
CHAPTER 84.01 ACCESSORY STRUCTURES AND USES

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84.01.010 Purpose

This Chapter establishes the regulations and criteria that determine the location of compatible accessory uses within various land use zoning districts.

Adopted Ordinance 4011 (2007); Amended Ordinance 4067 (2009); Amended Ordinance 4341 (2018)

84.01.020 General Development Standards

- (a) **Land Use Zoning District Regulations Applicable.** Unless otherwise provided, accessory structures and uses shall be subject to the same regulations as the primary structure or use, including projections into setbacks specified in Section 83.02.080 (Allowed Projections).
- (b) **Legally Established Primary Use.** An accessory structure or use shall always exist in conjunction with, and never without, a legally established primary structure or primary use that has the same common owner. Where the primary use is a residence, it shall not be enclosed within an accessory structure. Where the primary use has not yet been established, an accessory structure may only be built subject to the issuance of a Temporary Use Permit in compliance with Chapter 84.25 (Temporary Structures and Uses).
- (c) **Use of Accessory Structure.** The use of an accessory structure may be for either a primary or an accessory use allowed by the applicable land use zoning district.
- (d) **Determination of Accessory Uses.** In addition to the accessory uses specifically provided for by this Chapter or elsewhere within this Development Code, each land use shall be deemed to include other accessory uses that are necessarily and customarily associated with and are clearly incidental and subordinate to the primary land use. Whenever the accessory uses are questioned, the director shall be responsible for determining if a proposed accessory use meets the criteria in this chapter. Before making a determination, the director shall give notice to contiguous property owners in compliance with Section 85.02.030 (Staff Review with Notice).

- (e) **Maximum Site Coverage.** The combination of accessory and primary structures on a parcel shall not exceed the maximum site coverage allowed by the applicable land use zoning district regulations in Division 2 (Land Use Zoning Districts and Allowed Land Uses).
- (f) **Location on Same or Contiguous Abutting Parcel.** Accessory structures or uses shall be located on either:
 - (1) The same parcel as the primary structure or use; or
 - (2) A contiguous abutting parcel that is owned by the same owner who owns the parcel that has the primary structure or use, with the exception of guest housing and accessory dwelling units in compliance with Subsection 84.01.050(a), below. An accessory use may or may not entail the use of a structure.

Adopted Ordinance 4011 (2007); Amended Ordinance 4067 (2009); Amended Ordinance 4085 (2009); Amended Ordinance 4341 (2018)

84.01.030 Agricultural Accessory Structures and Uses

This Section provides standards for accessory structures and uses that are customarily related to a primary agricultural use.

- (a) **Animal Keeping.** Animal keeping activities are governed by Chapter 84.04 (Animal Keeping).
- (b) **Row Field Tree and Nursery Crop and Animal Product Sales Stand.** The retail trade of plant or animal products primarily grown on the subject property shall be allowed when displayed from one stand with a floor area no larger than 200 square feet on parcels greater than 10,000 square feet in area. Standards for produce stands are provided in Chapter 84.03. (Agritourism Enterprises).
- (c) **Caretaker Housing.** A caretaker dwelling unit shall be subject to accessory dwelling unit development standards in Subsection 84.01.060(e).
- (d) **Seasonal Labor Quarters.** Labor quarters for agricultural operations that are limited to three months of the year that encompass the harvest season of the agricultural product may utilize recreational vehicles as temporary labor quarters. A Site Plan Permit shall still be required to ensure proper services are supplied to the temporary laborers. Also, a Special Use Permit shall be required to monitor the use.

Adopted Ordinance 4011 (2007); Amended Ordinance 4057 (2008); Amended Ordinance 4067 (2009); Amended Ordinance 4098 (2010); Amended Ordinance 4341 (2018)

84.01.040 Commercial and Industrial Accessory Structures and Uses

This section provides standards for accessory structures and uses that are customarily related to primary commercial and industrial uses.

