

CHAPTER 84.36: Accessory Dwelling Units

Section

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§ 84.36.010 Purpose.

The purpose of this Chapter is to implement Chapter 13 (commencing with Section 66310) of Division 1 of Title 7 of the Government Code by establishing regulations for the permitting and development of accessory dwelling units and junior accessory dwelling units.

§ 84.36.020 Applicability.

The standards of this Chapter shall apply to accessory dwelling units and junior accessory dwelling units where allowed in compliance with Division 2 (Land Use Zoning Districts and Allowed Uses) of this Development Code.

§ 84.36.030 Definitions.

The use of specific terms in this Chapter are intended to supplement and have the same or similar meaning as provided in Government Code Section 66313. To the extent an inconsistency exists, the definition in Government Code Section 66313 shall prevail unless it is

determined from the context that the definition was intended to be more restrictive. For purposes of this Chapter:

- (a) “Accessory dwelling unit” means an attached or detached residential dwelling unit, not considered to exceed the allowable density of the parcel, that provides complete independent living facilities for one or more persons with permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel that the single-family or multifamily proposed or existing dwelling is situated. An accessory dwelling unit can include an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, and a manufactured home, as defined in Section 18007 of the Health and Safety Code.
- (b) “Existing primary dwelling” means a legally permitted and constructed primary single-family residence.
- (c) “Junior accessory dwelling unit” means a unit that is no more than 500 square feet in size and contained entirely within a single-family structure. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the proposed or existing structure and shall comply with the requirements set forth in Section 66333 of the Government Code.
- (d) “Livable space” means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.
- (e) “Primary dwelling” means the single-family dwelling that serves as the primary residence for the lot.
- (f) “Proposed primary dwelling” means a structure that is the subject of an active building permit application that meets the requirements for permitting a single-family residence or has received building permit approval but has not yet received an occupancy permit.

§ 84.36.040 Types of Units Allowed.

- (a) *Accessory Dwelling Units on Single-Family Lots.* The following types of accessory dwelling unit are authorized on a lot where allowed in compliance with Division 2 (Land Use Zoning Districts and Allowed Uses) of this Development Code.
 - (1) *Attached Unit.* An accessory dwelling unit that structurally abuts and is attached to an existing or proposed primary dwelling. An attached unit may be constructed on the side, top, or below the existing or proposed primary dwelling.
 - (2) *Detached Unit.* An accessory dwelling unit that is physically separated from the existing or proposed primary dwelling. A detached accessory dwelling unit shall be deemed the primary dwelling if its floor area exceeds that of the existing primary dwelling.

- (3) *Converted Existing Structure or Space.* An accessory dwelling unit that is created from an existing space within an existing or proposed primary dwelling (e.g., basement, attic, attached garage, storage area, or similar area) or an existing space of an accessory structure (e.g., detached garage, shed, storage structure, or other similar existing accessory structure) on the same lot as the primary dwelling. This may include an existing primary dwelling that is converted to an accessory dwelling unit when a larger primary dwelling is established, though the converted dwelling shall still be limited in size to 1,200 square feet.
- (b) *Junior Accessory Dwelling Unit on Single-Family Lots.* A junior accessory dwelling unit contained entirely within the walls of an existing or proposed single-family residence. A junior accessory dwelling unit shall be no more than 500 square feet in size for livable space and shall have a minimum of an efficiency kitchen. Owner Occupancy in either the primary dwelling or junior accessory dwelling unit shall be required.
- (c) *Multifamily Accessory Dwelling Unit.* An accessory dwelling unit that may be allowed on a lot zoned for multifamily residence and is either attached, detached, or located within the portions of an existing multifamily dwelling that are not used as livable space (e.g., storage rooms, boiler rooms, passageways, attics, basements, garages).

§ 84.36.050 Process and Review Procedures.

- (a) *Ministerial Review.* A permit for an accessory dwelling unit or junior accessory dwelling unit is considered and approved ministerially, without discretionary review or hearing, notwithstanding the need for a variance or special use permit.
- (b) *Processing Times.* Within 15 days of submission, the Department will assess whether an application for an accessory dwelling unit or junior accessory dwelling unit is complete and, if incomplete, provide a detailed list of missing items based on the submittal criteria. The Department shall approve or deny the application for an accessory dwelling unit or junior accessory dwelling unit within 60 days of the date the Department received a complete application if there is an existing primary dwelling or multifamily dwelling on the lot. If an application to create an accessory dwelling unit or junior accessory dwelling unit is submitted concurrently with a permit to create a new primary dwelling or multifamily dwelling on the lot, the 60-day review period can be delayed until the primary dwelling or multifamily dwelling receives approval or if the delay is requested in writing by the applicant.
- (1) *Pre-Approved Plans.* The Director, in consultation with the Building Official, shall adopt and maintain a preapproved building plan for a detached accessory dwelling unit consistent with the current triennial California Building Standards Code rulemaking cycle. The preapproved plan, along with the contact information

of an applicant that obtained approval of an accessory dwelling unit using a preapproved plan, shall be posted on the Department's website in accordance with Section 65852.27 of the Government Code.

