and sanitation spaces, but excludes closets, hallways, entryways, garages and other similar spaces.
- Added a definition of “separate entrance” and “separate exterior entrance.” This change is for clarity. Government Code Section 66323(a)(B) requires “exterior access” from the primary dwelling for ADUs. However, Government Code Section 66333, which is specific to a local jurisdiction’s JADU regulations, requires a “separate entrance from the main entrance;” it does not specify that the entrance must be exterior. Pursuant to this Government Code we typically allow a JADU to have an interior entrance, provided the entrance is reached without passing through the living spaces of the primary home. The most typical arrangement is that the door to the JADU is just inside the entryway of the main home. We propose these definitions to make this clear without having to refer back to the Government Code.
- **Section 19.60.060, 19.60.070, and 19.60.120 (changes applicable to all ADU types: existing structure ADUs, new construction ADUs, and JADUs):**
 - Added “livable space” to all unit size references and added a reference to Government Code Section 66333 for exceptions.
 - In Floor Area, the section has been simplified and a new objective standard has been added requiring that an accessory dwelling unit within or attached to an existing primary dwelling not exceed 50% of the floor area of the primary dwelling.
 - From Appearance, removed a sentence requiring an ADU to be “subordinate to the primary dwelling.” This has been replaced by an objective standard, as described above in Floor Area.
 - In Fire Sprinklers, added that construction of an ADU does not trigger a requirement for fire sprinklers in the primary dwelling. This new language was added to ADU regulations by Senate Bill 543.
 - The “Public Improvements” language has been relocated from the “Exceptions to Development Standards” section into the section listing all other standards, to make it easier to find.
 - The “Exceptions to Development Standards” section has been deleted and all language related to the permitted number of ADUs has been moved into the “Number Permitted” section, to make it easier to understand.
 - The language within the “Number Permitted” section has been substantially modified to improve clarity, shorten the length of the text, remove or relocate language to avoid duplication/inapplicable text, and conform to current law regarding the permitted number of units.
- **Section 19.60.110 (Administrative Permit Requirements):**
 - The language allowing deviation from standards via an Administrative Permit is proposed to be deleted.

- **Section 19.60.120 (Junior ADUs):** Changed the owner-occupancy requirement pursuant to Assembly Bill 1154 (2025). Owner occupancy of either the primary dwelling or the JADU has been required since the first passage of JADU regulations. The new bill amends that provision to require owner-occupancy when the JADU does not have its own bathroom facilities and is sharing the facilities of the main home.

EVALUATION

Section 19.86.050 of the City of Roseville Zoning Ordinance requires two findings be made in order to approve a zoning ordinance amendment. The two findings are listed below in ***italicized, bold*** text and are followed by an evaluation of the project in relation to the findings.

1. ***The project is consistent with the public interest, health, safety, or welfare of the City.***
2. ***The project is consistent with the General Plan and any applicable specific plan of the City of Roseville.***

The proposed changes to the Zoning Ordinance are to bring the City’s regulations into consistency with enacted state law and to make other needed maintenance updates. Most of the proposed changes and clarifying and reorganizational changes which have little to no effect on how ADUs are permitted and constructed. However, key changes are discussed further below.

Number of ADUs Permitted

For many years, the statutory language related to the number of ADUs that must be permitted was ambiguous and was the subject of dispute. Senate Bill 543 amended this section as noted in the ***bold, italicized*** text.

Government Code 66323. (a) Notwithstanding Sections 66314 to 66322, inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following ***units, or any combination of the following units:***

The previous language was read by most jurisdictions (including Roseville) to mean that one ADU of the types listed must be permitted on a property. The amended language now states that all the ADU types are permitted on a property. This means that, provided the listed standards are met, a single-family property is now permitted to include multiple ADUs.

Maximum ADU Sizes

As described in the Background section of this staff report, Senate Bill 543 also amended the size limitations for ADUs from “square feet” to “square feet of interior livable space.” This means that closets, hallways, entryways, garages and other similar spaces no longer count toward the maximum square footage limitations. An example of this is provided in the table below, which is based on a recent ADU application for a three-bedroom, two-story ADU. Previously, the size limit would have been 1,000 *total* square feet and this ADU would not be permitted because it is 1,440 square feet. The change to square feet of livable space means that this ADU is permitted, because at 860 square feet of livable space it is less than the 1,000 square-foot size limit.

This change allows ADUs to be much larger than they have been, and this is why staff is recommending adding the new language restricting ADUs within or attached to a primary dwelling to no more than 50% of the size of the primary dwelling. Government Code allows us to impose this restriction, and it can be a useful, objective standard to reduce the impact of the change in how size limitations are calculated.

Type of Room/Space	Square Feet (SF)
Bedrooms	360 SF
Dining/Kitchen	200 SF
Living	150 SF
Bathrooms	150 SF
Hallways	180
Closets/Storage	40
Garage	360 SF
Total	1,440 SF
Total Livable Area	860 SF

Administrative Permits

The Administrative Permit process exists to provide a means for an applicant to deviate from standards, provided the findings can be supported. However, the statewide regulations pertaining to ADUs are already extremely permissive, with the latest changes having significant effects on the number and size of ADUs that are permitted by right. Staff is recommending the removal of the ability to apply for an Administrative Permit to deviate from the standards of the ADU Ordinance. The removal of this section will mean an ADU must meet the applicable standards; deviations from the standards would not be permitted.

Conclusion

The proposed amendments to the City’s ADU regulations improve clarity for both the public and for City Staff and are necessary to ensure consistency with state law. For these reasons, staff finds that the project is consistent with the public interest, health, safety, or welfare of the City and that the project is consistent with the General Plan and applicable Specific Plans.

PUBLIC OUTREACH

Staff discussed the proposed amendments at the Roseville Coalition of Neighborhood Associations (RCONA) General Board meeting of March 19, 2026. Consistent with noticing requirements for a citywide project a public hearing notice was published in the Press Tribune and was posted on the RCONA website.

ENVIRONMENTAL DETERMINATION

The proposed Accessory Dwelling Unit Ordinance Update 2026 is a policy and procedure-making activity, and the California Environmental Quality Act (CEQA) only applies to projects which have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. (CEQA Guidelines §15061(b)(3)).

RECOMMENDATION

The Planning Division recommends the Planning Commission take the following actions:

- A. Consider the findings of fact as stated in the staff report and recommend City Council approve the **Title 19 ORDINANCE AMENDMENT – CITYWIDE – ACCESSORY DWELLING UNIT ORDINANCE UPDATE 2026 – PL26-0134.**

Exhibits

- A. Zoning Ordinance Redlines (RMC 19.10.030 and 19.60)
- B. Zoning Ordinance Clean (RMC 19.10.030 and 19.60)

Note to Applicant and/or Developer: Please contact the Planning Division staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Manager at, or prior to, the public hearing.

ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE AMENDING SECTION
19.10.030 OF CHAPTER 19.10 OF TITLE 19 OF THE ROSEVILLE MUNICIPAL CODE
REGARDING RESIDENTAL ZONE GENERAL DEVELOPMENT STANDARDS AND
AMENDING CHAPTER 19.60 OF TITLE 19 OF THE ROSEVILLE MUNICIPAL CODE
REGARDING ACCESSORY DWELLING UNITS

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. Section 19.10.030 of Chapter 19.10 of Title 19 of the Roseville Municipal Code is hereby amended to read as shown on Attachment “A”.

SECTION 2. Chapter 19.60 of Title 19 of the Roseville Municipal Code is hereby amended to read as shown on Attachment “B”.

SECTION 3. This ordinance shall be effective at the expiration of thirty (30) days from the date of adoption.

SECTION 4. The City Clerk is hereby directed to cause this ordinance to be published in full at least once within fourteen (14) days after it is adopted in a newspaper of general circulation in the City, or shall within fourteen (14) days after its adoption cause this ordinance to be posted in full in at least three (3) public places in the City and enter in the Ordinance Book a certificate stating the time and place of said publication by posting.

PASSED AND ADOPTED by the Council of the City of Roseville this ___ day of _____, 20__, by the following vote on roll call:

AYES COUNCILMEMBERS:

NOES COUNCILMEMBERS:

ABSENT COUNCILMEMBERS:

MAYOR

ATTEST:

City Clerk

ATTACHMENT "A"

**CHAPTER 19.10
RESIDENTIAL ZONES**

§ 19.10.030. Residential zone general development standards.

A. Residential Development Standards. Permitted uses and associated structures shall comply with the following development standards, in addition to any other applicable requirements of this title:

RESIDENTIAL ZONE GENERAL DEVELOPMENT STANDARDS						
Requirement by Zoning District						
	R1	RS with attached sidewalk ⁽⁹⁾	RS with separated sidewalk ^{(8) (10)}	R2	R3⁽²⁾	RMU
Area, interior lot	6,000 sq ft	4,500 sq ft	4,275 sq ft	6,000 sq ft	6,000 sq ft	None ⁽⁷⁾
Area, corner lot	7,500 sq ft	5,500 sq ft	4,710 sq ft	7,500 sq ft	7,500 sq ft	
Width, interior	60 ft	45 ft	45 ft	60 ft	60 ft	
Width, corner	75 ft	55 ft	50 ft	75 ft	75 ft	
Residential Density						
Maximum number of primary dwelling units per lot	2 dwellings ⁽¹⁾	2 dwellings ⁽¹⁾	2 dwellings ⁽¹⁾	2 dwellings ⁽¹⁾	As provided by General Plan, but a minimum of 3 dwellings ⁽¹³⁾	As provided by General Plan
Maximum number of accessory/junior dwelling units per lot ⁽¹¹⁾	<u>See Chapter 19.60 Up to 2 dwellings</u>	<u>See Chapter 19.60 Up to 2 dwellings</u>	<u>See Chapter 19.60 Up to 2 dwellings</u>	<u>See Chapter 19.60 Up to 2 dwellings</u>	<u>See Chapter 19.60 Up to 2 dwellings</u>	<u>See Chapter 19.60 Up to 2 dwellings</u>
See Chapter 19.22 for accessory structure development standards for the following standards:						
Setbacks (minimum)						
Front ⁽¹⁾⁽⁹⁾	20 ft for interior lots; 15 ft for corner lots; 20 ft minimum driveway depth	15 ft to living space or side wall of garage; 12.5 ft to porch; 18 ft minimum driveway depth ⁽⁶⁾	10 ft to first floor living space or side wall of garage; 7.5 ft to porch, but in no case may encroach into a PUE; 15 ft to second floor living space; 18 ft minimum driveway depth ⁽⁶⁾	20 ft for interior lots; 15 ft for corner lots; 20 ft minimum driveway depth	20 ft minimum on all street frontages	None ⁽⁷⁾
Sides ⁽¹⁾⁽⁹⁾	5 ft interior; 15 ft street side on corner	5 ft interior; 12.5 ft street side on first floor; 15 ft street side on second floor	5 ft interior; 10 ft street side on first floor; 13 ft street side on second floor	5 ft interior; 15 ft street side on corner	5 ft interior; 20 ft minimum on all street frontages	None ⁽⁷⁾
Rear ⁽¹⁾	20% of lot depth; need not exceed 20 ft; 10 ft minimum ⁽³⁾	10 ft minimum with minimum useable open space of 700 sq ft or 500 sq ft where a usable front porch is provided ⁽⁴⁾	10 ft minimum with minimum useable open space of 500 sq ft ⁽⁴⁾	20% of lot depth; need not exceed 20 ft; 10 ft minimum	20 ft; 20 ft minimum on all street frontages	None ⁽⁷⁾

