
D4-39 - Accessory Dwelling Units

Where allowed by Division D2 (Allowable Land Uses and Zoning Standards), accessory dwelling units shall comply with the requirements of this Section. An accessory dwelling unit in compliance with this Section is an accessory use or an accessory building and shall not be considered to exceed the allowable density for the property upon which it is located. (Government Code 65852.2)

A. Definitions.

1. **Attached dwelling unit.** A dwelling unit that has one or more party walls in common with another dwelling unit.
2. **Detached dwelling unit.** A dwelling unit that does not share any walls in common with another dwelling unit.
3. **Accessory dwelling unit.** An attached or detached subordinate dwelling unit located on a lot which contains a single-family or multi-family dwelling. An accessory dwelling unit shall include provisions for living, eating, sleeping, cooking and sanitation. An accessory dwelling unit may also include an efficiency unit, as defined in Section 17958.1 of Health and Safety Code or manufactured home, as defined in Section 18007 of the Health and Safety Code. An accessory unit is not considered an accessory building as defined in Division D2 and Division D8 (Glossary).
4. **Junior accessory dwelling unit.** A unit that is no more than 500 square feet in size and contained entirely within an existing single-family structure. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

B. Applicability. Accessory dwelling units are permitted on lots with a single-family or multi-family dwelling.

1. **Single-family.** Within a new or proposed single-family home, a maximum of one accessory dwelling unit and one junior accessory dwelling unit is allowed per lot if the space has exterior access from the proposed or existing single-family dwelling and meets required setbacks sufficient for fire and safety.
2. **Multi-family.**
 - a. Within an existing multi-family dwelling structure, the number of accessory dwelling units shall be limited to a maximum of 25% of the existing multi-family dwelling units; and
 - b. A lot with a multi-family dwelling structure is limited to a maximum of two detached accessory dwelling units.

C. Design and development Standards

1. **Unit size.**
 - a. An accessory dwelling unit attached or constructed within an existing dwelling, shall contain at least 150 square feet, but not more than 50 percent of the net floor area of the existing dwelling, or 850 square feet, whichever is greater.
 - b. A detached accessory dwelling unit studio or one-bedroom unit shall contain at least 150 square feet and shall not exceed a maximum of 850 square feet. A detached accessory dwelling unit with more than one bedroom shall contain at least 150 square feet and shall not exceed a maximum of 1,000 square feet.

- c. The existing dwelling may be considered the accessory dwelling unit, and a new dwelling unit built, if all applicable standards and requirements of this Zoning Ordinance are met.

2. Required setbacks.

- a. In all R zones or a PD zone, an attached accessory dwelling unit must conform to the setbacks generally applicable to residential development in the applicable zone.

No additional setback shall be required for the conversion of an existing structure into an accessory dwelling unit and no more than four (4) feet from the side and rear property lines for an accessory dwelling unit constructed above an existing garage (Second Story).

- b. In all R or residential PD zones, a detached accessory dwelling unit shall be set back a minimum of twenty (20) feet from the front property line, four (4) feet from the side property lines, and four (4) feet from the rear property line.

3. Height.

- a. The height of a detached accessory dwelling shall be limited to 16 feet.
- b. The height of an attached accessory dwelling is based on the maximum height allowed for residential construction in the applicable zone.

- 4. Parking.** An accessory dwelling unit shall require that one covered or uncovered parking space be provided in addition to the parking required for the primary unit. The additional space may be located within a required setback on a compliant parking surface or as a tandem space on an existing driveway. The use of mechanical lifts for additional parking shall also apply.

Exception: Additional parking shall not be required under any of the following conditions:

- a. The accessory dwelling unit is located within one-half mile of public transit. (For the purpose of this paragraph, public transit means any established bus stop associated with the bus services available for general public, such as but not limited to County Connection).
- b. The accessory dwelling unit is located within an architecturally and historically significant historic district.
- c. The accessory dwelling unit is part of the existing primary residence 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. (For the purpose of this paragraph, car share vehicle means a passenger vehicle available at a designated location for general public by reservation and with a fee, such as but not limited to vehicles managed by Zipcar.)

5. Design.

- a. The exterior design shall be in harmony with the immediate neighborhood. Building form, materials, colors and exterior finishes should reflect and be substantially the same as those of the existing primary dwelling.
- b. Outside access to the accessory unit shall not be in the front of the existing dwelling.

- c. Utility connections shall be required based on the service provider's standards for accessory dwelling units.
 - d. Accessory dwelling units shall be designed to minimize potential privacy issues with the neighboring properties, and additional landscape screening may be required.
- D. Occupancy.** Rental of the primary or accessory dwelling unit shall not be for a term of 30 days or less unless approved for "lodging uses" pursuant to the site zoning designation.
- E. Non-conforming units.** Where the existing dwelling unit constitutes a legal non-conforming unit, an accessory unit may be constructed only if the non-conformity is not expanded and the accessory unit meets all current applicable zoning standards.
- F. Subdivision.** No subdivision or land or air rights shall be allowed of the subject parcel. Accessory units shall not be offered for separate sale from the primary residence but may be rented.
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D4-40 - Service Stations and Car Washes

Where allowed by Division D2 (Allowable Land Uses and Zoning Standards), service stations and car washes shall comply with the requirements of this Section.

- A. Minimum separation.** Minimum separation between site boundaries shall be 500 feet, except that one such use may be located at each corner of a street intersection.
- B. Site layout.** Conditions of approval of a Use Permit may require buffering, screening, planting areas, or hours of operation necessary to avoid adverse impacts on properties in the surrounding area.
- C. Planting areas.** Perimeter planting areas shall be as required for parking lots by Chapter D-33 (Landscape Design Standards) and Chapter D-34 (Parking and Loading), except where a building adjoins an interior property line. Required interior planting areas may adjoin perimeter planting areas.
- D. Storage of materials and equipment.** The provisions of Section D4-35 (Outdoor Display, Storage, and Vending) shall apply, except that a display rack for automobile products no more than 4 feet wide may be maintained at each pump island of a service station. If display racks are not located on pump islands, they shall be placed within three feet of the principal building, and shall be limited to one per street frontage. The Storage of inoperative vehicles is prohibited. The location of display racks and vending machines shall be specified by the Use Permit.
- E. Hours of Operation.** The provisions of Subsection D3-8 H. [Hours of operation] shall apply.
- F. Unattended Service Stations.** Operation of an unattended service station shall be prohibited, except for the dispensing of Alternative Fuels (see Vehicle Fueling-Alternative Fuels) as approved by a Land Use Permit. Unattended Service Stations dispensing Alternative Fuels, when specifically approved as part of a Land Use Permit, shall consider the following factors/plans:
- Location on site, site circulation and relationship to adjacent properties and land uses,
 - Hours- Primary facility and accessory fueling,
 - Noise control,
 - Hazardous materials storage and containment,
 - Hazardous Material Business Plan,
 - Security Plan- including daytime and afterhours contacts,
 - Maintenance and Litter Control Plan,
 - Other site specific conditions or programs, as applicable.