- (A) An application for a detached accessory dwelling unit that utilizes a preapproved plan adopted by the Director within the current triennial California Building Standards Code rulemaking cycle, or a plan identical to a plan approved by the Director within the current triennial California Building Standards Code rulemaking cycle, shall be ministerially approved or denied within 30 days of a complete application.
- (B) An applicant shall pay the same permitting fees that the County charges an applicant seeking approval for the same-sized accessory dwelling unit when reviewing and approving the submission of a preapproved accessory dwelling unit plan.
- (c) *Nonconforming Conditions.* The Department shall not require, as a condition of ministerial approval of a permit application for the creation of an accessory dwelling unit or junior accessory dwelling unit, the correction of nonconforming conditions. An application for an accessory dwelling unit or junior accessory dwelling unit submitted to correct nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit or junior accessory dwelling unit shall not be denied. Nonconforming zoning condition means a physical improvement on a property that does not conform to current zoning standards.
- (d) *Unpermitted Junior and Accessory Dwelling Units.* The Department shall not deny a permit for an unpermitted accessory dwelling unit or junior accessory dwelling unit that was constructed before January 1, 2020, for the reasons set forth in Government Code Section 66332, subdivision (a). Notwithstanding the above, the Department may deny a permit for an accessory dwelling unit or junior accessory dwelling unit if the Building Official makes a finding that correcting the violation is necessary to comply with the standards specified in Section 17920.3 of the Health and Safety Code or the accessory dwelling unit or junior accessory dwelling unit is attached or within a building that is deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.
- (e) *Legal Nonconforming Accessory Dwelling Unit.* The expansion of a legal nonconforming structure or use associated with an accessory dwelling unit shall be subject to the provisions of Division 2 (Land Use Zoning Districts and Allowed Uses) and § 84.17.080 (Alteration of Nonconforming Uses) of this Development Code.
- (f) *Sewer.* Written confirmation from the sewer district having jurisdiction of the availability of sewer service for the accessory dwelling unit or junior accessory dwelling unit, or written approval from Environmental Health Services for use on an existing or new septic system, shall be obtained prior to the issuance of a permit for the creation of an

accessory dwelling unit. Holding tanks shall not be permitted for an accessory dwelling unit or junior accessory dwelling unit.

- (g) *Water*. Written confirmation from the water district having jurisdiction of the availability of water service for the accessory dwelling unit or junior accessory dwelling unit, or written approval from Environmental Health Services for use of an existing or new well, shall be obtained prior to the issuance of a permit for the creation of an accessory dwelling unit or junior accessory dwelling unit.
- (h) *Fire Safety*. Written confirmation from the applicable fire district or fire authority having jurisdiction shall be required prior to the issuance of a permit for the creation of an accessory dwelling unit or junior accessory dwelling unit.
- (i) *Grading*. Approval of site drainage, egress, and exit requirements from the Department shall be required prior to the issuance of a permit for the creation of an accessory dwelling unit or junior accessory dwelling unit.
- (j) *Garage Demolitions*. Review and issuance of a demolition permit for a detached garage that is to be replaced with an accessory dwelling unit shall be reviewed and issued at the same time with the application for the creation of an accessory dwelling unit.
- (k) *Flood Protection*. An accessory dwelling unit or junior accessory dwelling unit shall comply with the Development Code Chapter 82.14 for Floodplain Safety Overlay, including but not limited to elevating the lowest finished floor to the required elevation.

§ 84.36.060 Rental Terms, Occupancy, and Common Ownership.

- (a) *Rental Terms*. An accessory dwelling unit may be rented separately from the primary dwelling or multifamily dwelling in all regions of the County, subject to the following criteria:
 - (1) *Long-Term Rentals*. In all regions of the County, an accessory dwelling unit may be rented for a term of 30 consecutive days or more.
 - (2) *Short-Term Rentals*. In the Mountain and Desert Regions of the County, an accessory dwelling unit may be rented for a term less than 30 consecutive days, provided the short-term rental unit complies with Chapter 84.28 (Short-Term Residential Rentals) and is not a unit constructed pursuant to § 84.36.080(b).
- (b) *Occupancy*. A junior accessory dwelling unit shall require owner-occupancy in the existing or proposed single-family residence in which the junior accessory dwelling unit

will be permitted. The owner may reside in either the remaining portion of the single-family residence 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 another governmental agency, land trust, or housing organization. The recordation of a deed restriction, which shall run with the land, shall be filed with the County Recorder's Office and shall include both of the following:

- (1) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the existing or proposed primary dwelling, including a statement that the deed restriction may be enforced against future purchasers.
 - (2) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this Chapter.
- (c) *Separate Conveyance*. The separate sale or conveyance of an accessory dwelling unit of any type is prohibited except when authorized in accordance with Section 66431 of the Government Code.

§ 84.36.070 Development Standards.

- (a) Except as otherwise provided in this Chapter, the development standards for an accessory dwelling unit and junior accessory dwelling unit shall comply with the requirements set forth in Table 84-0 (ADU Building Form) and the restrictions provided herein.
- (1) *Land Use Zoning District Regulations*. An accessory dwelling unit or junior accessory dwelling unit shall comply with all development standards of the land use zoning district in which the lot is located.
 - (2) *Multifamily Structure Modification*. A modification of the footprint of an existing multifamily dwelling that has less than four-foot side and rear setbacks shall not be required for the construction of an accessory dwelling unit.
 - (3) *Location*. An accessory dwelling unit may be located in front of the primary dwelling when constructed in compliance with applicable setback standards.

