



## Chapter 17.03 RESIDENTIAL ZONES<sup>1</sup>

### *Article I. General Regulations for Residential Zones*

#### **17.03.100 Purposes.**

In addition to the objectives outlined in Section 17.01.110, Purpose and scope, the residential zones are included in the zoning regulations to achieve the following purposes:

- A. To reserve appropriately located areas for family living at a broad range of dwelling unit densities consistent with the general plan and with sound standards of public health, safety and welfare.
- B. To ensure adequate light, air, privacy, and open space for each dwelling.
- C. To minimize traffic congestion and to avoid the overloading of public services and utilities by preventing the construction of buildings of excessive bulk or number in relation to the land area around them.
- D. To protect residential properties from noise, illumination, unsightliness, odors, smoke and other objectionable influences.
- E. To facilitate the provision of utility services and other public facilities commensurate with anticipated population, dwelling unit densities, and service requirements.

**RR Residential Rural Zone.** This zone is intended as an area for very low density residential uses with minimum lot sizes of one acre and maximum densities of one unit per net acre. It is intended to permit the continuation of agricultural and farm uses while allowing the development of single-family residential. Additional uses are permitted that are complimentary to, and can exist in harmony with, a rural residential neighborhood.

**R-1 Residential Single-Family Zone.** This zone is intended as an area for single-family residential development on minimum lot sizes of six thousand square feet and maximum densities of six units per net acre. Additional uses are permitted that are complimentary to, and can exist in harmony with, a residential neighborhood.

**RC Residential Condominium Zone.** This zone is intended as an area for the development of residential condominiums with provisions for adequate light, air, open space and landscaped areas at a maximum density of twenty units per net acre. Additional uses are permitted that are complimentary to, and can exist in harmony with, a residential condominium development.

**RA Residential Apartment Zone.** This zone is intended as an area for the development of residential apartments with provisions for adequate light, air, open space and landscaped areas at a maximum density of thirty units per net acre. Additional uses are permitted that are complimentary to, and can exist in harmony with, a residential apartment development.

**R-2 Zone.** This zone provides for the development of a mix of residential dwelling units, including single-family detached homes, mobilehomes, patio homes, duplexes and townhomes. The purpose of this zone is to

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<sup>1</sup>Editor's note(s)—In order to accommodate additional subject matter in this chapter the editor has included the former regulations of this chapter as Article I, General Regulations for Residential Zones, and has added new material as Article II, Regulations for Accessory Dwelling Units, and Article III, Junior Accessory Dwelling Units.

bridge the gap between traditional single-family detached units on large parcels and attached owner-occupied units.

(1992 zoning ord. (part))

(Ord. No. 1108, § 3(Exh. A), 2-2-10)

**17.03.110 Permitted and conditional uses—R zones.**

The following uses shall be permitted uses where the symbol "P" appears and shall be permitted uses subject to a conditional use permit where the symbol "C" appears in the column beneath each zone designation; the symbol "X" indicates prohibition:

|   | <b>RR</b> | <b>R-1</b> | <b>RC</b> | <b>RA</b> | <b>R-2</b>      |
|---|-----------|------------|-----------|-----------|-----------------|
| <b>A. Residential Uses</b>  |           |            |           |           |                 |
| 1. Single-family dwellings  | P         | P          | P         | P         | P               |
| 2. Two-family dwellings   | X         | C          | P         | P         | P               |
| 3. Guest dwellings or accessory living quarters   | P         | C          | P         | P         | P               |
| 4. Second single-family dwelling on the same lot as an existing single-family dwelling (See Section 17.03.130(A)(3))  | C         | C          | C         | C         | C               |
| 5. Mobilehomes on individual lots, and permanent foundations which are certified under the National Mobilehome Const. and Safety Standards Act of 1974 and which were constructed after Oct. 1976 | P         | P          | X         | X         | X               |
| 6. Group residential, including, but not limited to, boarding or rooming homes, dormitories, retirement homes   | X         | C          | C         | C         | C               |
| 7. Multiple dwellings:  |           |            |           |           |                 |
| a. Rental   | X         | X          | P         | P         | C               |
| b. Condo conversions  | X         | X          | C         | X         | X               |
| 8. Second-kitchen dwelling unit   | X         | C          | X         | X         | X               |
| 9. Second-kitchen granny flat   | PC        | PC         | PC        | PC        | PC <sup>1</sup> |
| 10. Emergency shelter, homeless shelters  | X         | X          | P         | X         | X               |
| 11. Transitional housing, supporting housing  | P         | P          | P         | P         | P               |
| 12. Employee housing  | X         | P          | P         | P         | X               |
| <b>B. Agricultural Uses</b>   |           |            |           |           |                 |
| 1. All types of horticulture only for residential use   | P         | P          | P         | P         | P               |
| 2. Animal grazing and raising commercial or noncommercial, only when said property is vacant and 1 acre or greater in size  | P         | C          | C         | C         | X               |
| 3. 4-H or FFA animal raising and/or keeping in accordance with Section 17.11.120  | P         | X          | X         | X         | X               |
| 4. The wholesaling of products raised on the premises, only when said property is two acres or greater in size  | X         | X          | X         | X         | X               |
| 5. Keeping of large animals in accordance with Section 17.11.400  | P         | X          | X         | X         | X               |
| 6. Keeping of small animals in accordance with Section 17.11.400 (land must be vacant in Zones R-1 through RA)  | P         | X          | X         | X         | X               |
| 7. Keeping of poultry and adult rabbits for noncommercial purposes in accordance with Section 17.11.400   | P         | X          | X         | X         | X               |
| 8. Riding academies and commercial stables  | C         | X          | X         | X         | X               |

