

CHAPTER 20.164 - ACCESSORY USE REGULATIONS

Sec. 20.164.005 - Declaration.

It is the intent of this Chapter to establish the relation among the principal and accessory uses and the criteria for regulating accessory uses.

(Ord. No. 3639 (part), adopted 1987)

Sec. 20.164.010 - Accessory Uses Encompassed by Principal Use.

- (A) In addition to the principal uses expressly included in the zoning districts such use types shall be deemed to include such accessory uses which are specifically identified by these accessory use regulations; and such other accessory uses which are necessarily and customarily associated with, and are appropriate, incidental, and subordinate to, such principal uses. When provided by these regulations, it shall be the responsibility of the Director of the Department of Planning and Building Services to determine if a proposed accessory use is necessarily and customarily associated with, and is appropriate, incidental, and subordinate to the principal use, based on the Director's evaluation of the resemblance of the proposed accessory use to those uses specifically identified as accessory to the principal uses and the relationship between the proposed accessory use and the principal use. Such determinations which are made by the Director shall be subject to the administrative appeal procedure commencing at Section 20.208.005.
- (B) An accessory structure may be constructed prior to construction of the main structure on the premises; provided that the structure shall not be used for temporary or permanent occupancy as a residence, without compliance with Section 20.168.025(B) (Construction Support).
- (C) An accessory use may be allowed on the same parcel as the principal use, or on an adjacent parcel in the same ownership as the parcel which has an established principal use.

(Ord. No. 3639 (part), adopted 1987)

Sec. 20.164.015 - Residential and Agricultural Use Types.

Subject to the restrictions and limitations specified, the following accessory buildings and uses shall be permitted in zones where residential and agricultural use types are permitted:

- (A) Private garages.
- (B) Children's playhouses, patios, porches, gazebos, etc.
- (C) Radio and television receiving antennas.
- (D) Windmills.
- (E) Silos.
- (F) Shops (nonbusiness purposes).
- (G) Barns.
- (H) Private swimming pools and hot tubs (not subject to setback requirements in the side or rear yards of any district).
- (I) **Guest Cottage.** One guest cottage is permitted for each legal parcel. In lieu of a guest cottage a detached bedroom may be substituted.

- (J) **Detached Bedrooms.** Not more than two (2) detached bedrooms are permitted upon each parcel. If a guest cottage is constructed, the guest cottage and one (1) detached bedroom may be constructed instead of the two (2) detached bedrooms.
- (K) **Accessory Dwelling Unit.** An accessory dwelling unit shall be permitted in all zoning districts which allow single-family dwellings subject to the following standards and criteria:
- (1) The lot contains an existing single-family dwelling unit or a building permit for the single-family dwelling unit (primary residence) has been applied for.
 - (2) An adequate water system as approved by the Division of Environmental Health is available to serve the accessory dwelling unit.
 - (3) An adequate sewage disposal system as approved by the Division of Environmental Health is available to serve the accessory dwelling unit.
 - (4) The accessory dwelling unit shall conform to height, setback, lot coverage, architectural review, site plan review, off-street parking, fees, charges and other zoning requirements generally applicable to residential construction within the zone in which the second residential unit is located. Total area of floor space for a detached accessory dwelling unit may not exceed 1,200 square feet.
 - (5) The accessory dwelling unit shall comply with appropriate local building code requirements.
 - (6) An accessory dwelling unit shall not be allowed if more than one (1) dwelling unit (including farm employee housing, farm labor housing, temporary family care unit) is located on the parcel, or if there currently exists two (2) accessory residential units (any combination of guest cottages and detached bedrooms) on the parcel.
 - (7) Where dwelling group or parcel clustering is approved, no accessory dwelling unit shall be allowed.
 - (8) Nothing in this Section shall prohibit a detached bedroom, guest house or family care unit from being converted into an accessory dwelling unit, consistent with the other provisions of this Section.
 - (9) Accessory Dwelling Units may be either attached to the existing dwelling or they may be detached, separate structures.
 - (10) Attached or detached accessory dwelling units are not intended for sale but may be rented.
 - (11) **Parking Requirements:**
 - A. One parking space is required per Accessory Dwelling Unit and may be provided through tandem parking.
 - B. Parking is allowed in rear and side setback areas. No parking is allowed in front setback areas.
 - C. When a garage or covered parking structure is demolished in conjunction with the construction of an Accessory Dwelling Unit, the replacement parking spaces may be located in any configuration on the same lot parcel as the Accessory Dwelling Unit, including but not limited to covered spaces, uncovered spaces, or tandem spaces.
 - (12) **Parking Exemptions.** Parking requirements are not applicable for Accessory Dwelling Units in any of the following instances:
 - a. Located within one-half mile of a public transportation stop along a prescribed route according to a fixed schedule; or
 - b. Located within one block of a car share parking spot