Lot Coverage (primary buildings)	35% for 2 story; 45% for 1 story	None ⁽⁴⁾	None ⁽⁴⁾	40%	50%	None ⁽⁷⁾
Height Limits	35 ft	35 ft	35 ft	35 ft	45 ft ⁽⁵⁾	None ⁽⁷⁾
Additions to a single-family or two-family primary structure greater than 700 square feet in area ⁽¹²⁾						

Notes:

- (1) Up to two residential units are permitted in the R1 and RS zone districts provided the criteria of Section 19.10.030(G) are met. Residential units may be attached or detached in the R1, RS, or R2 zone districts.
- (2) The general development standards for the R3 district may be modified through approval of a Design Review Permit.
- (3) On corner lots, the minimum rear setback may be determined by using an average of three measurements taken at the ends of the structure and a point midway between the ends of the structure. The measurements shall be made perpendicular to the rear lot line.
- (4) The rear and side yards may be utilized to meet the minimum usable open space provided the minimum dimension, measured perpendicular to the applicable rear or side yard, is 10 feet. Maximum coverage is a function of lot size, required setbacks and usable open space. A minimum usable open space of 500 square feet may be applied where a front porch is provided with minimum dimensions of six feet by 10 feet exclusive of entry way.
- (5) Except for residential units immediately adjacent to the R1 and RS zone districts, where the height limit shall be 35 feet.
- (6) Minimum driveway depth of 18 feet requires a roll-up garage door.
- (7) As provided in development standard overlay or special area overlay district.
- (8) Sidewalk separated from back of curb by five-foot planter strip.
- (9) Front setback (and side setback where adjacent to street) measured from back of walk. Fence side yard setback is five feet from back of walk where facing a street. In the absence of sidewalk, setbacks measured from the edge of right-of-way.
- (10) Variations to the standards and other housing product types may be permitted subject to processing of a Design Review Permit for Residential Subdivision (DRRS) concurrent with the approval of a tentative subdivision map and review of product type.
- (11) ~~A combination of up to two accessory dwelling/junior accessory dwelling units are permitted within areas zoned to allow single-family, two-family or multi-family residential use provided the lot contains an existing or proposed single-family dwelling, two-family or multi-family unit as defined in Sections 19.08.080(F)(1) and (F)(2) (Residential Use Types), the accessory dwelling/junior accessory dwelling unit complies with the standards identified in Chapter 19.60 (Accessory Dwelling Units), and the lot has not been created via a ministerial two-lot single-family map or a ministerial multi-family map pursuant to Chapter 18.05. See Chapter 19.60 for the maximum number and combination of accessory or junior accessory units allowed per lot, except in cases where the lot has been created via a ministerial two-lot single-family map or a ministerial multi-family map pursuant to Chapter 18.05, in which case see Section 19.010.030(F)(2).~~ For purposes of density, accessory dwelling units shall be deemed to be an accessory use or an accessory building or structure and shall not be considered to exceed the allowable density for the lot upon which it is located.
- (12) Additions (attached or detached) to primary structures that exceed 700 gross square feet in area may be permitted upon approval of an Administrative Permit, which may include a public hearing as provided in Sections [19.74.010](#) and [19.78.020](#). Excludes accessory dwelling units complying with the standards identified in Chapter [19.60](#) (Accessory Dwelling Units).
- (13) Parcels created through the exercise of the ministerial multi-family map provisions of Chapter [18.05](#) are limited to the number of units permitted by Government Code Section [66499.41](#), as may be amended from time to time, and are not permitted accessory dwelling units or junior accessory dwelling units.

- A. **Clear Vision Triangle, Residential.** The following standards shall apply to the installation of structures on corner parcels:
1. On a corner parcel, no fence, wall, sign or other structure, mounds of earth, or other visual obstruction over 36 inches in height above the top of the existing or planned curb elevation shall be erected or placed within a residential clear vision triangle (see Chapter 19.95, Definitions).
 2. The foregoing provision shall not apply to public utility poles; trees trimmed (to the trunk) to a line at least eight feet above the elevation of the intersection; saplings or plant species of open growth habits and not planted in the form of a hedge, which are so planted and trimmed as to leave, at all seasons, a clear and unobstructed cross view; supporting members of appurtenances to permanent structures existing on the date that the ordinance codified in this section becomes effective; and official warning signs or signals.
- B. **Exceptions to Height Limits.** Notwithstanding the requirements of subsection A, the following structures are permitted to exceed the maximum height limits, as follows:
- Architectural features, mechanical equipment, chimneys, vents, and other architectural or mechanical appurtenances on buildings may be a maximum of 15 percent higher than the height limit of the applicable zone.
- C. **Exceptions to Setbacks.** Notwithstanding the requirements of subsection A, the following structures are permitted to encroach into the required development setbacks, as follows:
1. Architectural features, such as, but not limited to: cornices, eaves, canopies, fireplaces and similar features, but not any flat wall or addition creating living space, may encroach up to two feet into any required setback.
 2. Covered, unenclosed projections attached to the primary structure may encroach up to six feet into any front yard setback.
- D. **Manufactured Homes.** Manufactured homes are permitted in residential zones provided they meet the following architectural standards:
1. The manufactured home shall be covered with exterior material customarily used on conventional dwellings within the subdivision. The exterior covering material shall extend to the ground as close to grade as allowed by the manufacturer's recommendation;
 2. The manufactured home shall have a minimum of 16-inch roof overhangs and roofing material on the manufactured home shall be compatible with other dwellings existing in the area and shall consist of materials customarily used on conventional dwellings. The roof shall have a minimum 2 1/2 in 12 pitch.
- E. **Landscaping Requirements in Setback Areas.**
1. **Single-Family and Two-Family Dwellings—Front Yard and Street Side Yard Setbacks.**

- a. **Setback Area Paving Restrictions.** A maximum of 50 percent of the required front yard setback may be paved for off-street parking, driveways, walkways, or uncovered patio use. A maximum of 50 percent of the required street side yard setback may be paved for off-street parking, driveways, walkways, or uncovered patio use; however, this maximum limitation does not apply to that portion of the street side yard located behind a fence that is in compliance with the street side fence requirements set forth in Chapter 19.22 of this code. These requirements may be modified with approval of a Design Review Permit for Residential Subdivision (DRRS), as provided for in Article V of this title.
- b. **Landscape and Maintenance Requirements.** The unpaved portion of a front yard setback and street side yard setback shall be landscaped, irrigated, and maintained. The landscape shall include grass, annuals, perennials, groundcover, shrubs, trees, or other living vegetation. Synthetic grass or artificial turf may be used if it is permeable and has a minimum pile height of 1.25 inches. Design elements like planters, rocks, mulch, or similar elements are permitted when integrated as part of the landscape. All landscaping materials shall be mowed, trimmed, and maintained as often as necessary to prevent overgrowth and blight. No junk, debris, or other similar materials shall be stored in the landscaped setback area.
- c. **Height Restrictions for Landscaping Located in the Clear Vision Triangle.** All landscaping located within the clear vision triangle for corner lots, as defined in Section 19.95.030 of this Code, shall not exceed three feet in height, except that trees exceeding three feet in height are allowed if the tree is maintained free of branches eight feet above the curb grade.
- d. **Vehicle Parking Requirements.** Vehicles, including, without limitation, automobiles, boats, campers, trailers, and other recreational vehicles, must be parked on a paved surface, as provided for in Section 11.20.110 of this code. Vehicles shall not be parked within the landscaped setback area.

2. **Multi-Family Dwellings (Three or More Residential Units)—Front Yard and Street Side Yard Setbacks.** All minimum front yard and street side yard setbacks shall be landscaped, irrigated and maintained with primarily low ground cover or turf. The landscape shall include grass, annuals, perennials, groundcover, shrubs, trees, or other living vegetation. Synthetic grass or artificial turf may be used if it is permeable and has a minimum pile height of 1.25 inches. Design elements like planters, rocks, mulch, or similar elements are permitted when integrated as part of the landscape. All landscaping materials shall be mowed, trimmed, and maintained as often as necessary to prevent overgrowth and blight. No junk, debris, or other similar materials shall be stored in the landscaped setback area. Driveways and uncovered walkways are permitted to cross over the required front yard and street side yard setback. The required front yard and street side yard setbacks may not be paved for parking or patio areas.

F. **Criteria for Two Residential Units in Single-Family Zones.** The City’s single-family zones are R1 and RS. Parcels in single-family zones are permitted one residential

unit, and may have a second residential unit subject to the following criteria and restrictions:

1. **Demolition or Alteration of Existing Housing.** The housing development shall not require demolition or alteration of housing:
 - a. Subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
 - b. Subject to any form of rent or price control through a public entity's valid exercise of its police power;
 - c. That has been occupied by a tenant at any time within the past three years. Demolition or alteration is permitted if none of the above conditions apply.
2. **Use Restrictions.**
 - a. **Short-Term Rentals.** Residential units constructed pursuant to this section may not be rented for a period of less than 31 consecutive calendar days. Accordingly, short-term rentals, as authorized pursuant to Chapter 4.25 (Short-Term Rentals), are not permitted for residential units constructed pursuant to this section.
 - b. **Accessory Dwelling Units/Junior Accessory Dwelling Units.** An accessory dwelling unit and/or junior accessory dwelling shall not be permitted on parcels that have used this section to build two residential units and which are the result of a parcel map pursuant to Municipal Code Chapter 18.05.
 - c. **Use Classification.** Whether they are detached or attached, residential units constructed pursuant to this section shall be considered single-family buildings.
3. **Development Standards.** The new structure(s) shall be consistent with the development standards of the zone district in which they are located, except:
 - a. **Parking Requirements.** No off-street parking shall be required for new residential units constructed pursuant to this section if the parcel is located within ½ mile walking distance of either a high-quality transit corridor as defined in Public Resources Code Section 21155(b), as may be amended from time to time; or a major transit stop, as defined in Public Resources Code Section 21064.3, as may be amended from time to time; or if there is a car share vehicle located within one block of the parcel. In all other cases, new residential units constructed pursuant to this section shall provide a minimum of one off-street parking space. Off-street parking shall be designed consistent with the requirements of Section 19.26.040.
 - b. **Setbacks.** No setback shall be required for conversion of an existing structure or a structure constructed in the same location (i.e. footprint) and to the same or smaller dimensions as an existing structure. In all other cases, a setback of four feet from the side and rear lot lines shall be required for new residential units constructed pursuant to this section, including any garages, porches, decks, balconies, stairs, and patios which are attached to and for the use of the residential unit.

- c. Waivers. Notwithstanding anything to the contrary contained within this section, a development standard applicable to the zone district in which the proposed residential units are located shall be waived if application of the standard would physically preclude either of the two residential units from being at least 800 square feet in floor area.
4. **Site Limitations or Restrictions.** To qualify for a second residential unit, a parcel shall meet the following criteria:
- a. The parcel shall satisfy the requirements specified in Government Code Section 65913.4(a)(6)(B) to (K), as may be amended from time to time, including, but not limited to, not being within a special flood hazard area, a regulatory floodway, and/or a habitat for protected species.
 - b. Government Code Section 7060 et seq., as may be amended from time to time, to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.
 - c. The parcel shall not be located within a historic district or property included on the State Historic Resources Inventory, as defined in Public Resources Code Section 5020.1, as may be amended from time to time, or listed as a City or county landmark or historic property or district pursuant to a City ordinance.
5. **Reasons for Denial of Permit.** A building permit for a second residential unit or two new residential units, pursuant to this section, shall be denied by written findings of the building official where, based on a preponderance of the evidence, the building official has determined the housing development would have a specific, adverse impact as defined and determined in Government Code Section 65589.5(d)(2), as may be amended from time to time, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

ATTACHMENT "B"

CHAPTER 19.60
ACCESSORY DWELLING UNITS

§ 19.60.010. Purpose.