|  |   |   |   |   |   |
|--|---|---|---|---|---|
| 9. Kennels, commercial in accordance with Section 17.11.500  | C | X | X | X | X |
| 10. Kennels, noncommercial in accordance with Section 17.11.500  | C | X | X | X | X |
| 11. The keeping of wild, exotic or nondomestic animals   | C | X | X | X | X |
| 12. Large animal hospital  | C | X | X | X | X |
| 13. Keeping of beehives:   |   |   |   |   |   |
| a. 1 to 3 beehives   | P | X | X | X | X |
| b. 4 or more beehives  | C | X | X | X | X |
| 14. The raising of earthworms providing: a) the area devoted to the raising of earthworms shall not exceed 10% of the minimum lot size permitted in the zone; b) the area devoted to the raising of earthworms shall be no closer than 50 feet from any adjoining residential dwelling; and c) the operation shall be fully enclosed or in an enclosed structure | P | X | X | X | X |
| <b>C. Public and Semi-Public Uses (see Section 17.03.120(B)(6))</b>  |   |   |   |   |   |
| 1. Day nurseries, day care   | C | C | C | C | C |
| 2. Convalescent homes (sites must be two net acres or greater in size)   | X | C | C | C | C |
| 3. Churches, convents, monasteries and other religious institutions  | P | P | C | C | C |
| 4. Educational institutions: public or private schools not including art, business or trade schools and colleges   | C | C | C | C | C |
| 5. Public facilities including, but not limited to, city headquarters, libraries, parks, public offices, substations, reservoirs, pumping plants, and similar installations  | P | P | P | P | P |
| 6. Private recreational facilities including, but not limited to, country clubs, tennis and swim clubs, golf courses, racquetball and handball. Limited commercial uses which are commonly associated and directly related to the primary use are permitted  | C | C | C | C | C |
| <b>D. Home Occupations</b>   |   |   |   |   |   |
| 1. Home occupations subject to the provisions of Section 17.11.200   | P | P | P | P | P |
| <b>E. Accessory Uses</b>   |   |   |   |   |   |
| 1. Accessory structures and uses located on the same site as a permitted use   | P | P | P | P | P |
| 2. Accessory structures and uses located on the same site as a conditional use   | C | C | C | C | C |
| <b>F. Temporary Uses</b>   |   |   |   |   |   |
| 1. Temporary uses as prescribed in Section 17.11.120   | P | P | P | P | P |

<sup>1</sup> A second granny flat shall only be permitted in this zone when the lot is larger than 5,000 square feet and developed with a single-family detached home.

(Ord. No. 1108, § 3(Exh. A), 2-2-10; Ord. No. 1072, § 1, 3-4-08; Ord. 1006 § 2, 2003; Ord. 959 § 2, 1996; 1992 zoning ord. (part))

(Ord. No. 1148, § 3, 12-17-13)

### 17.03.120 Property development standards—R zones.

Except as otherwise provided, prior to the construction of any building or structure on any lot within the R zones, a development review is required pursuant to Section 17.01.700. The following property development standards shall apply to all land and buildings other than accessory buildings, permitted in their respective residential zones. Any legal lot may be used as a building site, except no building permit shall be issued for a lot size of less than four thousand square feet. Each building site shall have a minimum twenty-foot wide vehicular access to a street.

A. General Requirements. The following requirements are minimum unless otherwise stated.

|  | RR                                      | R-1              | RC  | RA                                       | R-2   |
|--|---|------------------|---|--|---|
| 1. Density-maximum units per net acre  | 0.5—1.0                                 | 1.1—5.0          | 12—20*  | 20—30*                                   | 5.1—12 <sup>2</sup>                           |
| 2. Net lot area (in square feet)   | 1 acre                                  | 6,000            | 6,000   | 6,000                                    | 6,000 <sup>3</sup>                            |
| 3. a. Lot width (in feet)  | 110                                     | 60 int.; 65 cor. | 60 int.; 65 cor.                              | 60 int.; 65 cor.                         | 60 int.; 65 cor.                              |
| b. Cul-de-sac or odd-shaped lot width (in feet)  | 30                                      | 30               | —   | —  | 30  |
| c. Flag lots   | 20                                      | 20               | —   | —  | 20  |
| 4. Lot depth (in feet)   | 150                                     | 100              | 100 int.                                      | 100 int.                                 | 100   |
| 5. Front yard setback  | 40                                      | 25               | 25  | 25                                       | 25  |
| 6. Side yard setback each side (in feet)   | 20                                      | 5                | 15  | 10                                       | 5   |
| 7. Side yard setback street side (in feet)   | 20                                      | 10               | 10  | 15                                       | 10  |
| 8. Rear setback  | 50                                      | 20               | 20  | 10                                       | 20  |
| 9. Lot coverage, maximum   | 35%                                     | 40%              | 50%   | 50%                                      | 50%   |
| 10. Building and structure height (in feet)  | 35 feet or 2 stories, whichever is less |                  |   |  |   |
| 11. Parking spaces per unit in a garage except as noted in Section 17.03.120(B)(9): in the RC, R-2 and RA zones carports may be approved by the city council to meet covered requirement | 2                                       | 2                | 1.0 spaces (1 garage)/studios or bedroom unit | 1.0 spaces (1 studios or 1 bedroom unit) | 1.0 spaces (1 garage)/studios or bedroom unit |
|  |   |                  | 1.5 spaces (2 garages)/2 bedroom unit         | 1.5 spaces (1 covered)/2 bedroom unit    | 1.5 spaces (2 garages)/2 bedroom unit         |
|  |   |                  | 2.0 spaces (2 garages)/3 bedroom > unit       | 2.0 spaces (1 covered)/3 bedroom > unit  | 2.0 spaces (2 garages)/3 bedroom > unit       |
| 12. Distances between buildings, not exceeding 15 feet in height   | —                                       | —                | 10  | 10                                       | 10  |
| 13. Distance between buildings, where one or more exceed 15 feet in height   | —                                       | —                | 10  | 10                                       | 10  |

<sup>2</sup> The maximum density permitted may be increased for affordable housing projects that qualify for a density bonus in accordance with state law.