Table 84-0				
ADU Building Form ⁽¹⁾				
Unit Type		Multifamily ADU	ADU	JADU
Lot Area Dimensions				
Size:		Determined by the underlying zoning district		
Width:				
Depth:				
Maximum Width/Depth Ratio:				
Density Per Lot				
Minimum:		None	None	None
Maximum (Attached)	Existing:	Up to 25% of multifamily units	2 units ⁽²⁾	None
	Proposed:	2 units		
Maximum (Detached)	Existing:	8 units; Not to exceed existing primary unit count	2 units ⁽²⁾	Not allowed
	Proposed:	2 units		
Maximum (Conversion):		Up to 25% of multifamily units ⁽³⁾	2 units ⁽²⁾	1 unit ⁽⁴⁾
Unit Size ⁽⁵⁾				
Minimum:		200 square feet	200 square feet	150 square feet
Maximum (Attached):		1,200 square feet ⁽⁶⁾	1,200 square feet ⁽⁶⁾	Not allowed
Maximum (Detached):		1,200 square feet	1,200 square feet	Not allowed
Maximum (Conversion):		None	None	500 square feet ⁽⁴⁾
Setbacks ⁽⁷⁾				
Front:		Per underlying zone	Per underlying zone	Setbacks of the existing structure apply per underlying zone
Side – Street Side:		4ft	4ft	
Side – Interior:		4ft	4ft	
Rear:		4ft	4ft	
Detached Unit Separation:		5ft ⁽⁸⁾	5ft ⁽⁸⁾	
Lot Coverage				
Maximum Coverage:		Determined by the underlying zoning district		
Building Height ⁽⁹⁾				
Maximum (Attached):		25ft	25ft	25ft

Maximum (Detached):	18ft	18ft	N/A
Maximum (Conversion):		None ⁽⁷⁾	
Parking and Loading			
Requirements:	One uncovered for each unit ⁽⁹⁾	One uncovered for each unit ⁽¹⁰⁾	None
Miscellaneous Requirements			
Sanitation Facilities: ⁽¹¹⁾	An ADU must have their own sanitation facility. A JADU may include separate sanitation facilities or may share sanitation facilities with the existing structure. A JADU without a separate bathroom must include a separate entrance from the main entrance to the proposed JADU, with an interior entry to the main living area.		
Unit Access:	A separate exterior entrance from the primary dwelling is required.		
Kitchen:	An ADU shall include a full kitchen that is separate from the primary dwelling. A JADU shall, at a minimum, be permitted to include an efficiency kitchen which shall contain a cooking facility with appliances and a food preparation counter with storage cabinets that are reasonable in size in relation to the JADU.		
Notes			
(1) The standards set forth in this table shall not preclude the construction of an 800 square foot ADU with four-foot side and rear yard setbacks.			
(2) On lots five acres or greater, up to three units are allowed.			
(3) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.			
(4) A JADU must be contained entirely within the proposed or existing space of the single-family residence, with only an expansion of 150 sq. ft. to allow for ingress and egress.			
(5) Calculated based on livable space. The minimum unit size shall not prohibit the development of an efficiency unit as defined in Section 17958.1 of the Health and Safety Code.			
(6) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling and at no time exceed 1,200 square feet.			
(7) No setback or building height shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit.			
(8) Separation between the primary dwelling, or other structure, and an accessory dwelling unit shall comply with the latest Building Code adopted by the County. Where a property is located within a Fire Safety (FS) Overlay, the standards of Chapter 82.13 (Fire Safety Overlay) shall apply.			
(9) The height requirements shall not allow for the construction of a unit greater than two-stories.			
(10) The spaces may be provided as tandem parking on a driveway.			

(11) Where the property is less than 0.50 acres with an existing primary residence, an Advanced Treatment System designed to accommodate each additional dwelling is subject to approval by Environmental Health Services for the additional dwelling.

§ 84.36.080 Development Standards Exemptions.

(a) *Development Standards Exemptions.* An accessory dwelling unit and a junior accessory dwelling unit are exempt from the following standards:

- (1) *Fire Sprinklers.* Fire sprinklers shall not be required for an accessory dwelling unit and junior accessory dwelling unit if they are not required for the primary dwelling.
- (2) *Utility Connections.* Unless an accessory dwelling unit or junior accessory dwelling unit is constructed with a new primary dwelling, new or separate utility connections shall not be required and shall not be subject to a separate utility connection fee or capacity charge if constructed from existing space of the primary dwelling or accessory structure. This shall not apply to lots served by a septic system and an individual domestic well.
- (3) *Parking.* The parking requirements for an accessory dwelling unit, as set forth in Table 84-0 (ADU Building Form), shall not apply in any of the following instances:
 - (A) The unit is considered a junior accessory dwelling unit.
 - (B) The accessory dwelling unit is located within one-half mile walking distance of public transit.
 - (C) The accessory dwelling unit is located within an architecturally and historically significant historic district that is listed in the National Register of Historic Places, State Register of Historic Places, or is listed on the official county registry of such places.
 - (D) The accessory dwelling unit is part of the proposed or existing primary dwelling or a converted accessory structure.
 - (E) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - (F) When a car share vehicle is located within one block of the accessory dwelling unit.