This chapter provides criteria for the approval of accessory dwelling units and junior accessory dwelling units. This chapter is adopted pursuant to the authority of Government Code Sections 66310, 66311, and 66312, as they now exist or may hereafter be amended.

§ 19.60.020. Findings.

The City Council finds that accessory dwelling units and junior accessory dwelling units are considered residential uses that are consistent with existing General Plan objectives and the zoning designation for the lots upon which accessory dwelling units or junior accessory dwelling units are located. The City Council further finds that accessory dwelling units and junior accessory dwelling units that comply with the requirements set forth in this chapter shall be deemed to be accessory uses or accessory buildings or structures and shall not be considered to exceed the allowable density for lots upon which accessory dwelling units or junior accessory dwelling units are located.

§ 19.60.030. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section. Words and phrases not defined in this section, shall have the meanings respectively ascribed to them in Chapter 19.95 (Definitions of Terms and Phrases).

"Accessory dwelling unit" shall be as defined by Government Code Section 66313, as it now exists or may hereafter be amended, and means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons. The unit ~~shall be located on a permanent foundation or a permanent chassis if a manufactured home, have an independent exterior access (if located within a single family dwelling unit), and~~ shall include permanent provisions or infrastructure to support living, sleeping, eating, cooking, and sanitation on the same parcel as where a single-family, two-family or multi-family dwelling (including detached garages) is situated or proposed to be situated. Accessory dwelling units ~~can may~~ also ~~include be~~ efficiency units, as defined in Section 17958.1 of the Health and Safety Code, manufactured homes, as defined in Section 18007 of the Health and Safety Code, second dwelling units, granny flats, in-law quarters, casitas, carriage units, and tiny houses as long as such units otherwise meet this definition.

"Accessory structure" means a structure that is accessory and incidental to a single- family, two-family or multi-family dwelling located on the same lot.

"Car share vehicle" means a vehicle that can be rented for short periods of time and is available 24 hours a day, seven days a week at unattended self-service locations.

"Existing structure," for the purposes of defining an allowable space that can be converted to an accessory dwelling unit, means the following:

1. The proposed accessory dwelling unit is located within the walls and roofline of a fully enclosed, existing structure (i.e., the existing footprint); and

2. The existing structure can be made safely habitable under local building codes at the determination of the building official, regardless of any nonconforming zoning conditions.

“Interior livable space” or “livable space” means the space in a building intended for human habitation, including living, sleeping, eating, cooking, or sanitation. Livable space excludes closets, halls, storage, utility spaces, garages which are for the use of the junior accessory dwelling unit or accessory dwelling unit, or similar spaces.

"Junior accessory dwelling unit" shall be as defined by Government Code Section 66313, as it now exists or may hereafter be amended, and means a unit that is no more than 500 square feet in interior livable space and contained entirely within the walls of an existing or proposed single-family dwelling. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.

"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.

"Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

"Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

"Permanent provisions or infrastructure," in the context of the definition of an "accessory dwelling unit," means a permanent kitchen as defined in Section 19.08.080, as it now exists or may hereafter be amended, consisting of a sink, a counter for food preparation, a food storage area, and either a minimum 220V receptacle or a dedicated gas line for a cooking appliance (a 110V receptacle for a microwave, toaster, hotplate, etc., is not a permanent provision); a toilet connected to plumbing; a bathroom sink connected to plumbing; ~~and~~ a bathing facility connected to plumbing, such as a shower or bathtub; a permanent foundation or a permanent chassis if a manufactured home; and an independent exterior access (if located within a single-family dwelling unit).

"Primary dwelling unit" means a proposed or existing single-family, two-family or multi-family dwelling unit located on the lot where the accessory dwelling unit is proposed to be developed, and includes attached, enclosed accessory structures, such as a garage.

"Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

"Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

“Separate entrance” may either have the same meaning as “separate exterior entrance” or may also mean a separate entrance door to a junior accessory dwelling unit located on the interior of the primary dwelling unit where the direct path of travel between the entry for the primary dwelling unit and the door to the junior accessory dwelling unit does not include any livable space.”

“Separate exterior entrance” means an exterior door providing direct access to the interior of the accessory dwelling unit.

"Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

"Within the existing space" includes areas within an existing primary dwelling unit or within an existing attached or detached accessory structure such as a garage, storage area, a carriage house, a pool house, studio, and similar enclosed structures. The addition of square footage, including, but not limited to, the addition of another floor, is not considered to be "within the existing space," unless the expansion is for the purposes of ingress and egress and does not exceed 150 square feet. Additions of square footage which are not "within the existing space" are considered new construction.

§ 19.60.040. Permit requirements.

A building permit shall be required prior to construction or creation of an accessory dwelling unit or junior accessory dwelling unit, which shall be processed in accordance with the requirements of Government Code 66314 et seq. as it now exists or may hereafter be amended.

§ 19.60.050. Designated areas.

- A. **Mixed Use and Residential Zones.** Accessory dwelling units are principally permitted in the commercial mixed use (CMU), single-family residential (R1), small lot residential (RS), two-family residential (R2), multi-family housing (R3), and residential mixed use (RMU) zoning districts, provided the lot contains an existing or proposed single-family, two-family or multi-family dwelling unit as defined in Section 19.08.080(F) (Residential Use Types) and the accessory dwelling unit complies with the standards identified in this chapter.
- B. **Commercial Zones.** Accessory dwelling units are also principally permitted in the neighborhood commercial (NC), community commercial (CC), general commercial (GC), and highway commercial (HC) zoning districts, provided the lot contains an existing or proposed single-family, two-family or multi-family dwelling unit which has an approved conditional use permit as defined in Section 19.08.080(F) (Residential use types) and the accessory dwelling unit complies with the standards identified in this chapter. If a commercially zoned lot contains an existing single-family, two-family or multi-family dwelling unit which does not have an approved conditional use permit, then the accessory dwelling unit shall be required to obtain an Administrative Permit pursuant to Chapter 19.74 (Permit and Variance Requirements).

§ 19.60.060. Development standards for accessory dwelling units proposed within existing structures or existing living areas.

Accessory dwelling units are permitted to be developed within the existing space of existing structures or within the ~~existing space of living area of~~ an existing primary dwelling unit. Accessory dwelling units developed ~~within existing structures or living areas~~ consistent with this section shall be allowed only in compliance with the following standards:

- A. **Setbacks.** No setback shall be required for an accessory dwelling unit, including porches, decks, balconies, stairs, and patios which are attached to and for the use of the accessory dwelling unit, built within the footprint and dimensions of an existing living area or existing structure. Garages are subject to the setbacks of Section **19.22.030** (Accessory structures).

B. **Floor Area.** Expansion of the floor area beyond the physical dimensions of the existing primary dwelling unit or accessory structure shall be limited to accommodating ingress and egress and shall not exceed 150 square feet beyond the same physical dimensions as the existing primary dwelling unit or accessory structure. The total floor area of an ~~attached~~ accessory dwelling unit developed within an existing primary dwelling unit shall not exceed 50% of the floor area of the existing primary dwelling nor exceed the standards of subsection C (Unit Sizes). ~~the floor area of the existing primary dwelling unit, except that an expansion of up to 150 square feet beyond the same physical dimensions as the existing primary dwelling unit is permitted for accommodating ingress and egress.~~ The total floor area for a ~~detached~~ accessory dwelling unit developed within an existing detached accessory structure shall not exceed the floor area of the existing detached accessory structure, ~~except that an expansion of up to 150 square feet beyond the same physical dimensions as the existing detached accessory structure is permitted for accommodating ingress and egress.~~ Expansions beyond 150 square feet must comply with the standards set forth in Section **19.60.070** (Development standards for accessory dwelling units proposed as new construction).

C. **Unit Sizes.**

1. An accessory dwelling unit shall not be less than the minimum size for an efficiency unit, as defined in Section 17958.1 of the **Health and Safety Code**, as it now exists or may hereafter be amended.
2. An accessory dwelling unit shall not be more than 850 square feet of livable space for a studio or one-bedroom or more than 1,000 square feet of livable space for an accessory dwelling unit that provides more than one bedroom, except as otherwise provided in Government Code Section 66323.

D. **Minimum Facilities.** Accessory dwelling units developed within existing structures or living areas shall include permanent provisions for independent living, sleeping, eating, cooking, and sanitation within the unit and must include a separate exterior entrance from the primary dwelling unit if the primary dwelling is a single-family dwelling.

E. **Appearance.** The accessory dwelling unit shall be designed and constructed with the same architectural style, exterior materials and colors as the primary dwelling. ~~The accessory dwelling unit shall be subordinate to the primary dwelling unit.~~ Manufactured homes shall meet the architectural standards set forth in Section **19.10.030(E)** (Residential zone general development standards).

F. **Parking Requirements.** Accessory dwelling units developed within existing structures or living areas shall not be required to provide parking. A garage, carport, or covered parking structure shall be subject to the development regulations of Section **19.22.030** (Accessory structures), if the owner chooses to provide parking as part of the accessory dwelling unit. In addition, when a garage, carport, covered parking structure, or uncovered parking space is converted to an accessory dwelling unit, the required off street parking spaces for the primary dwelling unit, if eliminated, do not need to be replaced. If the property owner chooses to replace the parking spaces, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including within the front yard or street side setback, and may be covered spaces subject to conformance with the applicable requirements set forth in Section **19.22.030(C)(2)** (Permitted accessory

structures to dwelling use type (single-family and two-family)) or Section 19.22.030(D)(3) (Permitted accessory structures to dwelling use type (multi-family)), uncovered spaces or tandem spaces. All replacement parking shall comply with the requirements set forth in Section 11.20.110 (Parking on private property prohibited), Section **19.10.030(F)** (Residential zone general development standards), and Section **19.26.040(A)** (Design and improvement of parking).

G. **Passageways.** No passageways shall be required in conjunction with accessory dwelling units developed within existing structures or living areas.

H. **Building and Fire Codes.** Except as otherwise provided in this chapter, accessory dwelling units developed within existing structures or living areas shall comply with all local building and fire codes. A demolition permit for a detached garage that is to be replaced with an accessory dwelling unit must be reviewed with the application of the accessory dwelling unit and issued at the same time.

I. **Fire Sprinklers.** Accessory dwelling units developed within existing structures or living areas shall not be required to provide fire sprinklers if fire sprinklers were not required for the primary dwelling unit. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

J. **Utilities.** Accessory dwelling units developed within existing structures or living areas shall not be required to install a new or separate utility connection directly between the accessory dwelling unit and the public utility infrastructure, unless the accessory dwelling unit was constructed with a new single-family dwelling unit. However, if necessary utility infrastructure does not exist with capacity available to serve both the primary dwelling unit and the accessory dwelling unit, the property owner shall be responsible for all costs related to installation of necessary infrastructure or upsizing existing infrastructure. Property owners may install a new or separate utility connection directly between the accessory dwelling unit and the public utility infrastructure at the property owner's option and expense.

~~J.K.~~ **Public Improvements.** No public physical improvements shall be required for the creation or conversion of an accessory dwelling unit, including, but not limited to, sidewalk, street, or access improvements. The addition of an accessory dwelling unit shall not require the correction of nonconforming zoning conditions, per Government Code Sections 66314 through 66315, as may be amended from time to time.

~~J.L.~~ **Height.** An accessory dwelling unit shall not exceed the height limits prescribed in Section **19.10.030** (Residential zone general development standards) for the zone in which the accessory dwelling unit will be located, or if not within a residential zone, the height shall not exceed the standards established in Section **19.10.030** for the single-family residential (R1) zone.

~~J.M.~~ **Number Permitted.** ~~Except as otherwise permitted by subsection M, only one accessory dwelling unit is permitted per lot.~~

~~M.~~ **Exceptions to Development Standards.**

1. One accessory dwelling unit either attached to or located within the existing primary dwelling subject to the development standards of Section 19.60.060(A – L)(see Section N, Waivers) or an accessory dwelling unit pursuant to Section 19.60.070(O)(1).