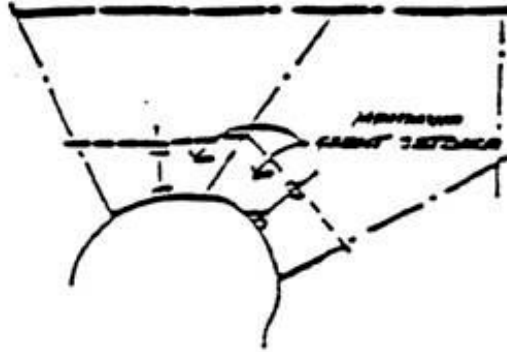
<sup>3</sup> Minimum lot sizes may vary in this zone for planned communities and affordable housing projects provided that the lot size shall only be reduced if appropriate amenities or affordability criteria are met.

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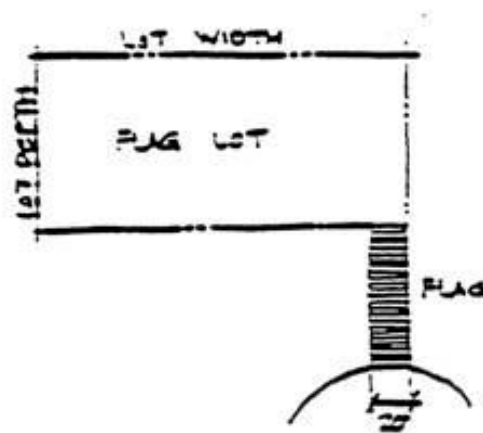
\* In the RC, R-2 and RA zones, approval of projects at the maximum density shall only be given on the basis that the project exceeds the standards of the zone and the general plan. Any density beyond the maximum of 20 units/acre permitted by the zone will require planning commission and city council approval.

B. Special Requirements. In all residential zones the following special requirements are applicable:

1. Street setbacks shall be measured from the ultimate street right-of-way or the maximum required street width if said street or proposed street is to be private.
2. Each lot or parcel on a cul-de-sac, curved street or dead-end street shall meet the minimum lot width requirement at the required front setback of the zone except for RC, R-2 and RA zones (see example as follows):



3. Flag lots shall meet the minimum lot width requirement at the termination of the flag except for the RC, R-2 and RA zones (see example as follows):



4. The flag portion of a flag lot shall not be counted toward the minimum lot area requirement.
5. Lot coverage shall include all buildings, structures and accessory buildings and structures. Patio covers, open on three sides, pools, spas and freestanding open air gazebos and patios shall not count toward the lot coverage requirement.
6. For public and semi-public buildings and uses a minimum of fifty feet landscaped setback shall be maintained from any single-family zone.

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7. In RC, R-2 and RA zones, any building exceeding fifteen feet in height shall maintain a minimum setback of fifty feet from any single-family zone; and buildings less than fifteen feet in height shall maintain a minimum setback of twenty-five feet from any single-family zone.
  8. New construction of R-1 dwelling units shall include two-car covered garage situated in accordance with zoning setback requirements.
  9. Conversion of existing garages into habitable space is permitted when in compliance with the following requirements:
    - a. Suitable replacement covered off-street parking spaces shall be provided with direct street access;
    - b. Parking spaces and driveway access shall be improved with asphalt or concrete;
    - c. Replacement covered parking spaces shall be provided as carport or garage, in compliance with the zoning regulations for yard setbacks.
  10. Exceptions to the garage conversion requirements under Section 17.03.120(B)(9)(a), (b) and (c) may be granted in order to allow the construction of a carport within the front yard setback area of single-family residences located in the R-1 zone that:
    - a. Were originally constructed with single-car garages or carports located behind and adjacent to the front yard setback;
    - b. Never included garages or carports; or
    - c. Include single-car garages or carports that were legally converted.
  11. Qualifying residences may be allowed to construct carports within the front yard setback area subject to the following conditions:
    - a. Carport shall encroach no more than one-half the distance into the required front yard setback;
    - b. Carport shall be attached to the residence and shall be designed to match the architecture of the existing residence;
    - c. Carport shall be designed and constructed to provide for a minimum of two off-street parking spaces.
- C. Second-kitchen dwelling units in R-1 zones shall have the following development standards:
1. Allow second-kitchen dwellings units in the R-1 zone subject to a conditional use permit being issued. Applicable building and other codes, and zoning requirements (building main in building setbacks) except for the density regulation shall apply to accessory apartments.
  2. Limit the number of units in a single-family residential lot to not more than two (the main house and the second-kitchen dwelling unit).
  3. Require the second unit to be attached to the existing residence and to be located within the living area of the existing dwelling.
  4. Whenever an increase in floor area is involved, it shall not exceed ten percent of the existing living area.
  5. Limit the second-kitchen dwelling unit to six hundred forty square feet.
  6. Limit occupancy to a maximum of two persons.
  7. Require the property owner to reside on the site.

