

ORDINANCE NO. _____

ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE AMENDING
CHAPTER 19.60 OF TITLE 19 OF THE ROSEVILLE MUNICIPAL CODE
REGARDING ACCESSORY DWELLING UNITS

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. Chapter 19.60 of Title 19 of the Roseville Municipal Code is hereby amended to read as follows:

Chapter 19.60 ACCESSORY DWELLING UNITS

19.60.010 Purpose.

This chapter provides criteria for the approval of accessory dwelling units and junior accessory dwelling units. This chapter is adopted pursuant to the authority of Government Code Sections 65852.2 and 65852.22, as ~~it~~they now exists or may hereafter be amended.

19.60.020 Findings.

The City Council finds that accessory dwelling units and junior accessory dwelling units are considered ~~a~~-residential uses that ~~is~~are consistent with existing General Plan objectives and

the zoning designation for the lots upon which ~~the~~ accessory dwelling units or junior accessory dwelling units ~~is~~are located. The City Council further finds that accessory dwelling units and junior accessory dwelling units that comply with the requirements set forth in this chapter shall be deemed to be ~~an~~ accessory uses or ~~an~~ accessory buildings or structures and shall not be considered to exceed the allowable density for ~~the~~ lots upon which ~~the~~ accessory dwelling units or junior accessory dwelling units ~~is~~are located.

19.60.030 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section. Words and phrases not defined in this section, shall have the meanings respectively ascribed to them in Chapter 19.95 (Definitions of Terms and Phrases).

A. “Accessory dwelling unit” shall be as defined by Government Code Section 65852.2, as it now exists or may hereafter be amended, and means an attached or a detached residential dwelling unit ~~which~~that provides complete independent living facilities for one or more persons. The unit shall be located on a permanent foundation or a permanent chassis if a manufactured home, have an independent exterior access (if located within a single-family dwelling unit), and shall include permanent provisions or infrastructure to support ~~permanent provisions (such as stubbing gas, water or sewer lines) for~~ living, sleeping, eating, cooking, and sanitation on the same parcel as where a single-family, two-family or multi-family dwelling is situated or proposed to be situated. Accessory dwelling units can also include efficiency units, as defined in Section 17958.1 of the Health and Safety Code, manufactured homes, as defined in Section 18007 of the Health and Safety Code, second dwelling units, granny flats, in-law

quarters, casitas, carriage units, and tiny houses as long as such units otherwise meet this definition.

B. “Accessory structure” means a structure that is accessory and incidental to a single-family, two-family or multi-family dwelling located on the same lot.

BC. “Car share vehicle” means a vehicle that can be rented for short periods of time and is available 24-hours a day, seven days a week at unattended self-service locations.

CD. “Existing structure₁” for the purposes of defining an allowable space that can be converted to an accessory dwelling unit₁ means the following:

1. The proposed accessory dwelling unit is located within the ~~four~~ walls and roofline of ~~any~~ a fully enclosed, existing structure (i.e., the existing footprint); and ~~existing on or after January 1, 2017~~

2. The existing structure ~~that~~ can be made safely habitable under local building codes at the determination of the building official₁ regardless of any ~~non-compliance with zoning development standards~~ nonconforming zoning conditions.

E. “Junior accessory dwelling unit” shall be as defined by Government Code Section 65852.22, as it now exists or may hereafter be amended, and means a unit that is no more than 500 square feet in size and contained entirely within an existing or proposed single-family dwelling. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

DF. “Living area” means the interior habitable area of a dwelling unit₁ including basements and attics₁ but does not include a garage or any accessory structure.

G. “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards.

E.H. “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

I. “Permanent provisions or infrastructure,” in the context of the definition of an “accessory dwelling unit,” means a permanent kitchen consisting of a sink, a counter for food preparation, a food storage area, and either a minimum 220V receptacle or a dedicated gas line for a cooking appliance (a 110V receptacle for a microwave, toaster, hotplate, etc. is not a permanent provision); a toilet connected to plumbing; a bathroom sink connected to plumbing; and a bathing facility connected to plumbing, such as a shower or bathtub.

F.J. “Primary dwelling unit” means a proposed or existing single-family, two-family or multi-family dwelling unit located on the lot where the accessory dwelling unit is proposed to be developed, and includes attached, enclosed accessory structures, such as a garage.

K. “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

L. “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

G.M. “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

H.N. “Within the existing space” includes areas within an existing primary dwelling unit or within an existing attached or detached accessory structure such as a garage, storage area,

a carriage house, a pool house, studio, and similar enclosed structures. The addition of square footage, including, but not limited to, the addition of another floor, is not considered to be “within the existing space.” unless the expansion is for the purposes of ingress and egress and does not exceed 150 square feet. Additions of square footage which are not “within the existing space” ~~Such situations~~ are considered new construction.