12. One accessory dwelling unit and one junior accessory dwelling unit is permitted per lot with a proposed or existing single-family dwelling, which may be combined with a detached accessory dwelling unit pursuant to Section 19.60.070(O)(2), if all of the following apply:

- a. The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling unit or existing space of a single-family dwelling unit or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.
- b. The space has exterior access from the proposed or existing single-family dwelling unit.
- c. The side and rear setbacks are sufficient for fire and safety.
- d. The junior accessory dwelling unit complies with the requirements of **Government Code** Section 66313, as it now exists or may hereafter be amended.

23. Within the portions of existing multifamily buildings (inclusive of detached structures) that are not used as livable space (including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages), at least one accessory dwelling unit is permitted or up to 25% of the existing multi-family dwelling units may be converted to accessory dwelling units, whichever is greater, provided each unit complies with state building standards for dwellings. An existing multifamily dwelling having a rear or side setback of less than four (4) feet shall not require modification as a condition of approving the accessory dwelling unit(s). Multiple accessory dwelling units within portions of existing multi-family dwelling units are permitted in areas not used as livable spaces, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if all of the following apply:

- ~~a. Each unit complies with state building codes for dwellings.~~
 - ~~b. At least one accessory dwelling unit is permitted within an existing multi-family dwelling or up to 25% of the existing multi-family dwelling units may be converted to accessory dwelling units, whichever is greater.~~
- ~~3. Two detached accessory dwelling units are permitted per lot that has an existing multi-family dwelling unit, subject to four foot rear and side setbacks and the following height standards:~~
- ~~a. A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit.~~
 - ~~b. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit that is within one-half mile of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the **Public Resources Code**, as may be~~

~~amended from time to time. An additional two feet in height is also permitted when the height is to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.~~

~~c. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multi-family, multi-story dwelling.~~

~~d. A height of 25 feet or the height limitation in this Code that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require City to allow an accessory dwelling unit to exceed two stories.~~

~~4. No public physical improvements shall be required for the creation or conversion of an accessory dwelling unit, including, but not limited to, sidewalk, street, or access improvements. The addition of an accessory dwelling unit shall not require the correction of nonconforming zoning conditions, per **Government Code** Sections 66314 through 66315, as it now exists or may hereafter be amended.~~

N. **Waivers.** Notwithstanding anything to the contrary contained in this ~~title~~Title, limits on ~~height, setbacks, lot coverage, floor area ratio, open space, front setbacks, and lot sizes~~size based upon a percentage of the proposed or existing primary dwelling, lot coverage, floor area ratio, open space, front setbacks, and minimum lot size are hereby waived if they do not permit ~~at least an 800-square-foot~~one accessory dwelling unit of at least 800 square feet of interior livable space which provides four-foot rear and side setbacks and meets the following height standards:

1. A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit.
2. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit that is within one-half mile of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the **Public Resources Code**, as may be amended from time to time. An additional two feet in height is also permitted when the height is to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
3. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multi-family, multi-story dwelling.
4. A height of 25 feet or the height limitation in this Code that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require City to allow an accessory dwelling unit to exceed two stories.

§ 19.60.070. Development standards for accessory dwelling units proposed as new construction.

Newly constructed accessory dwelling units are permitted to be attached to a proposed or existing primary dwelling unit or detached from a proposed or existing primary dwelling unit as long as the newly constructed accessory dwelling unit is located on the same lot as a proposed or existing primary dwelling unit. Newly constructed accessory dwelling units shall be allowed only in compliance with the following standards:

- A. **Minimum Lot Area.** There is no minimum lot area.
- B. **Maximum Lot Coverage.** There is no maximum lot coverage.
- C. **Setbacks.** No setback shall be required for an accessory dwelling unit constructed in the same location (i.e., footprint) and to the same dimensions as an existing accessory structure. A setback of four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is otherwise newly constructed, including porches, decks, balconies, stairs, and patios which are attached to and for the use of the accessory dwelling unit.
- D. **Floor Area.** ~~For an attached accessory dwelling unit, the total floor area of an attached accessory dwelling unit shall not be less than 150 square feet, shall not exceed 50% of the floor area of the existing primary dwelling to which it is attached, and shall not~~ ~~nor~~ exceed the standards of subsection E (Unit Sizes). ~~For a detached accessory dwelling unit, the total floor area for a detached accessory dwelling unit shall not be less than 150 square feet nor exceed the standards of subsection E (Unit Sizes).~~ For an attached accessory dwelling unit, the total floor area shall not be less than 150 square feet, shall not exceed 50% of the floor area of the existing primary dwelling to which it is attached, and shall not ~~nor~~ exceed the standards of subsection E (Unit Sizes). For a detached accessory dwelling unit, the total floor area shall not be less than 150 square feet nor exceed the standards of subsection E (Unit Sizes).
- E. **Unit Sizes.**
 - 1. An accessory dwelling unit shall not be less than the minimum size for an efficiency unit, as defined in Section 17958.1 of the **Health and Safety Code**, as may be amended from time to time.
 - 2. An accessory dwelling unit shall not be more than 850 square feet of livable space for a studio or one-bedroom or more than 1,000 square feet of livable area for an accessory dwelling unit that provides more than one bedroom, except as otherwise provided in Government Code Section 66323.
- F. **Minimum Facilities.** The accessory dwelling unit shall include permanent provisions for independent living, sleeping, eating, cooking, and sanitation within the unit and must include a separate exterior entrance from the primary dwelling unit if the primary dwelling is a single-family dwelling.
- G. **Appearance.** The accessory dwelling unit shall be designed and constructed with the same architectural style, exterior materials and colors as the primary dwelling. ~~The accessory dwelling unit shall be subordinate to the primary dwelling unit.~~ Manufactured homes shall meet the architectural standards set forth in Section **19.10.030(E)** (Residential zone general development standards).
- H. **Parking Requirements.** Except as otherwise provided by this chapter, the parking required by this section is in addition to that required for the primary dwelling unit located on the lot by Chapter **19.26** (Off-Street Parking and Loading). Garages, carports, and covered parking structures attached to the accessory dwelling unit and built to satisfy the required parking standards for the accessory dwelling unit are subject to the same setbacks and other development regulations as the accessory dwelling unit.
 - 1. Accessory dwelling units with one or more bedrooms shall provide at least one off-street parking space. Studios shall not be required to provide any parking spaces. The parking requirement for accessory dwelling units with bedrooms can be met by providing the required parking space within the front yard setback and may be located

in tandem with other on-site parking as long as it complies with the requirements set forth in Section **11.20.110** (Parking on private property prohibited), Section **19.10.030(F)** (Residential zone general development standards), and Section **19.26.040(A)** (Design and improvement of parking).

2. When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an accessory dwelling unit, the required off-street parking spaces for the primary dwelling unit, if eliminated, do not need to be replaced. If the property owner chooses to replace these parking spaces, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including within the front yard or street side setback, and may be covered spaces subject to conformance with the applicable requirements set forth in Section 19.22.030(C)(2) (Permitted accessory structures to dwelling use type (single-family and two-family)) or Section 19.22.030(D)(3) (Permitted accessory structures to dwelling use type (multi-family)), uncovered spaces or tandem spaces. All replacement parking shall comply with the requirements set forth in Section **11.20.110** (Parking on private property prohibited), Section **19.10.030(F)** (Residential zone general development standards), and Section **19.26.040(A)** (Design and improvement of parking).
3. Notwithstanding the above, accessory dwelling units shall not be required to provide parking in any of the following circumstances:
 - a. When the accessory dwelling unit is located within one-half mile walking distance of public transit.
 - b. When the accessory dwelling unit is located within the Old Town Historic District (DT-4) or the Central Business District (DT-6).
 - c. When the accessory dwelling unit is part of an existing or proposed primary dwelling unit or an existing accessory structure.
 - d. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - e. When there is a car share vehicle located within one block of the accessory dwelling unit.
 - f. When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family or multi-family dwelling.
- I. **Passageways.** No passageways shall be required in conjunction with the construction of an accessory dwelling unit.
- J. **Building and Fire Codes.** Except as otherwise provided in this chapter, newly constructed accessory dwelling units shall comply with all local building and fire codes.
- K. **Fire Sprinklers.** Accessory dwelling units shall not be required to provide fire sprinklers if fire sprinklers were not required for the primary dwelling unit. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing

primary dwelling.

L. **Utilities.** New or separate utility connections directly between the accessory dwelling unit and the public utility infrastructure shall only be required if directed by the environmental utilities department or the electric department. In such cases, if necessary utility infrastructure does not exist with capacity available to serve both the primary dwelling unit and the accessory dwelling unit, the property owner shall be responsible for all costs related to installation of necessary infrastructure or upsizing existing infrastructure.

L.M. **Public Improvements.** No public physical improvements shall be required for the creation or conversion of an accessory dwelling unit, including, but not limited to, sidewalk, street, or access improvements. The addition of an accessory dwelling unit shall not require the correction of nonconforming zoning conditions, per Government Code Sections 66314 through 66315, as it now exists or may hereafter be amended.

M.N. **Height.** An accessory dwelling unit shall not exceed the height limits prescribed in Section 19.10.030 (Residential zone general development standards) for the zone in which the accessory dwelling unit will be located, or if not within a residential zone, the height shall not exceed the standards established in Section 19.10.030 for the single-family residential (R1) zone.

N.O. **Number Permitted.** ~~Except as otherwise permitted by subsection O, only one accessory dwelling unit is permitted per lot.~~

~~O. **Exceptions to Development Standards.**~~

~~1. One newly constructed attached or detached accessory dwelling unit is permitted per lot subject to the development standards of Section 19.60.070(A – N)(see Waivers) or one accessory dwelling unit pursuant to Section 19.60.060(M)(1).~~

1.2. One newly constructed detached accessory dwelling unit that does not exceed four-foot rear and side setbacks, which may be combined with accessory dwelling units or junior accessory dwelling units proposed within existing structures pursuant to Section 19.60.060(M)(1)~~one junior accessory dwelling unit~~, is permitted per lot if all of the following apply:

- a. The total floor area for the newly constructed detached accessory dwelling unit shall not exceed 800 square feet.
- b. The newly constructed detached accessory dwelling unit shall not exceed the following height standards:
 - i. A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit.
 - ii. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit that is within one-half mile of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the **Public Resources Code**, as may be amended from time to time. An additional two feet in height is also permitted when the height is to accommodate a roof

pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

- iii. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multi-family, multi-story dwelling.
- iv. A height of 25 feet or the height limitation in this Code that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require City to allow an accessory dwelling unit to exceed two stories.

2.3. On a lot with an existing multifamily dwelling unit, ~~M~~multiple constructed detached accessory dwelling units are permitted ~~per lot that has an existing multifamily dwelling unit~~. The number of accessory dwelling units shall not exceed the number of existing units on the lot and not more than eight detached accessory dwelling units are permitted. This may be combined with accessory dwelling units proposed within existing non-livable spaces of existing multifamily structures pursuant to Section 19.60.060(M)(2). The ~~A~~accessory dwelling units are subject to the following development standards:

- a. A four-foot rear and side setback.
- b. A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit.
- c. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit that is within one-half mile of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the **Public Resources Code**, as may be amended from time to time. An additional two feet in height is also permitted when the height is to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
- d. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multi-family, multi-story dwelling.
- e. A height of 25 feet or the height limitation in this Code that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require City to allow an accessory dwelling unit to exceed two stories.