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8. Require one additional uncovered or covered off-street parking space. Garage conversions are prohibited unless replacement of covered off-street parking is provided concurrently.
  9. The accessory apartment unit shall be exclusively for rental occupancy. Separate sale or ownership of said unit from the primary dwelling on a lot or parcel is prohibited. No lot split.
  10. The owner/applicant shall sign an affidavit agreeing to accessory apartment occupancy requirements as stipulated. The affidavit shall include provisions stating that:
    - a. The owner/applicant consents to inspection of the accessory apartment by the code enforcement officer in order to verify occupancy; and
    - b. That the owner/applicant shall furnish a new affidavit to said officer upon request (yearly).
- D. Accessory second-kitchen granny flat units in R-1 zones shall have the following development standards:
1. Allow second-kitchen granny flat units in the R-1 zone subject to a development review permit being issued. Applicable building codes and zoning requirements except for the density regulation shall apply to accessory granny flat units.
  2. Limit the number of units in a single-family residential lot to not more than two (the main house and the accessory granny flat unit).
  3. Require the accessory granny flat unit to be attached to the existing residence and to be located within the living area of the existing dwelling. Detached structures established by legal permit prior to enactment of this ordinance amendment, may be converted to a granny flat unit.
  4. For attached granny flat units, whenever an increase in floor area is involved, it shall not exceed ten percent of the existing living area, or exceed six hundred forty square feet.
  5. Limit occupancy to a maximum of two adults:
    - a. Of which one shall be a minimum of sixty years of age, or have a physical handicap, as defined by the State Health and Safety Code.
    - b. Of which one is related to property owner by blood, marriage, or adoption.
  6. Require the property owner to reside on-site.
  7. Require one additional uncovered or covered off-street parking space. Garage conversion is prohibited unless replacement of covered off-street parking is provided concurrently.
  8. The accessory granny flat unit may be rented. Separate sale or ownership of said unit from the primary dwelling on a lot or parcel is prohibited. No lot split.
  9. The owner/applicant shall sign an affidavit agreeing to accessory granny flat occupancy requirements as stipulated. The affidavit shall include provisions stating that:
    - a. The owner/applicant consents to inspection of the accessory granny flat unit by the code enforcement officer in order to verify compliance with occupancy requirements; and
    - b. That the owner/applicant shall furnish a new affidavit to said officer upon request yearly.

(Ord. 1006 § 3, 2003; Ord. 959 § 3, 1996; Ord. 955, 1995; 1992 zoning ord. (part))

(Ord. No. 1072, §§ 2, 3, 3-4-08; Ord. No. 1108, § 3(Exh. A), 2-2-10)

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### **17.03.125 R-1 zone—Improvement on more than forty percent of lots.**

In blocks in the R-1 residence zone wherein forty percent or more of the lots facing such street have been improved, the setbacks on all remaining lots shall be not less than the average setbacks of the improved lots. A building to be placed upon a building site, located between two existing buildings not more than one hundred feet apart, shall observe not less than the average of the two existing buildings.

(Ord. 606 § 2 (part), 1966: prior code § 8152)

(Ord. No. 1108, § 3(Exh. A), 2-2-10)

### **17.03.126 R-2 zone—Affordable housing lot size reduction.**

Lots of no less than five thousand square feet may be considered for development of affordable housing projects provided the following criteria are met:

- A. The project is proposed to be developed by a recognized organization that promotes affordable housing;
- B. The project developer verifies that all home sales are to below moderate income purchasers;
- C. The project developer submits information justifying the need for reduced lot size in order to meet affordability criteria; and
- D. The project is consistent with the adopted general plan housing element targeted goals and policies for very-low, low and special needs families.

(Ord. No. 1108, § 3(Exh. A), 2-2-10)

### **17.03.130 Performance standards—R zones.**

- A. In all R zones, the following performance standards shall be met:
  1. Air conditioners, antennas, heating, cooling, ventilating equipment and all other mechanical, lighting or electrical devices shall be so operated they do not disturb the peace, quiet and comfort of neighboring residents and shall be screened, shielded and/or sound buffered from surrounding properties and streets. All equipment shall be installed and operated in accordance with all other applicable ordinances. Heights of said equipment shall not exceed the required height of the zone in which they are located.
  2. Required front and street side yards shall be landscaped and shall consist predominantly of trees, plant materials, groundcover and decorative rocks, except for necessary walks, drives and fences. All required landscaping shall be permanently maintained in healthy and thriving condition, free from weeds, trash and debris.
  3. For second single-family units located on the same lot as an existing single-family dwelling the following standards must be met:
    - a. A deed restriction shall be recorded which states the lot shall not be further divisible and shall list all requirements contained herein.
    - b. The second unit shall be attached to the main residence by a sound structural means approved by the building department.