- (G) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an Accessory Dwelling Unit or converted into an Accessory Dwelling Unit, the off-street covered parking does not need to be replaced.
 - (H) When a permit application for an accessory dwelling unit is submitted with a permit application to create a new primary dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or parcel satisfies any of the criteria listed in this subdivision.
- (b) *By-Right Permitting Exemptions.* Notwithstanding anything to the contrary, an application for a building permit for an accessory dwelling unit or junior accessory dwelling unit authorized by Division 2 (Land Use Zoning Districts and Allowed Land Uses) shall be approved to create any of the following:
- (1) One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing primary dwelling if all of the following apply:
 - (A) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a primary dwelling or existing space of a primary dwelling or accessory structure. This 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 primary dwelling.
 - (C) The side and rear setbacks are sufficient for fire and safety.
 - (D) The junior accessory dwelling unit complies with the requirements of Article 3 (commencing with Section 66333), Chapter 13, Division 1, Title 7 of the Government Code.
 - (2) One detached, new construction, accessory dwelling unit that does not exceed four-foot rear and interior side setbacks for a lot with a proposed or existing primary dwelling, provided the total floor area is not more than 800 square feet and a height of 16 feet. An accessory dwelling unit permitted pursuant to this subdivision may be combined with a junior accessory dwelling unit.

(3) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space:

(A) At least one accessory dwelling unit shall be allowed.

(B) The maximum number of units shall not exceed 25 percent of the existing dwelling units.

(4) Multiple accessory dwelling units on a lot with a proposed or existing multifamily dwelling, but are detached:

(A) On a lot with an existing multifamily dwelling, not more than eight detached accessory dwelling units. However, the number of accessory dwelling units shall not exceed the number of existing units on the lot.

(B) On a lot with a proposed multifamily dwelling, not more than two detached accessory dwelling units.

§ 84.36.090 Severability.

The Director, in consultation with County Counsel, shall have the authority to waive any provision of this Chapter to the extent the Director determines that any section, sentence, clause, phrase, or portion thereof is inconsistent with Chapter 13 (commencing with Section 66310) of Division 1 of Title 7 of the Government Code, as may be amended from time to time, as applied to an application for an accessory dwelling unit or junior accessory dwelling unit. If, for any reason, any portion of this Chapter is determined by the Director to be inconsistent with Chapter 13 (commencing with Section 66310) of Division 1 of Title 7 of the Government Code, then the applicable State law shall control the development standard for the inconsistent provision and all other provisions of this Chapter shall remain valid and enforceable.

(Ord. 4383, passed - -2020; Am. Ord. 4400, passed - -2021; Ord. xxxx, passed - -xxxx)

Exhibit “B”
Redlines – Chapter 82.03

CHAPTER 82.03: AGRICULTURAL AND RESOURCE MANAGEMENT LAND USE ZONING DISTRICTS

§ 82.03.040 Agricultural and Resource Management Land Use Zoning District Allowed Uses and Permit Requirements.

Table 82-4					
Allowed Land Uses and Permit Requirements for Agricultural and Resource Management Land Use Zoning Districts					
Land Use See Division 10 (Definitions) for land use definitions	Permit Required by District				Specific Use Regulations
	RC	AG	FW	OS	
Residential					
Accessory dwelling unit	A ⁽⁴⁾	A ⁽⁴⁾	—	—	84. 3604
Junior accessory dwelling unit	A ⁽⁴⁾	A ⁽⁴⁾			84. 3604

§ 82.03.060 Agricultural and Resource Management Land Use Zoning District Site Planning and Building Standards.

<i>Table 82-5A</i>				
<i>Agricultural and Resource Management Land Use Zoning District Development Standards</i>				
<i>Valley Region</i>				
<i>Valley Region Development Feature</i>	<i>Requirement by Land Use Zoning District</i>			
	<i>AG Agriculture</i>	<i>RC Resource Conservation</i>	<i>FW Floodway</i>	<i>OS Open Space</i>
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.			
Maximum density	1 unit per 10 acres; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) 84.36 (Accessory	1 unit per 40 acres; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) 84.36 (Accessory	Residential Not Allowed	Residential Not Allowed

	<u>Dwelling Units)</u>	<u>Dwelling Units)</u>		
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1 unit per 10 acres; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses)

Table 82-5B				
Agricultural and Resource Management Land Use Zoning District Development Standards				
Mountain Region				
Mountain Region Development Feature	Requirement by Land Use Zoning District			
	AG⁽¹⁾ Agriculture	RC Resource Conservation	FW Floodway	OS Open Space
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.			
Maximum density	1 unit per 10 acres; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) <u>84.36 (Accessory Dwelling Units)</u>	1 unit per 40 acres; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) <u>84.36 (Accessory Dwelling Units)</u>	Residential Not Allowed	Residential Not Allowed

Table 82-5C				
Agricultural and Resource Management Land Use Zoning District Development Standards				
Desert Region				
Desert Region Development Feature	Requirement by Land Use Zoning District			
	AG⁽¹⁾ Agriculture	RC Resource Conservation	FW Floodway	OS Open Space
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning			

	permit approval, as applicable.			
Maximum density	1 unit per 10 acres; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) <u>84.36</u> (Accessory Dwelling Units)	1 unit per 40 acres; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) <u>84.36</u> (Accessory Dwelling Units)	Residential Not Allowed	Residential Not Allowed

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Exhibit “C”
Redlines – Chapter 82.04

CHAPTER 82.04: RESIDENTIAL LAND USE ZONING DISTRICTS

§ 82.04.040 Residential Land Use Zoning District Allowed Uses and Permit Requirements.