- (a) **Exterior Storage.** Exterior storage shall comply with Title 3 (Health and Sanitation and Animal Regulations) of the County Code. Screening of exterior storage shall comply with Section 83.02.060 (Screening and Buffering).
- (b) **Caretaker housing.** The caretaker dwelling unit shall be subject to accessory dwelling unit development standards in Subsection 84.01.060(e).
- (c) **Seasonal Labor Quarters.** Labor quarters for commercial or industrial operations that are limited to three months of the year may utilize recreational vehicles as temporary labor quarters. A Site Plan Permit shall still be required to ensure proper services are supplied to the temporary laborers. Also, a Special Use Permit shall be required to monitor the use. Failure to obtain both the Site Plan Permit and the Special Use Permit required under this subsection shall render the placement, use and/or occupancy of recreational vehicles or similar vehicles unlawful and subject to enforcement under Chapter 86.09 of this Title.

Adopted Ordinance 4011 (2007); Amended Ordinance 4057 (2008); Amended Ordinance 4067 (2009); Amended Ordinance 4098 (2010); Amended Ordinance 4341 (2018)

84.01.050 Residential Accessory Structures and Uses

This section provides standards for Accessory Structures and Uses that are customarily related to residential single-family dwelling units (e.g., play yards, pools, storage sheds, etc.) or that are residential in nature (e.g., caretaker housing, guest housing, accessory dwelling units, etc.)

- (a) **Number of Accessory Residential Uses.** In addition to a single-family dwelling unit, only one of the following uses shall be allowed on parcels less than five acres in size:
 - (1) **Accessory Dwelling Unit.** An accessory dwelling unit shall be located on the same parcel as the primary dwelling unit and shall be separated from it by at least 10 feet. Only one accessory dwelling unit shall be allowed per parcel.
 - (2) **Caretaker Housing.** The caretaker dwelling unit shall be subject to accessory dwelling unit development standards in Subsection 84.01.060(e).
 - (3) **Guest Housing.** Guest housing shall be located on the same parcel as the primary dwelling unit and shall be separated from it by at least 10 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. 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 Subsection 84.21.030(i) of this Title shall apply to a manufactured home used as guest housing.

- (b) **Parking.** Parking for accessory residential dwelling units shall comply with Chapter 83.11 (Parking and Loading Standards).
- (c) **Carport and/or Garage.** Detached carports or garages shall be limited to 1,200 square feet when located on parcels that are less than 20,000 square feet in size.
- (d) **Other Residential Accessory Structures and Uses.** Except in the Mountain Region, structures and uses such as cabanas, tennis courts, ramadas, water towers and wells, swimming pools, storage buildings shall not extend in front of the primary structure where the primary structure faces a street right-of-way. See Section 83.02.080 (Allowed Projections into Setbacks).
- (e) **Detached Storage Structures.** Parcels that are one acre or less in size shall be limited to only one detached storage structure that exceeds 120 square feet and the storage structure shall not exceed 1,000 square feet. Except in the Mountain Region, detached storage structures shall not extend in front of the primary structure where the primary structure faces a right-of-way.
- (f) **Freight Containers and Similar Storage-Type Structures.**
 - (1) Freight containers, railroad cars, intermodal containers, and other similar storage-type structures shall be allowed as accessory structures in the RS (Single Residential) or RM (Multiple Residential) land use zoning districts provided that they are compatible with the appearance of the on-site primary structure and the surrounding neighborhood and setting. A Compatibility Determination application shall be approved by the Planning Division of the Land Use Services Department to allow such a structure. Screening such a structure from view from the street or the physical alteration of such structure, such as painting or otherwise altering the structure, may be considered in the approval of the application. Such railroad car, container or similar storage-type structure shall be placed behind the primary structure and not prominently visible from the street.
 - (2) Freight containers, railroad cars, intermodal containers, and other similar storage-type structures shall be allowed as accessory structures in the Agriculture (AG) or Rural Living (RL) land use zoning districts provided that they shall be altered, either painted or structurally altered, to appear to be similar to, and compatible with, the appearance of the on-site primary structure and the surrounding neighborhood or to blend in with the surrounding environment. Such railroad car, container or similar storage-type structure shall be allowed provided that the container can be placed behind the primary structure and not prominently visible from the street.