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- c. The second unit shall not exceed one story in height unless it is contained within or an addition to a two-story structure.
  - d. The second unit shall not encroach into the yard setback area and no variance shall be granted for encroachment into the setback.
  - e. Second units shall be restricted to homes built prior to January 1, 1991.
4. All utility connections shall be designed to coordinate with the architectural elements of the site so as not to be exposed except where necessary. Pad-mounted transformers and/or meter box locations shall be included in the site plan with any appropriate screening treatment. Power lines and overhead cables shall be installed underground.
  5. The noise level emanating from any residential use or operation shall not exceed 60 dBA CNEL for the RR, R-2 and R-1 zones and 65 dBA CNEL for the RC and RA zones, as the acceptable outdoor noise exposure level when measured at the property line. The interior noise levels shall not exceed 45 dBA CNEL for all residential uses.
  6. For schools, libraries, churches, hospitals, nursing homes, parks and recreation areas, the outdoor acceptable exposure level shall not exceed 70 dBA CNEL when measured at the property line.
  7. Energy conservation buildings shall be located on the site to provide adjacent buildings adequate sunlight for solar access. All new construction and remodeling shall be preplumbed for solar hot water heating. Buildings shall be designed to minimize energy consumption requirements, and may include, but not necessarily be limited to, the following conservation measures:
    - a. Cogeneration;
    - b. South facing windows;
    - c. Eave coverage for windows;
    - d. Double glazed windows;
    - e. Earth berming against exterior walls;
    - f. Green houses; and
    - g. Deciduous shade trees.
- B. In the RC, R-2 and RA zones, including the conversion of apartments to condominiums where permitted by Section 17.03.110(A)(7), the following performance standards shall be met:
1. Masonry walls six feet in height, from the highest finished grade, shall be required on the rear and side property lines. No walls are required on street side yards unless needed for noise attenuation and/or privacy.
  2. Where a lot fronts on more than one street it shall be considered to have multiple frontages and be required to meet the front yard setback requirement on all street frontages.
  3. When a RC, R-2 and/or RA lot is adjacent to any single-family zone, a minimum of fifteen feet of landscaping shall be maintained on the RC, R-2 and/or RA lot between such uses.
  4. A minimum of two hundred square feet of private open area per ground floor unit shall be provided and a minimum of one hundred fifty square feet of private open space for units contained wholly on the second story shall be provided.
  5. A minimum of two hundred fifty cubic feet of lockable, enclosed storage per unit shall be provided in the garage or carport area; substitutions may be approved by the planning director.

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6. The following recreation facilities shall be provided at a minimum unless waived by the planning commission:
    - a. Landscaped park-like quiet area;
    - b. Children's play area;
    - c. Family picnic area; and
    - d. Swimming pool with cabana or patio cover.
  7. A minimum of two clothes washers and one clothes dryer per eight dwelling units located conveniently throughout the development.
  8. Individual trash areas, screened from view of a roadway, shall be provided for each dwelling unit in the RC zone; conveniently located trash enclosures, per city standards, shall be provided for dwelling units in the R-2 and RA zone.
  9. A minimum of thirty-five trees per gross acre shall be required as part of the landscaping requirements; twenty percent shall be twenty-four inch box size or larger, seventy percent shall be fifteen gallon size and ten percent shall be five gallon size. Drought tolerant species with low maintenance requirements shall be utilized, where possible.
  10. Recreation vehicle parking areas shall be provided, fully screened from view or the development shall prohibit all parking of recreation vehicles.

(1992 zoning ord. (part))

(Ord. No. 1108, § 3(Exh. A), 2-2-10)

### **17.03.140 Accessory structures—R zones.**

- A. Accessory Buildings and Structures. Accessory buildings and structures, attached or detached, used either wholly or in part for living purposes, shall meet all of the requirements for location of the main structure, except as provided in this section:
  1. Accessory buildings or structures that are attached to the main building shall be allowed to encroach into the required rear yard setback up to one-half of the distance.
  2. A detached accessory structure shall meet the setback requirements of the main building for the front and street side yard areas.
  3. A detached accessory structure may be located within an interior side yard or rear yard; provided, that such structure is located no closer than five feet to an interior side or rear lot line and is at least ten feet from the main structure.
- B. Canopies, Patios and Breezeways. Canopies, patios and breezeways attached to the main building or connecting the main building with a detached accessory building, may extend into a required rear or interior side yard provided that portions of such structures extending into the yard:
  1. Shall not exceed fifteen feet in height or project closer than five feet to an interior side yard or rear lot line.
  2. Shall be entirely open on at least three sides for patios and canopies except for necessary supporting columns. A roof connecting main building and an accessory building shall be open on two sides.

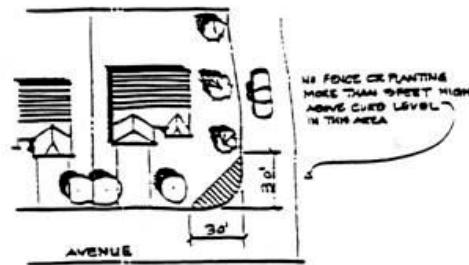
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- C. Other structures, porches, steps, architectural features, such as eaves, awnings, chimneys, balconies, stairways, wing walls or bay windows may project not more than four feet into any required front or rear yard area, nor into any required side yard area more than one-half of said required side yard.

(1992 zoning ord. (part))

(Ord. No. 1108, § 3(Exh. A), 2-2-10)

### 17.03.150 Walls and fences—R zones.

- A. In any required front yard or side yard adjacent to a street, a wall or fence shall not exceed six feet in height, except as provided in this section.
- B. A wall or fence not more than six feet in height may be maintained along the interior side or rear lot lines; provided, that such wall or fence does not extend into a required front yard or side yard adjacent to a street except as provided in this section.
- C. A wall or fence adjacent to a driveway or street providing vehicular access to an abutting lot or street shall not exceed thirty-six inches in height within fifteen feet of the intersection of said driveway and the street right-of-way. Corner cut-offs may be required in special circumstances for safety and visibility (see example as follows):



- D. A wall or fence shall not be constructed in such a manner so as to block or restrict vehicular access to a dedicated or implied dedicated alley, access, or way.
- E. A wall or fence may be constructed a minimum distance of five feet from the ultimate right-of-way at a maximum height of five feet when there is no parkway planting area adjacent to the sidewalk. Where there is a parkway planting area adjacent to the curbing no setback is required to construct a fence five feet in height.
- F. Fiberglass sheeting, bamboo sheeting or other similar temporary material shall not be permitted as a fencing material on street yard frontages.