<i>Table 82-7</i>				
Allowed Land Uses and Permit Requirements for Residential Land Use Zoning Districts				
Land Use See Division 10 (Definitions) for land use definitions	Permit Required by District			Specific Use Regulations
	<i>RL</i> ⁽¹⁾	<i>RS</i>	<i>RM</i>	
Accessory dwelling unit	A(5)	A(5)	A(5)	84.3601
Junior accessory dwelling unit	A(5)	A(5)	A(5)	84.3601

§ 82.04.060 Residential Land Use Zoning District Site Planning and Building Standards.

<i>Table 82-9A</i>			
Residential Land Use Zoning District Development Standards			
Valley Region			
Development Feature	Requirement by Land Use Zoning District		
	<i>RL Rural Living</i>	<i>RS Single Residential</i>	<i>RM Multiple Residential</i>
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.		
Maximum density	1 unit per 2.5 acres ⁽¹⁾ ; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) <u>84.36 (Accessory Dwelling Units)</u>	4 units per acre ⁽¹⁾ ; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) <u>84.36 (Accessory Dwelling Units)</u>	20 units per acre; accessory dwellings as allowed by Chapter 1 unit per 2.5 acres ⁽¹⁾ ; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) <u>84.36</u>

			(Accessory Dwelling Units)
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Table 82-9B			
Residential Land Use Zoning District Development Standards			
Mountain Region			
Development Feature	Requirement by Land Use Zoning District		
	RL Rural Living	RS Single Residential	RM Multiple Residential
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.		
Maximum density	1 unit per 2.5 acres ⁽¹⁾ ; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) 84.36 (Accessory Dwelling Units)	4 units per acre ⁽¹⁾ ; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) 84.36 (Accessory Dwelling Units)	20 units per acre; accessory dwellings as allowed by Chapter 1 unit per 2.5 acres ⁽¹⁾ ; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) 84.36 (Accessory Dwelling Units)

Table 82-9C			
Residential Land Use Zoning District Development Standards			
Desert Region			
Development Feature	Requirement by Land Use Zoning District		
	RL Rural Living	RS Single Residential	RM Multiple Residential
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.		
Maximum density	1 unit per 2.5 acres ⁽¹⁾ ; accessory dwellings as allowed by	4 units per acre ⁽¹⁾ ; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses)	20 units per acre; accessory dwellings as allowed by Chapter 1 unit per 2.5 acres ⁽¹⁾ ; accessory dwellings

	Chapter 84.01 (Accessory Structures and Uses) <u>84.36</u> (Accessory Dwelling Units)	<u>84.36 (Accessory Dwelling Units)</u>	as allowed by Chapter 84.01 (Accessory Structures and Uses) <u>84.36 (Accessory Dwelling Units)</u>
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Exhibit “D”
Redlines – Chapter 82.05

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CHAPTER 82.05: COMMERCIAL LAND USE ZONING DISTRICTS

§ 82.05.040 Commercial Land Use Zoning District Allowed Uses and Permit Requirements.

<i>Table 82-11</i>							
Allowed Land Uses and Permit Requirements for Commercial Land Use Zoning Districts							
Land Use See Division 10 (Definitions) for land use definitions	Permit Required by District						Specific Use Regulations
	CR	CN	CO	CG	CS	CH	
Accessory dwelling unit	A	—	—	—	—	—	84. 360 4
Junior accessory dwelling unit	A	—	—	—	—	—	84. 360 4

§ 82.05.060 Commercial Land Use Zoning District Site Planning and Building Standards.

<i>Table 82-13A</i>			
<i>CR, CN, and CO Land Use Zoning District Development Standards</i>			
<i>Valley Region</i>			
<i>Development Feature</i>	<i>Requirement by Land Use Zoning District</i>		
	<i>CR Rural Commercial</i>	<i>CN Neighborhood Commercial</i>	<i>CO Office Commercial</i>
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.		
Maximum density	2 units per acre; 4 units per acre in mobile home park/manufactured home land-lease community; accessory dwellings as allowed by Chapter 84.01	Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and	Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and

	(Accessory Structures and Uses) 84.36 (Accessory Dwelling Units)	Uses) 84.36 (Accessory Dwelling Units)	Uses) 84.36 (Accessory Dwelling Units)
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Table 82-13B			
CG, CS, AND CH Land Use Zoning District Development Standards			
Valley Region			
Development Feature	Requirement by Land Use Zoning District		
	CG General Commercial	CS Service Commercial	CH Highway Commercial
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.		
Maximum density	Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) 84.36 (Accessory Dwelling Units)		

Table 82-14A			
CR, CN, AND CO Land Use Zoning District Development Standards			
Mountain Region			
Development Feature	Requirement by Land Use Zoning District		
	CR Rural Commercial	CN Neighborhood Commercial	CO Office Commercial
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.		
Maximum density	2 units per acre; 4 units per acre in mobile home park/manufactured home land-lease community; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) 84.36 (Accessory Dwelling Units)	Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) 84.36 (Accessory Dwelling Units)	Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) 84.36 (Accessory Dwelling Units)