~~3. No public physical improvements shall be required for the creation or conversion of an accessory dwelling unit, including, but not limited to, sidewalk, street, or access improvements. The addition of an accessory dwelling unit shall not require the correction of nonconforming zoning conditions, per **Government Code** Sections 66314 through 66315, as may be amended from time to time.~~

4. On a lot with a proposed multifamily dwelling, not more than two detached accessory dwelling units are permitted.

P. **Waivers.** Notwithstanding anything to the contrary contained in this title, limits on **height**,

~~setbacks, lot coverage, floor area ratio, open space, front setbacks, and lot sizes~~ size based upon a percentage of the proposed or existing primary dwelling, lot coverage, floor area ratio, open space, front setbacks, and minimum lot size are hereby waived if they do not permit ~~at least an 800 square foot an~~ of at least 800 square feet of interior livable space which provides four-foot rear and side setbacks and meets the following height standards:

1. A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit.
2. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit that is within one-half mile of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the **Public Resources Code**, as may be amended from time to time. An additional two feet in height is also permitted when the height is to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
3. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multi-family, multi-story dwelling.
4. A height of 25 feet or the height limitation in this Code that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require City to allow an accessory dwelling unit to exceed two stories.

§ 19.60.080. Use restrictions.

- A. **Sales Prohibited, Exceptions.** Accessory dwelling units shall not be sold independently of the primary dwelling unit on the lot unless all of the criteria of Government Code Section 66341, as may be amended from time to time, are met, including that the accessory dwelling unit or the primary dwelling unit was built or developed by a qualified nonprofit corporation and there are affordability restrictions on the sale and conveyance of the accessory dwelling unit or primary residence that ensure the accessory dwelling unit and primary dwelling will be preserved for low income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.
- B. **Rentals.** Accessory dwelling units may be rented as long as the rental term exceeds 30 calendar days. Accordingly, short-term rental permits authorized pursuant to Chapter 4.25 (Short-Term Rentals) will not be issued for accessory dwelling units.

§ 19.60.090. Nonconforming zoning conditions.

An accessory dwelling unit or junior accessory dwelling unit in compliance with the standards set forth in this chapter is still permitted even when the primary dwelling unit has a nonconforming zoning condition.

§ 19.60.100. Fees.

All fees and charges will be charged in accordance with the Accessory Dwelling Units Fee Policy adopted by the City Council on April 21, 2021 by Resolution No. 21-146, as amended from time to time.

~~§ 19.60.110. Administrative permit requirements.~~

~~An accessory dwelling unit or junior accessory dwelling unit which does not meet the standards set forth in this chapter, shall be required to obtain an Administrative Permit pursuant to Chapter 19.74 (Permit and Variance Requirements).~~

§ 19.60.120. Junior accessory dwelling units.

- A. Junior accessory dwelling units are principally permitted within areas zoned to allow single-family residential use and must be located on a lot that contains an existing or proposed single-family dwelling unit as defined in Section 19.08.080(F)(2) (Residential use types).
- B. Junior accessory dwelling units are subject to the following conditions:
1. Only one junior accessory dwelling unit is permitted per residential lot zoned for single-family uses, with an existing or proposed single-family dwelling.
 2. A junior accessory dwelling unit shall not exceed 500 square feet of livable space.
 3. If the junior accessory dwelling unit has shared sanitation facilities with the existing structure, ~~¶~~the property owner shall occupy the single-family dwelling unit in which the junior accessory dwelling unit will be permitted. The property owner may reside in either the remaining portion of the single-family dwelling unit or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the junior accessory dwelling unit has separate sanitation facilities or if the owner is a governmental agency, land trust, or housing organization.
 4. Following final inspection approval of a building permit for a junior accessory dwelling unit, a deed restriction, in a form approved by the City Attorney, shall be recorded with the Placer County Recorder's office, which shall include the applicable restrictions and limitations of a junior accessory dwelling unit identified in this chapter. Said deed restriction shall run with the land, and shall be binding upon any future owners, heirs, or assigns. A copy of the recorded deed restriction shall be filed with the City stating that:
 - a. The junior accessory dwelling unit shall not be sold separately from the single-family dwelling unit.
 - b. The junior accessory dwelling unit is restricted to the development standards, including maximum size, identified in this chapter.
 - c. If the junior accessory dwelling unit has shared sanitation facilities with the existing structure, ~~¶~~the junior accessory dwelling unit shall be considered legal only so long as either the single-family dwelling unit, or the junior accessory dwelling unit, is occupied by the owner of record of the property.

- d. The restrictions shall be binding upon any successor in ownership of the property and lack of compliance with this provision may result in legal action against the property owner, including revocation of any right to maintain a junior accessory dwelling unit on the property.
 5. The junior accessory dwelling unit shall be constructed within the walls of the proposed or existing single-family dwelling unit, including attached garages.
 6. The junior accessory dwelling shall include a separate entrance from the main entrance to the proposed or existing single-family dwelling unit, and if the junior accessory dwelling unit does not include a separate bathroom, the junior accessory dwelling unit shall also include an interior entry into the main living area.
 7. The permitted junior accessory dwelling unit must include an efficiency kitchen, as defined in Section 19.08.080, as it now exists or may hereafter be amended. ~~which shall include at a minimum all of the following:~~
 - a. ~~A cooking facility with appliances.~~
 - b. ~~A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.~~
 8. Junior accessory dwelling units shall comply with all local building and fire codes applicable to the existing single-family dwelling unit except that fire sprinklers shall not be required if fire sprinklers were not required for the single-family dwelling unit. The construction of a junior accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.
 9. Junior accessory dwelling units may be rented as long as the rental term exceeds 30 calendar days. Accordingly, short-term rental permits authorized pursuant to Chapter 4.25 (Short-Term Rentals) will not be issued for junior accessory dwelling units.
 10. Junior accessory dwelling units shall not be required to provide parking nor be required to provide replacement parking if constructed within an attached garage.
 11. Junior accessory dwelling units shall comply with all other applicable requirements set forth in this chapter.
- C. ~~Junior accessory dwelling units shall not be required to provide parking.~~

ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE AMENDING SECTION
19.10.030 OF CHAPTER 19.10 OF TITLE 19 OF THE ROSEVILLE MUNICIPAL CODE
REGARDING RESIDENTAL ZONE GENERAL DEVELOPMENT STANDARDS AND
AMENDING CHAPTER 19.60 OF TITLE 19 OF THE ROSEVILLE MUNICIPAL CODE
REGARDING ACCESSORY DWELLING UNITS

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. Section 19.10.030 of Chapter 19.10 of Title 19 of the Roseville Municipal Code is hereby amended to read as shown on Attachment “A”.

SECTION 2. Chapter 19.60 of Title 19 of the Roseville Municipal Code is hereby amended to read as shown on Attachment “B”.

SECTION 3. This ordinance shall be effective at the expiration of thirty (30) days from the date of adoption.

SECTION 4. The City Clerk is hereby directed to cause this ordinance to be published in full at least once within fourteen (14) days after it is adopted in a newspaper of general circulation in the City, or shall within fourteen (14) days after its adoption cause this ordinance to be posted in full in at least three (3) public places in the City and enter in the Ordinance Book a certificate stating the time and place of said publication by posting.

PASSED AND ADOPTED by the Council of the City of Roseville this ___ day of _____, 20__, by the following vote on roll call:

AYES COUNCILMEMBERS:

NOES COUNCILMEMBERS:

ABSENT COUNCILMEMBERS:

MAYOR

ATTEST:

City Clerk

ATTACHMENT "A"

**CHAPTER 19.10
RESIDENTIAL ZONES**

§ 19.10.030. Residential zone general development standards.

A. Residential Development Standards. Permitted uses and associated structures shall comply with the following development standards, in addition to any other applicable requirements of this title:

RESIDENTIAL ZONE GENERAL DEVELOPMENT STANDARDS						
Requirement by Zoning District						
	R1	RS with attached sidewalk⁽¹⁰⁾	RS with separated sidewalk^{(8) (10)}	R2	R3⁽²⁾	RMU
Area, interior lot	6,000 sq ft	4,500 sq ft	4,275 sq ft	6,000 sq ft	6,000 sq ft	None ⁽⁷⁾
Area, corner lot	7,500 sq ft	5,500 sq ft	4,710 sq ft	7,500 sq ft	7,500 sq ft	
Width, interior	60 ft	45 ft	45 ft	60 ft	60 ft	
Width, corner	75 ft	55 ft	50 ft	75 ft	75 ft	
Residential Density						
Maximum number of primary dwelling units per lot	2 dwellings ⁽¹¹⁾	2 dwellings ⁽¹¹⁾	2 dwellings ⁽¹¹⁾	2 dwellings ⁽¹¹⁾	As provided by General Plan, but a minimum of 3 dwellings ⁽¹³⁾	As provided by General Plan
Maximum number of accessory/junior dwelling units per lot ⁽¹¹⁾	See Chapter 19.60	See Chapter 19.60	See Chapter 19.60	See Chapter 19.60	See Chapter 19.60	See Chapter 19.60
See Chapter 19.22 for accessory structure development standards for the following standards:						
Setbacks (minimum)						
Front ⁽¹⁾⁽⁹⁾	20 ft for interior lots; 15 ft for corner lots; 20 ft minimum driveway depth	15 ft to living space or side wall of garage; 12.5 ft to porch; 18 ft minimum driveway depth ⁽⁶⁾	10 ft to first floor living space or side wall of garage; 7.5 ft to porch, but in no case may encroach into a PUE; 15 ft to second floor living space; 18 ft minimum driveway depth ⁽⁶⁾	20 ft for interior lots; 15 ft for corner lots; 20 ft minimum driveway depth	20 ft minimum on all street frontages	None ⁽⁷⁾
Sides ⁽¹⁾⁽⁹⁾	5 ft interior; 15 ft street side on corner	5 ft interior; 12.5 ft street side on first floor; 15 ft street side on second floor	5 ft interior; 10 ft street side on first floor; 13 ft street side on second floor	5 ft interior; 15 ft street side on corner	5 ft interior; 20 ft minimum on all street frontages	None ⁽⁷⁾
Rear ⁽¹⁾	20% of lot depth; need not exceed 20 ft; 10 ft minimum ⁽³⁾	10 ft minimum with minimum useable open space of 700 sq ft or 500 sq ft where a usable front porch is provided ⁽⁴⁾	10 ft minimum with minimum useable open space of 500 sq ft ⁽⁴⁾	20% of lot depth; need not exceed 20 ft; 10 ft minimum	20 ft; 20 ft minimum on all street frontages	None ⁽⁷⁾

Lot Coverage (primary buildings)	35% for 2 story; 45% for 1 story	None ⁽⁴⁾	None ⁽⁴⁾	40%	50%	None ⁽⁷⁾
Height Limits	35 ft	35 ft	35 ft	35 ft	45 ft ⁽⁵⁾	None ⁽⁷⁾
Additions to a single-family or two-family primary structure greater than 700 square feet in area ⁽¹²⁾						

Notes:

- (1) Up to two residential units are permitted in the R1 and RS zone districts provided the criteria of Section 19.10.030(G) are met. Residential units may be attached or detached in the R1, RS, or R2 zone districts.
- (2) The general development standards for the R3 district may be modified through approval of a Design Review Permit.
- (3) On corner lots, the minimum rear setback may be determined by using an average of three measurements taken at the ends of the structure and a point midway between the ends of the structure. The measurements shall be made perpendicular to the rear lot line.
- (4) The rear and side yards may be utilized to meet the minimum usable open space provided the minimum dimension, measured perpendicular to the applicable rear or side yard, is 10 feet. Maximum coverage is a function of lot size, required setbacks and usable open space. A minimum usable open space of 500 square feet may be applied where a front porch is provided with minimum dimensions of six feet by 10 feet exclusive of entry way.
- (5) Except for residential units immediately adjacent to the R1 and RS zone districts, where the height limit shall be 35 feet.
- (6) Minimum driveway depth of 18 feet requires a roll-up garage door.
- (7) As provided in development standard overlay or special area overlay district.
- (8) Sidewalk separated from back of curb by five-foot planter strip.
- (9) Front setback (and side setback where adjacent to street) measured from back of walk. Fence side yard setback is five feet from back of walk where facing a street. In the absence of sidewalk, setbacks measured from the edge of right-of-way.
- (10) Variations to the standards and other housing product types may be permitted subject to processing of a Design Review Permit for Residential Subdivision (DRRS) concurrent with the approval of a tentative subdivision map and review of product type.
- (11) See Chapter [19.60](#) for the maximum number and combination of accessory or junior accessory units allowed per lot, except in cases where the lot has been created via a ministerial two-lot single-family map or a ministerial multi-family map pursuant to Chapter [18.05](#), in which case see Section 19.010.030(F)(2) or Chapter 18.05. For purposes of density, accessory dwelling units shall be deemed to be an accessory use or an accessory building or structure and shall not be considered to exceed the allowable density for the lot upon which it is located.
- (12) Additions (attached or detached) to primary structures that exceed 700 gross square feet in area may be permitted upon approval of an Administrative Permit, which may include a public hearing as provided in Sections [19.74.010](#) and [19.78.020](#). Excludes accessory dwelling units complying with the standards identified in Chapter [19.60](#) (Accessory Dwelling Units).
- (13) Parcels created through the exercise of the ministerial multi-family map provisions of Chapter [18.05](#) are limited to the number of units permitted by Government Code Section [66499.41](#), as may be amended from time to time, and are not permitted accessory dwelling units or junior accessory dwelling units.