- (g) **Animal Keeping.** Accessory animal keeping shall be conducted as specified in Chapter 84.04(Animal Keeping).
- (h) **Exterior storage.** Exterior storage shall be fully and solidly screened and kept below the level of the fence or other screening mechanism. Exterior storage shall comply with Title 3 (Health and Sanitation and Animal Regulations) of the County Code. Screening of exterior storage shall comply with Section 83.02.060 (Screening and Buffering).
- (i) **Residential Crop Production.** Accessory crop production shall be allowed on parcels of 10,000 square feet or more, with a temporary sales facility for plant or animal products grown on the subject property. The sales facility shall not be larger than 200 square feet in area and shall display produce for sale for no longer than 72 hours in any calendar month. Standards for produce stands are provided in Chapter 84.03 (Agritourism Enterprises). This does not include wholesale or retail nurseries.
- (j) **Private Office.** A private office shall be for the sole use of the dwelling unit occupants within a primary structure and shall have no external advertising or signs.
- (k) **Compatibility.** In the RS (Single Residential) and RM (Multiple Residential) land use zoning districts, the appearance of an accessory structure shall be similar to, and compatible with, the appearance of the primary structure and the surrounding neighborhood and setting.
- (l) **Storage of Firewood.** The storage of firewood shall comply with Chapter 84.09 (Firewood Storage).

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4057 (2008); Amended Ordinance 4067 (2009); Amended Ordinance 4245 (2014); Amended Ordinance 4341 (2018)

84.01.060 Accessory Dwelling Units.

- (a) **General Provision.** Accessory dwelling units shall comply with all provisions of this chapter as well as the underlying zoning district.
- (b) **Location Criteria.** Accessory dwelling units shall be allowed in land use zoning districts on any site that contains a proposed or an existing single-family dwelling. 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 are not intended for sale separate from the primary residence but may be rented separately from the primary residence for a term longer than 30 days.
- (d) **Types of Units.**

- (1) An attached accessory dwelling unit may be either attached or located within the living area of the proposed or existing primary dwelling. A detached accessory dwelling unit shall be smaller than the proposed or an existing single family dwelling.
 - (2) A detached accessory dwelling unit shall be smaller than the proposed or an existing single-family dwelling. The accessory dwelling unit shall be considered the primary unit if it is a larger size than the primary dwelling.
 - (3) An accessory dwelling unit may be permitted if the unit is contained within the existing space of a single-family residence or accessory structure provided that it has independent exterior access from the existing residence, and the side and rear setbacks are sufficient for fire safety.
- (e) **Development Standards for Accessory Dwelling Units.** The development standards for an accessory dwelling unit shall comply with the following additional requirements:
- (1) The accessory dwelling unit shall comply with all development standards of the land use zoning designation in which the lot is located.
 - (2) A detached accessory dwelling unit shall be located at the rear or the side of the primary dwelling unless an approved Compatibility Determination determines that the accessory dwelling unit may be located in front of the primary dwelling due to special and extraordinary circumstances, such as the existing location of the primary dwelling or physical constraints of the lot.
 - (3) 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.
 - (4) 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.
 - (5) In addition to the requirements of Section 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.
 - (6) Approval for setbacks from the applicable fire department shall be required prior to the issuance of a building permit for an accessory dwelling unit.

- (7) 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) **Exemptions.** An accessory dwelling unit is exempt from the following development standards:
- (1) No setback shall be required for an existing garage that is converted to an accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage. Note: due to safety concerns, garage conversions or accessory dwelling unit additions above a garage shall not be exempt from roadway setback requirements in the Mountain Region.
 - (2) Accessory dwelling units are not required to provide fire sprinklers if they are not required for the primary dwelling.
 - (3) Accessory dwelling units that are constructed within the existing space of a dwelling unit or existing accessory structure are not required to install new or separate utility connections and shall not be subject to separate utility connection fee or capacity charge.
- (g) **Parking Exemptions.** 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:
- (1) The accessory dwelling unit is located within one-half mile of public transit.
 - (2) The accessory dwelling unit is located within an architecturally and historically significant historic district.
 - (3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.
 - (4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - (5) When there is a car share vehicle located within one block of the accessory dwelling unit.

Amended Ordinance 4341 (2018)

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