(1992 zoning ord. (part))

(Ord. No. 1108, § 3(Exh. A), 2-2-10)

### 17.03.160 Signs—R zones.

No sign or outdoor advertising structure shall be permitted in any R zone except as provided in Chapter 17.01, Article XI.

(1992 zoning ord. (part))

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(Ord. No. 1108, § 3(Exh. A), 2-2-10)

## **Article II. Regulations for Accessory Dwelling Units**

\*Please note that the City of Calexico maintains a non-compliant ordinance for Accessory Dwelling Units (JR ADU and ADU hereafter) , we are working to draft a compliant ordinance. Until this occurs, the Planning Division is statutorily required to use standards set forth in the [ADU Handbook](#) for the entitlement of both JR ADU's and ADU's. The link to this document can be found here:

[https://www.hcd.ca.gov/policy-research/docs/adu\\_december\\_2020\\_handbook.pdf](https://www.hcd.ca.gov/policy-research/docs/adu_december_2020_handbook.pdf)

### **17.03.210 Purpose.**

The purpose of this article is to provide reasonable regulations for the development of accessory dwelling units in certain areas and on lots developed or proposed to be developed with single-family residential dwellings. Such accessory dwelling units contribute needed housing to the community's housing stock and promote housing opportunities for the persons wishing to reside in the city of Calexico. In addition, the regulations in this article are intended to promote the goals and policies of the city's general plan and comply with requirements codified in the state planning and zoning law related to accessory dwelling units in residential areas, including California Government Code section 65852.2.

(Ord. No. 1181, § 2(Z101), 6-20-2018)

### **17.03.220 Definitions.**

- A. "Accessory dwelling unit" means a residential dwelling unit that is detached from, attached to, or located within the living area of an existing primary dwelling unit, and that provides independent living facilities for one or more persons. An accessory dwelling unit also includes an efficiency unit, as defined in California Health and Safety Code section 17958.1, and a manufactured home, as defined in section 18007.
- B. "Living area" is defined as the interior habitable area of a dwelling unit, including basements and attics, but not including a garage or any accessory structure.

(Ord. No. 1181, § 2(Z102), 6-20-2018)

### **17.03.230 Effect of conforming accessory dwelling unit.**

An accessory dwelling unit that conforms to this chapter shall:

- A. Be deemed an accessory use or an accessory building and not be considered to exceed the allowable density for the lot upon which it is located;
- B. Be deemed a residential use that is consistent with the general plan and the zoning designations for the lot;
- C. Not be considered in the application of any ordinance, policy, or program to limit residential growth; and
- D. Not be considered a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service.

(Ord. No. 1181, § 2(Z103), 6-20-2018)

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### **17.03.240 Locations permitted.**

A. — Except as provided in subparagraph (B), accessory dwelling units may be permitted in the following zones:

1. — The zones must be single-family residential.

B. — Accessory dwelling units that meet the requirements of Section 17.03.260(B) may be located in any single-family residential zone.

(Ord. No. 1181, § 2(Z104), 6-20-2018)

### **17.03.250 Permit procedures.**

A. — Permits.

1. — Except as provided in subparagraph (2), approved applications for an accessory dwelling unit will result in an accessory dwelling unit permit. The applicant shall also obtain a building permit as required by the building code and record a deed restriction as provided in Section 17.03.270.

2. — Exception. Accessory dwelling units that meet the requirements of Section 17.03.260(B) shall obtain a building permit as required by the building code and record a deed restriction as provided in Section 17.03.270.

B. — Application Processing.

1. — Applications for an accessory dwelling unit permit must be submitted to the director of development services on a form and with information and materials, as adopted by the director.

2. — The director may collect a fee for processing the application, provided such fee is approved by resolution or ordinance of the city council.

C. — Review.

1. — The director will review and approve complete applications for an accessory dwelling unit permit that comply with the requirements of Sections 17.03.260 (Standards) and 17.03.270 (Deed Restrictions). The accessory dwelling unit permit application shall be considered magisterially without any discretionary review or a hearing.

2. — The director will approve or disapprove of an application for an accessory dwelling unit permit within one hundred twenty days after receiving the complete application.

3. — Except as otherwise provided in this article, the construction of an accessory dwelling unit shall be subject to any applicable fees adopted pursuant to the requirements of California Government Code, Title 7, Division 1, Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(Ord. No. 1181, § 2(Z105), 6-20-2018)

### **17.03.260 Standards.**

A. — Except as provided in subparagraph (B), accessory dwelling units must meet the following standards:

1. — Development on the lot.

(a) — A single-family dwelling must exist on the lot or will be constructed in conjunction with the accessory dwelling unit.