- A. **Clear Vision Triangle, Residential.** The following standards shall apply to the installation of structures on corner parcels:
1. On a corner parcel, no fence, wall, sign or other structure, mounds of earth, or other visual obstruction over 36 inches in height above the top of the existing or planned curb elevation shall be erected or placed within a residential clear vision triangle (see Chapter 19.95, Definitions).
 2. The foregoing provision shall not apply to public utility poles; trees trimmed (to the trunk) to a line at least eight feet above the elevation of the intersection; saplings or plant species of open growth habits and not planted in the form of a hedge, which are so planted and trimmed as to leave, at all seasons, a clear and unobstructed cross view; supporting members of appurtenances to permanent structures existing on the date that the ordinance codified in this section becomes effective; and official warning signs or signals.
- B. **Exceptions to Height Limits.** Notwithstanding the requirements of subsection A, the following structures are permitted to exceed the maximum height limits, as follows:
- Architectural features, mechanical equipment, chimneys, vents, and other architectural or mechanical appurtenances on buildings may be a maximum of 15 percent higher than the height limit of the applicable zone.
- C. **Exceptions to Setbacks.** Notwithstanding the requirements of subsection A, the following structures are permitted to encroach into the required development setbacks, as follows:
1. Architectural features, such as, but not limited to: cornices, eaves, canopies, fireplaces and similar features, but not any flat wall or addition creating living space, may encroach up to two feet into any required setback.
 2. Covered, unenclosed projections attached to the primary structure may encroach up to six feet into any front yard setback.
- D. **Manufactured Homes.** Manufactured homes are permitted in residential zones provided they meet the following architectural standards:
1. The manufactured home shall be covered with exterior material customarily used on conventional dwellings within the subdivision. The exterior covering material shall extend to the ground as close to grade as allowed by the manufacturer's recommendation;
 2. The manufactured home shall have a minimum of 16-inch roof overhangs and roofing material on the manufactured home shall be compatible with other dwellings existing in the area and shall consist of materials customarily used on conventional dwellings. The roof shall have a minimum 2 1/2 in 12 pitch.
- E. **Landscaping Requirements in Setback Areas.**
1. **Single-Family and Two-Family Dwellings—Front Yard and Street Side Yard Setbacks.**

- a. **Setback Area Paving Restrictions.** A maximum of 50 percent of the required front yard setback may be paved for off-street parking, driveways, walkways, or uncovered patio use. A maximum of 50 percent of the required street side yard setback may be paved for off-street parking, driveways, walkways, or uncovered patio use; however, this maximum limitation does not apply to that portion of the street side yard located behind a fence that is in compliance with the street side fence requirements set forth in Chapter 19.22 of this code. These requirements may be modified with approval of a Design Review Permit for Residential Subdivision (DRRS), as provided for in Article V of this title.
- b. **Landscape and Maintenance Requirements.** The unpaved portion of a front yard setback and street side yard setback shall be landscaped, irrigated, and maintained. The landscape shall include grass, annuals, perennials, groundcover, shrubs, trees, or other living vegetation. Synthetic grass or artificial turf may be used if it is permeable and has a minimum pile height of 1.25 inches. Design elements like planters, rocks, mulch, or similar elements are permitted when integrated as part of the landscape. All landscaping materials shall be mowed, trimmed, and maintained as often as necessary to prevent overgrowth and blight. No junk, debris, or other similar materials shall be stored in the landscaped setback area.
- c. **Height Restrictions for Landscaping Located in the Clear Vision Triangle.** All landscaping located within the clear vision triangle for corner lots, as defined in Section 19.95.030 of this Code, shall not exceed three feet in height, except that trees exceeding three feet in height are allowed if the tree is maintained free of branches eight feet above the curb grade.
- d. **Vehicle Parking Requirements.** Vehicles, including, without limitation, automobiles, boats, campers, trailers, and other recreational vehicles, must be parked on a paved surface, as provided for in Section 11.20.110 of this code. Vehicles shall not be parked within the landscaped setback area.

2. **Multi-Family Dwellings (Three or More Residential Units)—Front Yard and Street Side Yard Setbacks.** All minimum front yard and street side yard setbacks shall be landscaped, irrigated and maintained with primarily low ground cover or turf. The landscape shall include grass, annuals, perennials, groundcover, shrubs, trees, or other living vegetation. Synthetic grass or artificial turf may be used if it is permeable and has a minimum pile height of 1.25 inches. Design elements like planters, rocks, mulch, or similar elements are permitted when integrated as part of the landscape. All landscaping materials shall be mowed, trimmed, and maintained as often as necessary to prevent overgrowth and blight. No junk, debris, or other similar materials shall be stored in the landscaped setback area. Driveways and uncovered walkways are permitted to cross over the required front yard and street side yard setback. The required front yard and street side yard setbacks may not be paved for parking or patio areas.

F. **Criteria for Two Residential Units in Single-Family Zones.** The City’s single-family zones are R1 and RS. Parcels in single-family zones are permitted one residential

unit, and may have a second residential unit subject to the following criteria and restrictions:

1. **Demolition or Alteration of Existing Housing.** The housing development shall not require demolition or alteration of housing:
 - a. Subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
 - b. Subject to any form of rent or price control through a public entity's valid exercise of its police power;
 - c. That has been occupied by a tenant at any time within the past three years. Demolition or alteration is permitted if none of the above conditions apply.
2. **Use Restrictions.**
 - a. **Short-Term Rentals.** Residential units constructed pursuant to this section may not be rented for a period of less than 31 consecutive calendar days. Accordingly, short-term rentals, as authorized pursuant to Chapter 4.25 (Short-Term Rentals), are not permitted for residential units constructed pursuant to this section.
 - b. **Accessory Dwelling Units/Junior Accessory Dwelling Units.** An accessory dwelling unit and/or junior accessory dwelling shall not be permitted on parcels that have used this section to build two residential units and which are the result of a parcel map pursuant to Municipal Code Chapter 18.05.
 - c. **Use Classification.** Whether they are detached or attached, residential units constructed pursuant to this section shall be considered single-family buildings.
3. **Development Standards.** The new structure(s) shall be consistent with the development standards of the zone district in which they are located, except:
 - a. **Parking Requirements.** No off-street parking shall be required for new residential units constructed pursuant to this section if the parcel is located within ½ mile walking distance of either a high-quality transit corridor as defined in Public Resources Code Section 21155(b), as may be amended from time to time; or a major transit stop, as defined in Public Resources Code Section 21064.3, as may be amended from time to time; or if there is a car share vehicle located within one block of the parcel. In all other cases, new residential units constructed pursuant to this section shall provide a minimum of one off-street parking space. Off-street parking shall be designed consistent with the requirements of Section 19.26.040.
 - b. **Setbacks.** No setback shall be required for conversion of an existing structure or a structure constructed in the same location (i.e. footprint) and to the same or smaller dimensions as an existing structure. In all other cases, a setback of four feet from the side and rear lot lines shall be required for new residential units constructed pursuant to this section, including any garages, porches, decks, balconies, stairs, and patios which are attached to and for the use of the residential unit.

- c. Waivers. Notwithstanding anything to the contrary contained within this section, a development standard applicable to the zone district in which the proposed residential units are located shall be waived if application of the standard would physically preclude either of the two residential units from being at least 800 square feet in floor area.
4. **Site Limitations or Restrictions.** To qualify for a second residential unit, a parcel shall meet the following criteria:
- a. The parcel shall satisfy the requirements specified in Government Code Section 65913.4(a)(6)(B) to (K), as may be amended from time to time, including, but not limited to, not being within a special flood hazard area, a regulatory floodway, and/or a habitat for protected species.
 - b. Government Code Section 7060 et seq., as may be amended from time to time, to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.
 - c. The parcel shall not be located within a historic district or property included on the State Historic Resources Inventory, as defined in Public Resources Code Section 5020.1, as may be amended from time to time, or listed as a City or county landmark or historic property or district pursuant to a City ordinance.
5. **Reasons for Denial of Permit.** A building permit for a second residential unit or two new residential units, pursuant to this section, shall be denied by written findings of the building official where, based on a preponderance of the evidence, the building official has determined the housing development would have a specific, adverse impact as defined and determined in Government Code Section 65589.5(d)(2), as may be amended from time to time, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

ATTACHMENT "B"

CHAPTER 19.60
ACCESSORY DWELLING UNITS

§ 19.60.010. Purpose.

This chapter provides criteria for the approval of accessory dwelling units and junior accessory dwelling units. This chapter is adopted pursuant to the authority of Government Code Sections 66310, 66311, and 66312, as they now exist or may hereafter be amended.

§ 19.60.020. Findings.

The City Council finds that accessory dwelling units and junior accessory dwelling units are considered residential uses that are consistent with existing General Plan objectives and the zoning designation for the lots upon which accessory dwelling units or junior accessory dwelling units are located. The City Council further finds that accessory dwelling units and junior accessory dwelling units that comply with the requirements set forth in this chapter shall be deemed to be accessory uses or accessory buildings or structures and shall not be considered to exceed the allowable density for lots upon which accessory dwelling units or junior accessory dwelling units are located.

§ 19.60.030. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section. Words and phrases not defined in this section, shall have the meanings respectively ascribed to them in Chapter 19.95 (Definitions of Terms and Phrases).

"Accessory dwelling unit" shall be as defined by Government Code Section 66313, as it now exists or may hereafter be amended, and means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons. The unit shall include permanent provisions or infrastructure to support living, sleeping, eating, cooking, and sanitation on the same parcel as where a single-family, two-family or multi-family dwelling (including detached garages) is situated or proposed to be situated. Accessory dwelling units may also be efficiency units, as defined in Section 17958.1 of the Health and Safety Code, manufactured homes, as defined in Section 18007 of the Health and Safety Code, second dwelling units, granny flats, in-law quarters, casitas, carriage units, and tiny houses as long as such units otherwise meet this definition.

"Accessory structure" means a structure that is accessory and incidental to a single-family, two-family or multi-family dwelling located on the same lot.

"Car share vehicle" means a vehicle that can be rented for short periods of time and is available 24 hours a day, seven days a week at unattended self-service locations.