Table 82-14B			
CG, CS, AND CH Land Use Zoning District Development Standards			
Mountain Region			
Development Feature	Requirement by Land Use Zoning District		
	CG General Commercial	CS Service Commercial	CH Highway Commercial
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.		
Maximum density	Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) 84.36 <u>(Accessory Dwelling Units)</u>		

Table 82-15A			
CR, CN, AND CO Land Use Zoning District Development Standards			
Desert Region			
Development Feature	Requirement by Land Use Zoning District		
	CR Rural Commercial	CN Neighborhood Commercial	CO Office Commercial
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.		
Maximum density	2 units per acre; 4 units per acre in mobile home park/manufactured home land-lease community; accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) 84.36 <u>(Accessory Dwelling Units)</u>	Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) 84.36 <u>(Accessory Dwelling Units)</u>	Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) 84.36 <u>(Accessory Dwelling Units)</u>

Table 82-15B	
CG, CS, AND CH Land Use Zoning District Development Standards	
Desert Region	
Development Feature	Requirement by Land Use Zoning District

	<i>CG General Commercial</i>	<i>CS Service Commercial</i>	<i>CH Highway Commercial</i>
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.		
Maximum density	Accessory dwellings as allowed by Chapter 84. 01 (Accessory Structures and Uses) <u>36 (Accessory Dwelling Units)</u>		

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Exhibit “E”
Redlines – Chapter 82.06

CHAPTER 82.06: INDUSTRIAL AND SPECIAL PURPOSE LAND USE ZONING DISTRICTS

§ 82.06.040 Industrial and Special Purpose Land Use Zoning District Allowed Uses and Permit Requirements.

Table 82-17							
Allowed Land Uses and Permit Requirements for Industrial and Special Purpose Land Use Zoning Districts							
LAND USE See Division 10 (Definitions) for land use definitions	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
	IC	IR	IN	SD-RES (1)	SD-COM (1)	SD-IND (1)	
Accessory dwelling unit	—	—	—	A ⁽¹⁵⁾	—	—	84. 3604
Junior accessory dwelling unit	—	—	—	A ⁽¹⁵⁾	—	—	84. 3604

§ 82.06.060 Industrial and Special Purpose Land Use Zoning District Site Planning and Building Standards.

Table 82-19A		
IC and IR Land Use Zoning District Development Standards		
Valley Region		
Development Feature	Requirement by Land Use Zoning District	
	IC Community Industrial	IR Regional Industrial
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.	
Maximum Density	Accessory dwellings as allowed by 84. 01 (Accessory Structures and Uses) 36 (Accessory Dwelling Units)	

Table 82-19B
IC and IR Land Use Zoning District Development Standards
Valley Region

Development Feature	Requirement by Land Use Zoning District	
	IN Institutional	SD Special Development
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.	
Maximum Density	Accessory dwellings as allowed by 84.01 (Accessory Structures and Uses)36 (<u>Accessory Dwelling Units</u>)	1 unit per 40 acres ⁽¹⁾ Accessory dwellings as allowed by 84.01 (Accessory Structures and Uses)36 (<u>Accessory Dwelling Units</u>)

Table 82-20A		
IC and IR Land Use Zoning District Development Standards		
Mountain Region		
Development Feature	Requirement by Land Use Zoning District	
	IC Community Industrial	IR Regional Industrial
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.	
Maximum Density	Accessory dwellings as allowed by 84.01 (Accessory Structures and Uses)36 (<u>Accessory Dwelling Units</u>)	

Table 82-20B		
IN and SD Land Use Zoning District Development Standards		
Mountain Region		
Development Feature	Requirement by Land Use Zoning District	
	IN Institutional	SD Special Development
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.	
Maximum density	Accessory dwellings as allowed by 84.01 (Accessory Structures and Uses)36 (<u>Accessory Dwelling Units</u>)	1 unit per 40 acres ⁽¹⁾

	Structures and Uses)36 (Accessory Dwelling Units)	Accessory dwellings as allowed by 84.01 (Accessory Structures and Uses)36 (Accessory Dwelling Units)
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Table 82-21A		
IC and IR Land Use Zoning District Development Standards		
Desert Region		
Development Feature	Requirement by Land Use Zoning District	
	IC Community Industrial	IR Regional Industrial
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.	
Maximum Density	Accessory dwellings as allowed by 84.01 (Accessory Structures and Uses)36 (Accessory Dwelling Units)	

Table 82-21B		
IN and SD Land Use Zoning District Development Standards		
Desert Region		
Development Feature	Requirement by Land Use Zoning District	
	IN Institutional	SD Special Development
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.	
Maximum density	Accessory dwellings as allowed by 84.01 (Accessory Structures and Uses)36 (Accessory Dwelling Units)	1 unit per 40 acres ⁽¹⁾ Accessory dwellings as allowed by 84.01 (Accessory Structures and Uses)36 (Accessory Dwelling Units)

Exhibit “F”
Redlines – Chapter 83.02

CHAPTER 83.02: GENERAL DEVELOPMENT AND USE STANDARDS

§ 83.02.080 Allowed Projections/Structures Within Setbacks.