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- ~~(b) The accessory dwelling unit must be:
    - ~~(i) Detached from the existing primary dwelling, but located on the same lot as the existing dwelling;~~
    - ~~(ii) Attached to the existing dwelling; or~~
    - ~~(iii) Located within the living area of the existing dwelling.~~~~
  - ~~(c) Only one accessory dwelling unit shall be allowed per lot.~~
  - ~~(d) The accessory dwelling unit is not intended for sale separate from the primary residence.~~

~~2. Occupancy.~~

- ~~(a) The accessory dwelling unit may be rented. The accessory dwelling unit shall be rented for terms longer than thirty days.~~

~~3. Building and Construction.~~

- ~~(a) An accessory dwelling unit shall include permanent provisions for living, sleeping, eating, cooking, and sanitation.~~
- ~~(b) An accessory dwelling unit is required to have fire sprinklers, only if the primary residence is also required to have fire sprinklers or if the accessory dwelling unit is a detached unit.~~
- ~~(c) An accessory unit shall meet the requirements of the building code, as adopted and amended by Title 15 of the Municipal Code, that apply to detached dwellings, as appropriate.~~
- ~~(d) [As provided in Title 15 of the Municipal Code] a separate utility connection shall be installed directly between the accessory dwelling unit and the utility. The connection shall be subject to a connection fee or capacity charge, or both, proportionate to the burden of the proposed unit, based on either its size or the number of its plumbing fixtures, upon the water or sewer system.~~
- ~~(e) No passageway shall be required in conjunction with the construction of an accessory dwelling unit. "Passageway" is defined as a pathway that is unobstructed clear to the sky and extends from to street to one entrance of the accessory dwelling unit.~~

~~4. Parking.~~

- ~~(a) Except as provided in subparagraph (b):
  - ~~(i) Accessory dwelling units must meet the following parking standards:
    - ~~(I) For accessory dwelling units with no separate bedrooms, one off-street parking space shall be provided per unit.~~
    - ~~(II) For accessory dwelling units with at least one separate bedroom, one off-street parking space shall be provided per bedroom.~~~~
  - ~~(ii) If parking is required:
    - ~~(I) The required parking spaces may be located on setback areas approved by the director, unless specific findings are made under subparagraph (II).~~
    - ~~(II) Parking arrangements in subparagraph (I) may be prohibited if the director makes specific findings that such parking arrangements are not feasible based upon specific site or regional topographical or fire or life safety conditions, or that such arrangements are not permitted anywhere in the jurisdiction.~~
    - ~~(III) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, the~~~~~~

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replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces.

5. — Height. The accessory dwelling unit must meet the height standards of the applicable zoning district.
  6. — Setbacks.
    - (a) — Except as provided in subparagraphs (b) and (c), an accessory dwelling unit must meet the setback standards of the applicable zoning district.
  7. — Unit Size.
    - (a) — The increased floor area of an attached accessory dwelling unit shall not exceed fifty percent of the existing living area, with a maximum increase in floor area of one thousand two hundred square feet.
    - (b) — The total area of floor space for a detached accessory dwelling unit shall not exceed one thousand two hundred square feet.
    - (c) — The accessory dwelling unit shall contain no less than the one hundred fifty square feet area minimum required for an efficiency dwelling unit as defined in Section 17958.1 of the Health & Safety Code.
  8. — Lot Coverage. The accessory dwelling unit must meet the lot coverage standards of the applicable zoning district.
  9. — Landscape. The accessory dwelling unit must meet the landscaping standards of the applicable zoning district.
  10. — Architecture Review. The design of the accessory dwelling unit shall relate to the design of the primary residence by use of the similar exterior wall materials, window types, door and window trims, roofing materials and roof pitch.
  11. — Impacts to Historic Places. To prevent adverse impacts to any real property that is listed in the California Register of Historic Places, accessory dwelling units must meet the following standards:
    - (a) — [Standard].
- B. — An accessory dwelling unit is exempt from the requirements of subparagraph (A) if the unit meets all the requirements of subparagraph (B)(1):
1. — The accessory dwelling unit:
    - (a) — Is one accessory dwelling unit per single family lot located within a single family residential zone;
    - (b) — Is contained within the existing living area space of a single family residence or accessory structure;
    - (c) — Has independent exterior access from the existing residence; and
    - (d) — The side and rear setbacks meet the Municipal Code requirements.
  2. — If subparagraphs requirements of subparagraph (B)(1) are met, then the applicant:
    - (a) — Is required to install fire sprinklers in the accessory dwelling unit if the primary residence is also required to have fire sprinklers;
    - (b) — Is not required to install a new or separate utility connection directly between the accessory dwelling unit and the utility, or to be charged a related connection fee or capacity charge.

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(c) — Shall record a deed restriction as provided in Section 17.03.270 and obtain a building permit as required by the building code as adopted and amended by Title 15 of the Municipal Code.

(Ord. No. 1181, § 2(Z106), 6-20-2018)

### **17.03.270 Deed restriction.**

- A. — Prior to issuance of a building permit for an accessory dwelling unit, a deed restriction shall be recorded against the title of the property in the county recorder's office and a copy filed with the city department of development services. Said deed restriction shall run with the land, and shall bind all future owners, heirs, successors, or assigns. The form of the deed restriction shall be provided by the city and shall provide that:
1. — The accessory dwelling unit shall not be sold separately from the primary residence.
  2. — The unit is restricted to the approved size and attributes of this article.
  3. — The deed restrictions run with the land and may be enforced against future purchasers.
  4. — The deed restrictions may be removed if the owner eliminates the accessory dwelling unit as evidenced by removal of the kitchen facilities.
  5. — The deed restrictions shall be enforced by the director of development services or his or her designee for the benefit of the city of Calexico. Failure of the property owner to comply with the deed restrictions may result in legal action against the property owner and the city shall be authorized to obtain any remedy available to it at law or equity, including but not limited to obtaining an injunction enjoining use of the accessory dwelling unit in violation of the recorded restrictions or abatement of the illegal unit.