- (L) **Room and Board.** The renting of not more than two (2) rooms for occupancy by transient guests for compensation or profit, provided that the owner is present for the duration of their guest's stay. *See Chapter 20.165 Short-Term Vacation Rentals.*
- (M) **Travel Trailer or Camper.** The maintaining of one (1) travel trailer or camper in dead storage where it is not used for occupancy or business purposes. The connection of any utility or service such as electrical, water, gas or sewage to the travel trailer or camper shall be prima facie evidence that it is being used for habitation or business purposes.
- (N) **Home Occupations.** Subject to Chapter 20.156.
- (O) **Household Pets.** The keeping of dogs and cats and other household pets, but not including kennels.
- (P) **Roadside Sales of Agricultural Products.** Operation of a single roadside stand for a display and sales of only those products produced on the premises, or on other property owned or leased by the vendor, as permitted by this Division, provided that the stand does not exceed an area of two hundred (200) square feet, and is located not nearer than fifteen (15) feet to any, street or highway, and provided further that such stands shall be permitted only in the S-R, R-R, A-G, U-R, R-L, F-L, and T-P districts.
- (Q) **Wild Animal Keeping.** The keeping of not more than one (1) wild animal for which a Wild Animal Permit is required and has been issued pursuant to Title 14 of the California Administrative Code.
- (R) **Other Necessary and Customary Uses.** Accessory nonresidential uses and nonresidential structures, in addition to those identified above, which are necessarily and customarily associated with, and are appropriate, incidental, and subordinate to a principal use, as determined by the Director of the Department of Planning and Building Services.
- (S) The parking of two (2) large vehicles or construction equipment upon private property. Additional vehicles and equipment are allowed to the extent that such vehicles and equipment are of a type and number customarily used by residents of the surrounding neighborhood for their own agricultural or home use on their own property.
- (T) Family Care Home.
- (U) **Farm Employee Housing.** Upon issuance of an Administrative Permit, farm employee housing shall be permitted in the A-G, R-L, F-L and T-P zoning districts subject to the provisions of Chapters 20.008 and 20.016.
- (V) Day Care Home - Small Family.
- (W) Day Care Home - Large Family. Upon issuance of an Administrative Permit, a home providing day care for children under 18 years of age, but excluding overnight care. The number of children permitted shall be based on provisions of the California Health and Safety Code. The facility shall be reviewed to assess impacts such as traffic and pedestrian safety, adequate sanitation facilities, fire safe standards, and neighborhood compatibility. Notice of a pending permit for such a facility shall be provided per the Health and Safety Code and conditions may be imposed to provide consistency with pertinent sections of this Division.
- (X) **Vacation Home Rental"** means a single family residential dwelling unit intended for single family occupancy designed to be let or hired as an entire unit for occupancy by transient guests for compensation or profit; *See Chapter 20.165 Accessory Use Regulations.*
- (Y) **Junior Accessory Dwelling Unit.** A living space not to exceed five hundred (500) square feet in size and contained entirely within an already permitted single-family dwelling. A junior accessory dwelling unit shall include an efficiency kitchen, and may include separate sanitation facilities or share sanitation facilities with the existing structure. JADUs are subject to the following standards and criteria: No more than one junior accessory dwelling unit may be located on a parcel.

- A. The single-family dwelling must be owner-occupied. The owner may reside in either the junior accessory dwelling unit or the remaining portion of the single-family dwelling. Only one JADU is permitted per residential lot.
- B. A junior accessory dwelling unit shall not be sold, and rentals for terms shorter than 30 days shall be prohibited.
- C. A separate entrance to the junior accessory dwelling unit shall be provided, and interior access to the remainder of the single-family dwelling shall be maintained.
- D. The JADU may share a bath with the primary residence or have its own bath.
- E. The permitted junior accessory dwelling unit is required to include an efficiency kitchen.
- F. For the purposes of fire and life protections ordinances and regulations, the JADU is to be considered part of the single-family residence, and therefore would be allowed in addition to an primary Single Family Dwelling, 'Accessory Dwelling Unit', and 'Guest Cottage'/'Detached Bedroom' accessory residential structure allotment.

Sec. 20.164.020 - Civil, Commercial, Industrial or Extractive Use Types.

- (A) Accessory structures and uses necessarily and customarily associated with, and appropriate, incidental, and subordinate to the principal civic, commercial, industrial or extractive uses shall be permitted where these use types are permitted.
- (B) **Accessory Recycling.** The recycling of recyclable materials may be permitted as an accessory and incidental use as follows:
 - (1) Storage containers or processing activities located on the premises of a commercial, industrial or civic use when used solely for the recycling of recyclable material generated by such use, accepted in trade for new, used or rehabilitated materials, or customarily accepted for recycling by the particular use.
 - (2) Refuse disposal sites may include recycling facilities and resource recovery as accessory uses.

(Ord. No. 3639 (part), adopted 1987; Ord. No. 3867 (part), adopted 1993)