Table 83-5			
Allowed Projections/Structures Within Setbacks			
Projections	Front and Street Side Setbacks	Interior Side Setbacks	Rear Setbacks
Accessory dwelling units and junior accessory dwelling units(3)	Not allowed	4 ft. from property line	4 ft. from property line
(1) Trees and shrubs shall be planted so that at maturity they shall not interfere with a driver's or pedestrian's view of public rights-of-way (e.g. the view of approaching, merging, or intersecting traffic, etc.) or otherwise impair public safety, or interfere with the safe operation of a motor vehicle on public streets.			
(2) Walkways necessary for access to the building, parking areas and driveways may be supported on masonry construction in the Mountain Region.			
(3) No setbacks shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit.			

Exhibit “G”
Redlines – Chapter 83.11

CHAPTER 83.11: PARKING AND LOADING STANDARDS

§ 83.11.040 Number of Parking Spaces Required.

Table 83-15	
Parking Requirements by Land Use	
Uses	Number of Spaces Required
Accessory dwelling unit Guest House	1 uncovered for each unit (5)

(5) Residential parking spaces for a ~~Guest House~~ an accessory dwelling unit may be provided through tandem parking on an existing driveway.

Exhibit “H”
Redlines – Chapter 84.01

CHAPTER 84.01: ACCESSORY STRUCTURES AND USES

84.01.010 Purpose.

84.01.020 General Development Standards.

84.01.030 Agricultural Accessory Structures and Uses.

84.01.040 Commercial and Industrial Accessory Structures and Uses.

~~84.01.050 Residential Accessory Structures and Uses.~~

§ 84.01.030 Agricultural Accessory Structures and Uses.

- (a) *Caretaker Housing*. The caretaker dwelling unit shall be subject to accessory dwelling unit development standards in ~~§ 84.01.060(e)~~ Chapter 84.36 (Accessory Dwelling Units).

§ 84.01.040 Commercial and Industrial Accessory Structures and Uses.

- (b) *Caretaker Housing*. The caretaker dwelling unit shall be subject to accessory dwelling unit development standards in ~~§ 84.01.060(e)~~ Chapter 84.36 (Accessory Dwelling Units).

§ 84.01.050 Residential Accessory Structures and Uses.

This Section provides standards for ~~A~~accessory ~~S~~structures and ~~U~~uses that are related to residential single-family and multi-family dwelling units (e.g., play yards, pools, storage sheds, etc.) or ~~that are~~ residential in nature (e.g., guest housing, accessory dwelling units, etc.).

- (a) *Number of Accessory Residential Units*. In addition to a single-family or multi-family dwelling unit, a combination of two of the following additional accessory units ~~may~~shall be allowed on parcels less than five acres in size and a combination of three may be allowed on. ~~For parcels greater than five acres in size, up to three units shall be allowed.~~

- (1) *Accessory Dwelling Unit*. An accessory dwelling unit which are~~s~~ comprehensively regulated by Chapter 84.36 (Accessory Dwelling Units). ~~shall be located on the same parcel as the primary dwelling unit, may be attached to, or located within, or detached from the primary dwelling unit, and is no more than 1,200 square feet in size. Only one accessory dwelling unit shall be allowed per parcel. Additional accessory dwelling units may be~~

~~allowed on parcels with multi-family dwelling structures pursuant to § 84.01.060 (g).~~

- (2) *Junior Accessory Dwelling Unit.* A junior accessory dwelling unit which areis comprehensively regulated by Chapter 84.36 (Accessory Dwelling Units). ~~shall be located on the same parcel as the primary dwelling unit, is attached to, or located within, the primary dwelling or accessory dwelling unit and is no more than 500 square feet in size. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure. Only one junior accessory dwelling unit shall be allowed per parcel.~~
- (3) *Guest House.* Guest housing shall be located on the same parcel as the primary dwelling unit and shall be separated from it by at least ten feet. Guest housing shall be for use by temporary guests of the occupants of the primary dwelling unit and shall not be rented or otherwise used as a separate dwelling. Only one guest house shall be allowed; provided the accessory structure does that there are not exceed already the maximum number of accessory dwelling units allowed on the parcel present. In the Single Residential (RS) or the Multiple Residential (RM) land use zoning districts on parcels less than 2.5 acres in size, the guest housing unit shall not extend in front of the primary structure. The provisions of § 84.21.030(i) shall apply to a manufactured home used as guest housing.
- (b) *Parking.* Except as otherwise provided in this chapter, parking for ~~accessory residential dwelling units~~ Guest Housings shall comply with Chapter 83.11 (Parking and Loading Standards).

~~§ 84.01.060 Accessory Dwelling Units and Junior Accessory Dwelling Units.~~

- ~~(a) *General Provision.* Accessory dwelling units and junior accessory dwelling units shall comply with all provisions of this Chapter as well as the underlying zoning district.~~
- ~~(b) *Location Criteria.* Accessory dwelling units and junior accessory dwelling units shall be permitted where allowed in compliance with Division 2 (Land Use Zoning Districts and Allowed Land Uses) and on any lot that contains a proposed or an existing dwelling. Accessory dwelling units and junior accessory dwelling units shall not be permitted in those areas where a development moratorium has been imposed, including a moratorium for water or sewer connection, whether imposed by the County or another public agency.~~