"Existing structure," for the purposes of defining an allowable space that can be converted to an accessory dwelling unit, means the following:

1. The proposed accessory dwelling unit is located within the walls and roofline of a fully enclosed, existing structure (i.e., the existing footprint); and
2. The existing structure can be made safely habitable under local building codes at the determination of the building official, regardless of any nonconforming zoning conditions.

“Interior livable space” or “livable space” means the space in a building intended for human habitation, including living, sleeping, eating, cooking, or sanitation. Livable space excludes closets, halls, storage, utility spaces, garages which are for the use of the junior accessory dwelling unit or accessory dwelling unit, or similar spaces.

"Junior accessory dwelling unit" shall be as defined by Government Code Section 66313, as it now exists or may hereafter be amended, and means a unit that is no more than 500 square feet in interior livable space and contained entirely within the walls of an existing or proposed single-family dwelling. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.

"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.

"Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

"Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

"Permanent provisions or infrastructure," in the context of the definition of an "accessory dwelling unit," means a permanent kitchen as defined in Section 19.08.080, as it now exists or may hereafter be amended, consisting of a sink, a counter for food preparation, a food storage area, and either a minimum 220V receptacle or a dedicated gas line for a cooking appliance (a 110V receptacle for a microwave, toaster, hotplate, etc., is not a permanent provision); a toilet connected to plumbing; a bathroom sink connected to plumbing; a bathing facility connected to plumbing, such as a shower or bathtub; a permanent foundation or a permanent chassis if a manufactured home; and an independent exterior access (if located within a single-family dwelling unit).

"Primary dwelling unit" means a proposed or existing single-family, two-family or multi-family dwelling unit located on the lot where the accessory dwelling unit is proposed to be developed, and includes attached, enclosed accessory structures, such as a garage.

"Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

"Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

“Separate entrance” may either have the same meaning as “separate exterior entrance” or may also mean a separate entrance door to a junior accessory dwelling unit located on the interior of the primary dwelling unit where the direct path of travel between the entry for the primary dwelling unit and the door to the junior accessory dwelling unit does not include any livable space.”

“Separate exterior entrance” means an exterior door providing direct access to the interior of the accessory dwelling unit.

"Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

"Within the existing space" includes areas within an existing primary dwelling unit or within an existing attached or detached accessory structure such as a garage, storage area, a carriage house, a pool house, studio, and similar enclosed structures. The addition of square footage, including, but not limited to, the addition of another floor, is not considered to be "within the existing space," unless the expansion is for the purposes of ingress and egress and does not exceed 150 square feet. Additions of square footage which are not "within the existing space" are considered new construction.

§ 19.60.040. Permit requirements.

A building permit shall be required prior to construction or creation of an accessory dwelling unit or junior accessory dwelling unit, which shall be processed in accordance with the requirements of Government Code 66314 et seq, as it now exists or may hereafter be amended.

§ 19.60.050. Designated areas.

- A. **Mixed Use and Residential Zones.** Accessory dwelling units are principally permitted in the commercial mixed use (CMU), single-family residential (R1), small lot residential (RS), two-family residential (R2), multi-family housing (R3), and residential mixed use (RMU) zoning districts, provided the lot contains an existing or proposed single-family, two-family or multi-family dwelling unit as defined in Section 19.08.080(F) (Residential Use Types) and the accessory dwelling unit complies with the standards identified in this chapter.
- B. **Commercial Zones.** Accessory dwelling units are also principally permitted in the neighborhood commercial (NC), community commercial (CC), general commercial (GC), and highway commercial (HC) zoning districts, provided the lot contains an existing or proposed single-family, two-family or multi-family dwelling unit which has an approved conditional use permit as defined in Section 19.08.080(F) (Residential use types) and the accessory dwelling unit complies with the standards identified in this chapter. If a commercially zoned lot contains an existing single-family, two-family or multi-family dwelling unit which does not have an approved conditional use permit, then the accessory dwelling unit shall be required to obtain an Administrative Permit pursuant to Chapter 19.74 (Permit and Variance Requirements).

§ 19.60.060. Development standards for accessory dwelling units proposed within existing structures or existing living areas.

Accessory dwelling units are permitted to be developed within the existing space of existing structures or within the existing space of an existing primary dwelling unit. Accessory dwelling units developed consistent with this section shall be allowed only in compliance with the following standards:

- A. **Setbacks.** No setback shall be required for an accessory dwelling unit, including porches, decks, balconies, stairs, and patios which are attached to and for the use of the accessory dwelling unit, built within the footprint and dimensions of an existing living area or existing structure. Garages are subject to the setbacks of Section 19.22.030 (Accessory structures).
- B. **Floor Area.** Expansion of the floor area beyond the physical dimensions of the existing primary dwelling unit or accessory structure shall be limited to accommodating ingress and egress and shall not exceed 150 square feet beyond the same physical dimensions as the

existing primary dwelling unit or accessory structure. The total floor area of an accessory dwelling unit developed within an existing primary dwelling unit shall not exceed 50% of the floor area of the existing primary dwelling nor exceed the standards of subsection C (Unit Sizes). Expansions beyond 150 square feet must comply with the standards set forth in Section **19.60.070** (Development standards for accessory dwelling units proposed as new construction).

C. Unit Sizes.

1. An accessory dwelling unit shall not be less than the minimum size for an efficiency unit, as defined in Section 17958.1 of the **Health and Safety Code**, as it now exists or may hereafter be amended.
2. An accessory dwelling unit shall not be more than 850 square feet of livable space for a studio or one-bedroom or more than 1,000 square feet of livable space for an accessory dwelling unit that provides more than one bedroom, except as otherwise provided in Government Code Section 66323.

D. Minimum Facilities. Accessory dwelling units developed within existing structures or living areas shall include permanent provisions for independent living, sleeping, eating, cooking, and sanitation within the unit and must include a separate exterior entrance from the primary dwelling unit if the primary dwelling is a single-family dwelling.

E. Appearance. The accessory dwelling unit shall be designed and constructed with the same architectural style, exterior materials and colors as the primary dwelling. Manufactured homes shall meet the architectural standards set forth in Section **19.10.030(E)** (Residential zone general development standards).

F. Parking Requirements. Accessory dwelling units developed within existing structures or living areas shall not be required to provide parking. A garage, carport, or covered parking structure shall be subject to the development regulations of Section **19.22.030** (Accessory structures), if the owner chooses to provide parking as part of the accessory dwelling unit. In addition, when a garage, carport, covered parking structure, or uncovered parking space is converted to an accessory dwelling unit, the required off street parking spaces for the primary dwelling unit, if eliminated, do not need to be replaced. If the property owner chooses to replace the parking spaces, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including within the front yard or street side setback, and may be covered spaces subject to conformance with the applicable requirements set forth in Section 19.22.030(C)(2) (Permitted accessory structures to dwelling use type (single-family and two-family)) or Section 19.22.030(D)(3) (Permitted accessory structures to dwelling use type (multi-family)), uncovered spaces or tandem spaces. All replacement parking shall comply with the requirements set forth in Section 11.20.110 (Parking on private property prohibited), Section **19.10.030(F)** (Residential zone general development standards), and Section **19.26.040(A)** (Design and improvement of parking).

G. Passageways. No passageways shall be required in conjunction with accessory dwelling units developed within existing structures or living areas.

H. Building and Fire Codes. Except as otherwise provided in this chapter, accessory dwelling units developed within existing structures or living areas shall comply with all local building

and fire codes. A demolition permit for a detached garage that is to be replaced with an accessory dwelling unit must be reviewed with the application of the accessory dwelling unit and issued at the same time.

- I. **Fire Sprinklers.** Accessory dwelling units developed within existing structures or living areas shall not be required to provide fire sprinklers if fire sprinklers were not required for the primary dwelling unit. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.
- J. **Utilities.** Accessory dwelling units developed within existing structures or living areas shall not be required to install a new or separate utility connection directly between the accessory dwelling unit and the public utility infrastructure, unless the accessory dwelling unit was constructed with a new single-family dwelling unit. However, if necessary utility infrastructure does not exist with capacity available to serve both the primary dwelling unit and the accessory dwelling unit, the property owner shall be responsible for all costs related to installation of necessary infrastructure or upsizing existing infrastructure. Property owners may install a new or separate utility connection directly between the accessory dwelling unit and the public utility infrastructure at the property owner's option and expense.
- K. **Public Improvements.** No public physical improvements shall be required for the creation or conversion of an accessory dwelling unit, including, but not limited to, sidewalk, street, or access improvements. The addition of an accessory dwelling unit shall not require the correction of nonconforming zoning conditions, per **Government Code** Sections 66314 through 66315, as may be amended from time to time.
- L. **Height.** An accessory dwelling unit shall not exceed the height limits prescribed in Section **19.10.030** (Residential zone general development standards) for the zone in which the accessory dwelling unit will be located, or if not within a residential zone, the height shall not exceed the standards established in Section **19.10.030** for the single-family residential (R1) zone.
- M. **Number Permitted.**
 - 1. One accessory dwelling unit either attached to or located within the existing primary dwelling subject to the development standards of Section 19.60.060(A – L)(see Section N, Waivers) **or** a detached, new construction accessory dwelling unit pursuant to Section 19.60.070(O)(1).
 - 2. One accessory dwelling unit and one junior accessory dwelling unit is permitted per lot with a proposed or existing single-family dwelling, which may be combined with a detached accessory dwelling unit pursuant to Section 19.60.070(O)(2), if all of the following apply:
 - a. The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling unit or existing space of a single-family dwelling unit or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.
 - b. The space has exterior access from the proposed or existing single-family dwelling

unit.

- c. The side and rear setbacks are sufficient for fire and safety.
- d. The junior accessory dwelling unit complies with the requirements of **Government Code** Section 66313, as it now exists or may hereafter be amended.

- 3. Within the portions of existing multifamily buildings (inclusive of detached structures) that are not used as livable space (including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages), at least one accessory dwelling unit is permitted or up to 25% of the existing multi-family dwelling units may be converted to accessory dwelling units, whichever is greater, provided each unit complies with state building standards for dwellings. An existing multifamily dwelling having a rear or side setback of less than four (4) feet shall not require modification as a condition of approving the accessory dwelling unit(s).

N. **Waivers.** Notwithstanding anything to the contrary contained in this Title, limits on size based upon a percentage of the proposed or existing primary dwelling, lot coverage, floor area ratio, open space, front setbacks, and minimum lot size are hereby waived if they do not permit one accessory dwelling unit of at least 800 square feet of interior livable space which provides four-foot rear and side setbacks and meets the following height standards:

- 1. A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit.
- 2. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit that is within one-half mile of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the **Public Resources Code**, as may be amended from time to time. An additional two feet in height is also permitted when the height is to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
- 3. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multi-family, multi-story dwelling.
- 4. A height of 25 feet or the height limitation in this Code that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require City to allow an accessory dwelling unit to exceed two stories.

§ 19.60.070. Development standards for accessory dwelling units proposed as new construction.

Newly constructed accessory dwelling units are permitted to be attached to a proposed or existing primary dwelling unit or detached from a proposed or existing primary dwelling unit as long as the newly constructed accessory dwelling unit is located on the same lot as a proposed or existing primary dwelling unit. Newly constructed accessory dwelling units shall be allowed only in compliance with the following standards:

- A. **Minimum Lot Area.** There is no minimum lot area.