(Ord. No. 1181, § 2(Z107), 6-20-2018)

## ***Article III. Junior Accessory Dwelling Units***

### **17.03.310 Purpose.**

The purpose of this article is to provide reasonable regulations for the development of junior accessory dwelling units in certain areas and on lots developed or proposed to be developed with single-family residential dwellings. Such junior accessory dwelling units are allowed because they contribute needed housing to the community's housing stock and promote housing opportunities for the persons wishing to reside in the city of Calexico. In addition, the regulations in this ordinance are intended to promote the goals and policies of the city's general plan and comply with requirements codified in the state planning and zoning law related to accessory and second dwelling units in single-family residential areas including California Government Code, Section 65852.22.

(Ord. No. 1181, § 2(Z201), 6-20-2018)

### **17.03.320 Definitions.**

- A. — "Junior accessory dwelling unit" means a unit that is no more than five hundred 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.

(Ord. No. 1181, § 2(Z202), 6-20-2018)



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### **17.03.330 Effect of conforming junior accessory dwelling unit.**

In addition to the effects stated in Section 17.03.230, a junior accessory dwelling unit:

- A. ~~Shall not be considered a separate or new dwelling unit for the purposes of any fire or life protection ordinance or regulation. This section shall not be construed to prohibit fire and life protection requirements within a single family residence that contains a junior accessory dwelling unit so long as the ordinance or regulation applies uniformly to all single family residences within the zone regardless of whether the single family residence includes a junior accessory dwelling unit or not.~~
- B. ~~Shall not be considered a separate or new dwelling unit for the purposes of providing service for water, sewer, or power, including a connection fee.~~

(Ord. No. 1181, § 2(Z203), 6-20-2018)

### **17.03.340 Locations permitted.**

~~Junior accessory dwelling units shall be permitted in any single family residential zone.~~

(Ord. No. 1181, § 2(Z204), 6-20-2018)

### **17.03.350 Permit procedures.**

- A. ~~Permit. An approved application for junior accessory dwelling unit results in a junior accessory dwelling unit permit.~~
- B. ~~Application Processing.~~
  - 1. ~~Applications for a junior accessory dwelling unit permit must be submitted to the director of development services on a form and with information and materials, as adopted by the director of development services.~~
  - 2. ~~The director may collect a fee for processing the application, provided such fee is approved by resolution or ordinance of the city council.~~
- C. ~~Review.~~
  - 1. ~~The director will review and approve complete applications for a junior accessory dwelling unit permit that comply with sections 17.03.360 (Standards) and 17.03.370 (Deed Restrictions). The junior accessory dwelling unit permit application shall be considered ministerially without any discretionary review or a hearing.~~
  - 2. ~~The director will approve or disapprove of an application for a junior accessory dwelling unit permit within one hundred twenty days after receiving the complete application.~~

(Ord. No. 1181, § 2(Z205), 6-20-2018)

### **17.03.360 Standards.**

- A. ~~Development on Lot. Only one junior accessory dwelling unit per single family residential lot shall be allowed and the unit must be:~~
  - 1. ~~Constructed within the existing walls of the single family residence structure; and~~
  - 2. ~~Include an existing bedroom.~~

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B. ~~Occupancy. The property owner must occupy either the primary or junior accessory dwelling unit. Owner occupancy shall not be required if the owner is a governmental agency, land trust or housing organization.~~

C. ~~Building and Construction.~~

1. ~~A junior accessory dwelling unit must include a separate entrance from the main entrance to the structure, with an interior entry to the main living area. A junior accessory dwelling unit may include a second interior doorway for sound attenuation.~~
2. ~~A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.~~
3. ~~A junior accessory dwelling unit must include an efficiency kitchen, which includes all of the following:
  - (a) ~~A sink with a maximum waste line diameter of one and one-half inches;~~
  - (b) ~~A cooking facility with appliances that do not require electrical services greater than one hundred twenty volts, or natural or propane gas;~~
  - (c) ~~A food preparation counter of reasonable size in relation to the size of the junior accessory dwelling unit;~~
  - (d) ~~Storage cabinets that of reasonable size in relation to the size of the junior accessory dwelling unit;~~~~
4. ~~The junior accessory unit shall meet the requirements of the building code, as adopted and amended by Title 15 of the Municipal Code, provided the unit shall not be considered a separate or new dwelling unit for the purposes of any fire or life protection regulation.~~

D. ~~Parking. Additional parking is required for a junior accessory dwelling unit.~~

E. ~~Unit Size. A junior accessory dwelling unit may be no more than five hundred square feet in size.~~

(Ord. No. 1181, § 2(Z206), 6-20-2018)

### **17.03.370 Deed restrictions.**

A. ~~Prior to issuance of a building permit for a junior accessory dwelling unit, a deed restriction shall be recorded against the title of the property in the county recorder's office and a copy filed with the city department of development services. Said deed restriction shall run with the land, and shall be binding upon any future owners, heirs, successors or assigns. The form of the deed restriction shall be provided by the city and shall provide that:~~

1. ~~The junior accessory dwelling unit shall not be sold separately from the primary residence.~~
2. ~~The unit is restricted to the approved size and attributes of this chapter.~~
3. ~~The deed restrictions run with the land and may be enforced against future purchasers.~~
4. ~~The deed restrictions may be removed if the owner eliminates the junior accessory dwelling unit as evidenced by removal of the kitchen facilities and provide access to the main structure.~~
5. ~~The deed restrictions shall be enforced by the director of development services or his or her designee for the benefit of the city of Calexico. Failure of the property owner to comply with the deed restrictions may result in legal action against the property owner and the city shall be authorized obtain any remedy available to it at law or equity, including but not limited to obtaining an injunction enjoining use of the accessory dwelling unit in violation of the recorded restrictions or abatement of the illegal unit.~~

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(Ord. No. 1181, § 2(Z207), 6-20-2018)

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(Supp. No. 18, Update 2)