~~(c) *Common Ownership and Rental Terms.* Accessory dwelling units and junior accessory dwelling units are not intended for sale separate from the primary residence but may be rented separately from the primary residence in all regions of the County for a term longer than 30 days, or in the Mountain and Desert Regions for a term less than 30 days provided the short-term rental complies with Chapter 84.28 (Short-Term Residential Rentals) and is not a unit constructed pursuant to subdivision (g), below.~~

~~(d) *Types of Units.*~~

~~(1) *Attached unit.* An accessory dwelling unit may either be attached to, or located within, the proposed or existing primary dwelling or an accessory structure, including garage, storage area or similar use. A junior accessory dwelling unit shall be located entirely within a proposed or existing primary dwelling or accessory dwelling unit. Attached units may have a separate entrance or share a common entrance with the primary dwelling.~~

~~(2) *Detached Unit.* An accessory dwelling unit may be detached from the proposed or existing primary dwelling. The detached accessory dwelling unit shall be considered the primary unit if it is a larger size than the primary dwelling.~~

~~(e) *Development Standards for Accessory Dwelling Units and Junior Accessory Dwelling Units.* The development standards for an accessory dwelling unit and junior accessory dwelling unit shall comply with the following additional requirements:~~

~~(1) Except as otherwise provided in this Chapter, the accessory dwelling units and junior accessory dwelling units shall comply with all development standards of the land use zoning designation in which the lot is located.~~

~~(2) Written confirmation from the sewer district having jurisdiction of the availability of sewer service for the accessory dwelling unit or written approval from the Division of Environmental Health Services for use on an existing or new septic system shall be obtained. Holding tanks shall not be permitted for accessory dwelling units.~~

~~(3) Written confirmation from the water district having jurisdiction of the availability of water service for the accessory dwelling unit or written approval from the Division of Environmental Health Services for use of an existing or new well shall be obtained.~~

~~(4) In addition to the requirements of § 84.01.020 (General Development Standards), the minimum accessory dwelling unit size will be determined by~~

- ~~the current edition of the California Residential Code or as certified by California Department of Housing and Community Development. In no event shall the minimum square footage for either an attached or detached accessory dwelling unit prohibit an efficiency unit as defined in Section 17958.1 of the Health and Safety Code.~~
- ~~(5) Approval for setbacks from the applicable Fire Department shall be required prior to the issuance of a building permit for an accessory dwelling unit.~~
- ~~(6) Approval for site drainage, egress, and exit requirements from the Building and Safety Division shall be required prior to the issuance of a building permit for an accessory dwelling unit.~~
- ~~(f) *Development Standard Exemptions.* An accessory dwelling unit and junior accessory dwelling unit are exempt from the following development standards:~~
- ~~(1) Lot Coverage. Lot coverage requirements shall not preclude the construction of either an attached or detached accessory dwelling unit that is at least 800 square feet in size.~~
- ~~(2) Setbacks.~~
- ~~(A) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit or junior accessory dwelling unit.~~
- ~~(B) A setback of more than 4 feet or rear and interior side yards shall be required for an accessory dwelling unit not otherwise constructed in accordance with subparagraph (A), above.~~
- ~~(3) Fire Sprinklers. Accessory dwelling units and junior accessory dwelling units are not required to provide fire sprinklers if they are not required for the primary dwelling.~~
- ~~(4) Utility Connections. Unless an accessory dwelling unit is constructed with a new single-family dwelling, an applicant is not required to install new or separate utility connections and shall not be subject to separate utility connection fee or capacity charge for an accessory dwelling unit described in paragraph (1) of subdivision (g), below.~~
- ~~(5) Parking. The parking requirements for accessory dwelling units, as set forth in Chapter 83.11 (Parking and Loading Standards), shall not apply in any of the~~

following instances:

- ~~(A) The unit is considered a junior accessory dwelling unit.~~
 - ~~(B) The accessory dwelling unit is located within one-half mile walking distance of public transit.~~
 - ~~(C) The accessory dwelling unit is located within an architecturally and historically significant historic district.~~
 - ~~(D) The accessory dwelling unit is part of the proposed or existing primary residence or a converted accessory structure.~~
 - ~~(E) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.~~
 - ~~(F) When a car share vehicle located within one block of the accessory dwelling unit.~~
 - ~~(G) When a garage, carport or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted into an accessory dwelling unit, the off-street covered parking does not need to be replaced.~~
- ~~(g) *By Right Permitting Exemptions.* Notwithstanding anything to the contrary, an application for a building permit for a use authorized by Division 2 (Land Use Zoning Districts and Allowed Land Uses) shall be approved to create any of the following:~~
- ~~(1) One accessory dwelling unit or junior accessory dwelling unit per lot with a proposed or existing single-family dwelling 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 or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory. 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.~~

~~(C) The side and rear setbacks are sufficient for fire and safety.~~

~~(D) The junior accessory dwelling unit, if applicable, complies with the requirements of Section 65852.22 of the Government Code.~~

~~(2) One detached, new construction, accessory dwelling unit that does not exceed four-foot rear and interior side setbacks for a lot with a proposed or existing single-family dwelling, provided the total floor area is not more than 800 square feet and a height of 16 feet. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in paragraph (1) of this subdivision.~~

~~(3) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. The County shall allow at least one accessory dwelling unit and a maximum of 25 percent of the existing multifamily dwelling units.~~

~~(4) Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear and interior side setback.~~