- B. **Maximum Lot Coverage.** There is no maximum lot coverage.
- C. **Setbacks.** No setback shall be required for an accessory dwelling unit constructed in the same location (i.e., footprint) and to the same dimensions as an existing accessory structure. A setback of four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is otherwise newly constructed, including porches, decks, balconies, stairs, and patios which are attached to and for the use of the accessory dwelling unit.
- D. **Floor Area.** For an attached accessory dwelling unit, the total floor area shall not be less than 150 square feet, shall not exceed 50% of the floor area of the existing primary dwelling to which it is attached, and shall not exceed the standards of subsection **E** (Unit Sizes). For a detached accessory dwelling unit, the total floor area shall not be less than 150 square feet nor exceed the standards of subsection **E** (Unit Sizes).
- E. **Unit Sizes.**
1. An accessory dwelling unit shall not be less than the minimum size for an efficiency unit, as defined in Section 17958.1 of the **Health and Safety Code**, as may be amended from time to time.
 2. An accessory dwelling unit shall not be more than 850 square feet of livable space for a studio or one-bedroom or more than 1,000 square feet of livable space for an accessory dwelling unit that provides more than one bedroom, except as otherwise provided in Government Code Section 66323.
- F. **Minimum Facilities.** The accessory dwelling unit shall include permanent provisions for independent living, sleeping, eating, cooking, and sanitation within the unit and must include a separate exterior entrance from the primary dwelling unit if the primary dwelling is a single-family dwelling.
- G. **Appearance.** The accessory dwelling unit shall be designed and constructed with the same architectural style, exterior materials and colors as the primary dwelling. Manufactured homes shall meet the architectural standards set forth in Section **19.10.030(E)** (Residential zone general development standards).
- H. **Parking Requirements.** Except as otherwise provided by this chapter, the parking required by this section is in addition to that required for the primary dwelling unit located on the lot by Chapter **19.26** (Off-Street Parking and Loading). Garages, carports, and covered parking structures attached to the accessory dwelling unit and built to satisfy the required parking standards for the accessory dwelling unit are subject to the same setbacks and other development regulations as the accessory dwelling unit.
1. Accessory dwelling units with one or more bedrooms shall provide at least one off-street parking space. Studios shall not be required to provide any parking spaces. The parking requirement for accessory dwelling units with bedrooms can be met by providing the required parking space within the front yard setback and may be located in tandem with other on-site parking as long as it complies with the requirements set forth in Section **11.20.110** (Parking on private property prohibited), Section **19.10.030(F)** (Residential zone general development standards), and Section **19.26.040(A)** (Design and improvement of parking).

2. When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an accessory dwelling unit, the required off-street parking spaces for the primary dwelling unit, if eliminated, do not need to be replaced. If the property owner chooses to replace these parking spaces, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including within the front yard or street side setback, and may be covered spaces subject to conformance with the applicable requirements set forth in Section 19.22.030(C)(2) (Permitted accessory structures to dwelling use type (single-family and two-family)) or Section 19.22.030(D)(3) (Permitted accessory structures to dwelling use type (multi-family)), uncovered spaces or tandem spaces. All replacement parking shall comply with the requirements set forth in Section 11.20.110 (Parking on private property prohibited), Section 19.10.030(F) (Residential zone general development standards), and Section 19.26.040(A) (Design and improvement of parking).
3. Notwithstanding the above, accessory dwelling units shall not be required to provide parking in any of the following circumstances:
 - a. When the accessory dwelling unit is located within one-half mile walking distance of public transit.
 - b. When the accessory dwelling unit is located within the Old Town Historic District (DT-4) or the Central Business District (DT-6).
 - c. When the accessory dwelling unit is part of an existing or proposed primary dwelling unit or an existing accessory structure.
 - d. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - e. When there is a car share vehicle located within one block of the accessory dwelling unit.
 - f. When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family or multi-family dwelling.

I. **Passageways.** No passageways shall be required in conjunction with the construction of an accessory dwelling unit.

J. **Building and Fire Codes.** Except as otherwise provided in this chapter, newly constructed accessory dwelling units shall comply with all local building and fire codes.

K. **Fire Sprinklers.** Accessory dwelling units shall not be required to provide fire sprinklers if fire sprinklers were not required for the primary dwelling unit. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

L. **Utilities.** New or separate utility connections directly between the accessory dwelling unit and the public utility infrastructure shall only be required if directed by the environmental utilities department or the electric department. In such cases, if necessary utility infrastructure does not

exist with capacity available to serve both the primary dwelling unit and the accessory dwelling unit, the property owner shall be responsible for all costs related to installation of necessary infrastructure or upsizing existing infrastructure.

- M. **Public Improvements.** No public physical improvements shall be required for the creation or conversion of an accessory dwelling unit, including, but not limited to, sidewalk, street, or access improvements. The addition of an accessory dwelling unit shall not require the correction of nonconforming zoning conditions, per [Government Code](#) Sections 66314 through 66315, as it now exists or may hereafter be amended.
- N. **Height.** An accessory dwelling unit shall not exceed the height limits prescribed in Section **19.10.030** (Residential zone general development standards) for the zone in which the accessory dwelling unit will be located, or if not within a residential zone, the height shall not exceed the standards established in Section **19.10.030** for the single-family residential (R1) zone.
- O. **Number Permitted.**
1. One newly constructed attached or detached accessory dwelling unit is permitted per lot subject to the development standards of Section 19.60.070(A – N)(see Section P, Waivers) **or** one accessory dwelling unit pursuant to Section 19.60.060(M)(1).
 2. One newly constructed detached accessory dwelling unit that does not exceed four-foot rear and side setbacks, which may be combined with accessory dwelling units or junior accessory dwelling units proposed within existing structures pursuant to Section 19.60.060(M)(1), is permitted per lot if all of the following apply:
 - a. The total floor area for the newly constructed detached accessory dwelling unit shall not exceed 800 square feet.
 - b. The newly constructed detached accessory dwelling unit shall not exceed the following height standards:
 - i. A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit.
 - ii. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit that is within one-half mile of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the **Public Resources Code**, as may be amended from time to time. An additional two feet in height is also permitted when the height is to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
 - iii. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multi-family, multi-story dwelling.
 - iv. A height of 25 feet or the height limitation in this Code that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require City to allow

an accessory dwelling unit to exceed two stories.

3. On a lot with an existing multifamily dwelling unit, multiple constructed detached accessory dwelling units are permitted. The number of accessory dwelling units shall not exceed the number of existing units on the lot and not more than eight detached accessory dwelling units are permitted. This may be combined with accessory dwelling units proposed within existing non-livable spaces of existing multifamily structures pursuant to Section 19.60.060(M)(2). The accessory dwelling units are subject to the following development standards:

- a. A four-foot rear and side setback.
- b. A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit.
- c. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit that is within one-half mile of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the **Public Resources Code**, as may be amended from time to time. An additional two feet in height is also permitted when the height is to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
- d. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multi-family, multi-story dwelling.
- e. A height of 25 feet or the height limitation in this Code that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require City to allow an accessory dwelling unit to exceed two stories.

4. On a lot with a proposed multifamily dwelling, not more than two detached accessory dwelling units are permitted.

P. **Waivers.** Notwithstanding anything to the contrary contained in this title, limits on size based upon a percentage of the proposed or existing primary dwelling, lot coverage, floor area ratio, open space, front setbacks, and minimum lot size are hereby waived if they do not permit an accessory dwelling unit of at least 800 square feet of interior livable space which provides four-foot rear and side setbacks and meets the following height standards:

1. A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit.
2. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit that is within one-half mile of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the **Public Resources Code**, as may be amended from time to time. An additional two feet in height is also permitted when the height is to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

3. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multi-family, multi-story dwelling.
4. A height of 25 feet or the height limitation in this Code that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require City to allow an accessory dwelling unit to exceed two stories.

§ 19.60.080. Use restrictions.

- A. **Sales Prohibited, Exceptions.** Accessory dwelling units shall not be sold independently of the primary dwelling unit on the lot unless all of the criteria of Government Code Section 66341, as may be amended from time to time, are met, including that the accessory dwelling unit or the primary dwelling unit was built or developed by a qualified nonprofit corporation and there are affordability restrictions on the sale and conveyance of the accessory dwelling unit or primary residence that ensure the accessory dwelling unit and primary dwelling will be preserved for low income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.
- B. **Rentals.** Accessory dwelling units may be rented as long as the rental term exceeds 30 calendar days. Accordingly, short-term rental permits authorized pursuant to Chapter 4.25 (Short-Term Rentals) will not be issued for accessory dwelling units.

§ 19.60.090. Nonconforming zoning conditions.

An accessory dwelling unit or junior accessory dwelling unit in compliance with the standards set forth in this chapter is still permitted even when the primary dwelling unit has a nonconforming zoning condition.

§ 19.60.100. Fees.

All fees and charges will be charged in accordance with the Accessory Dwelling Units Fee Policy adopted by the City Council on April 21, 2021 by Resolution No. 21-146, as amended from time to time.

§ 19.60.120. Junior accessory dwelling units.

- A. Junior accessory dwelling units are principally permitted within areas zoned to allow single-family residential use and must be located on a lot that contains an existing or proposed single-family dwelling unit as defined in Section 19.08.080(F)(2) (Residential use types).
- B. Junior accessory dwelling units are subject to the following conditions:
 1. Only one junior accessory dwelling unit is permitted per residential lot zoned for single-family uses, with an existing or proposed single-family dwelling.
 2. A junior accessory dwelling unit shall not exceed 500 square feet of livable space.

3. If the junior accessory dwelling unit has shared sanitation facilities with the existing structure ,the property owner shall occupy the single-family dwelling unit in which the junior accessory dwelling unit will be permitted. The property owner may reside in either the remaining portion of the single-family dwelling unit or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the junior accessory dwelling unit has separate sanitation facilities or if the owner is a governmental agency, land trust, or housing organization.
4. Following final inspection approval of a building permit for a junior accessory dwelling unit, a deed restriction, in a form approved by the City Attorney, shall be recorded with the Placer County Recorder's office, which shall include the applicable restrictions and limitations of a junior accessory dwelling unit identified in this chapter. Said deed restriction shall run with the land, and shall be binding upon any future owners, heirs, or assigns. A copy of the recorded deed restriction shall be filed with the City stating that:
 - a. The junior accessory dwelling unit shall not be sold separately from the single-family dwelling unit.
 - b. The junior accessory dwelling unit is restricted to the development standards, including maximum size, identified in this chapter.
 - c. If the junior accessory dwelling unit has shared sanitation facilities with the existing structure the junior accessory dwelling unit shall be considered legal only so long as either the single-family dwelling unit or the junior accessory dwelling unit is occupied by the owner of record of the property.
 - d. The restrictions shall be binding upon any successor in ownership of the property and lack of compliance with this provision may result in legal action against the property owner, including revocation of any right to maintain a junior accessory dwelling unit on the property.
5. The junior accessory dwelling unit shall be constructed within the walls of the proposed or existing single-family dwelling unit, including attached garages.
6. The junior accessory dwelling shall include a separate entrance from the main entrance to the proposed or existing single-family dwelling unit, and if the junior accessory dwelling unit does not include a separate bathroom, the junior accessory dwelling unit shall also include an interior entry into the main living area.
7. The permitted junior accessory dwelling unit must include an efficiency kitchen, as defined in Section 19.08.080, as it now exists or may hereafter be amended.
8. Junior accessory dwelling units shall comply with all local building and fire codes applicable to the existing single-family dwelling unit except that fire sprinklers shall not be required if fire sprinklers were not required for the single-family dwelling unit. The construction of a junior accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.
9. Junior accessory dwelling units may be rented as long as the rental term exceeds 30 calendar days. Accordingly, short-term rental permits authorized pursuant to Chapter

4.25 (Short-Term Rentals) will not be issued for junior accessory dwelling units.

10. Junior accessory dwelling units shall not be required to provide parking nor be required to provide replacement parking if constructed within an attached garage.
11. Junior accessory dwelling units shall comply with all other applicable requirements set forth in this chapter.