19.60.040 Permit requirements.

~~Prior to the issuance of a building permit for an accessory dwelling unit, approval of a zoning clearance certification in accordance with Chapter 19.72 (Zoning Clearance Certification) is required.~~ A building permit shall be required prior to construction or creation of an accessory dwelling unit or junior accessory dwelling unit.

19.60.050 Designated areas.

A. ~~Principally Permitted~~ Mixed Use and Residential Zones. Accessory dwelling units are principally permitted in the commercial mixed use (CMU), single-family residential (R1), small lot residential (RS), two-family residential (R2), ~~attached~~ multi-family housing (R3), and residential mixed use (RMU) zoning districts, provided the lot contains an existing or proposed single-family, two-family or multi-family dwelling unit as defined in Section 19.08.080(F) ~~(2)~~ (Residential Use Types) and the accessory dwelling unit complies with the standards identified in this chapter. ~~Only one accessory dwelling unit is permitted per lot.~~

B. ~~Conditionally Permitted~~ Commercial Zones. Accessory dwelling units are also ~~conditionally~~ principally permitted in the neighborhood commercial (NC), community

commercial (CC), general commercial (GC), and highway commercial (HC) zoning districts, provided the lot contains an existing or proposed single-family, two-family or multi-family dwelling unit which has an approved conditional use permit as defined in Section 19.08.080(F)(2) (Residential Use Types) and the accessory dwelling unit complies with the standards identified in this chapter. ~~Only one accessory dwelling unit is permitted per lot. If a commercially zoned lot contains an existing single-family, two-family or multi-family dwelling unit which does not have an approved conditional use permit, then the accessory dwelling unit shall be required to obtain an Administrative Permit pursuant to Chapter 19.74 (Permit and Variance Requirements).~~

19.60.060 Development standards for accessory dwelling units proposed within existing structures ~~spaces~~ or existing living areas.

Accessory dwelling units are permitted to be developed within existing ~~spaces~~ structures or within the living area of an existing primary dwelling unit. Accessory dwelling units developed within existing ~~spaces~~ structures or living areas shall be allowed only in compliance with the following standards:

- A. Setbacks.** ~~Accessory dwelling units developed within existing spaces shall have side and rear yard setbacks sufficient for fire safety, as required by the building division and the fire department. No setback shall be required for an existing garage that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit.~~ No setback shall be required for an accessory dwelling unit, including porches, decks, balconies, stairs, and patios which are attached to and for the use of the accessory dwelling unit, built within the footprint and

dimensions of an existing living area or existing structure. Garages are subject to the setbacks of Section 19.22.030 (Accessory Structures).

B. Floor Area. The total floor area ~~of floorspace~~ of an attached accessory dwelling unit developed within an existing ~~living area~~ primary dwelling unit shall not exceed ~~50% of the floor area of the~~ existing ~~living area, with a maximum conversion in floor area not to exceed 800 square feet.~~ primary dwelling unit, except that an expansion of up to 150 square feet beyond the same physical dimensions as the existing primary dwelling unit is permitted for accommodating ingress and egress. The total floor area ~~of floorspace of an~~ for a detached accessory dwelling unit developed within ~~the an~~ existing ~~space of a~~ detached accessory structure ~~, or within the existing non-living area attached to a dwelling unit (e.g., attached garage),~~ shall not exceed ~~the total area of floorspace as the existing space or existing non-living area~~ the floor area of the standards of Section 19.60.060(C) Unit Sizes existing detached accessory structure, except that an expansion of up to 150 square feet beyond the same physical dimensions as the existing detached accessory structure is permitted for accommodating ingress and egress. Expansions beyond 150 square feet must comply with the standards set forth in Section 19.60.070 (Development Standards for Accessory Dwelling Units Proposed as New Construction).

C. ~~Minimum~~ Unit Sizes.

1. An accessory dwelling unit shall not be less than the minimum size for an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, as it now exists or may hereafter be amended.

2. An accessory dwelling unit shall not be more than 850 square feet for a studio or one-bedroom or more than 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

D. Minimum Facilities. Accessory dwelling units developed within existing ~~spaces-~~
structures or living areas shall include permanent provisions for independent living, sleeping,
eating, cooking, and sanitation within the unit and must include a separate exterior entrance from
the primary dwelling unit if the primary dwelling is a single-family dwelling.

E. Appearance. The accessory dwelling unit shall be designed and constructed so as
to be compatible with the existing primary dwelling unit and neighborhood in terms of height,
form, and materials, as determined by the Planning Manager or designee applying objective
standards, and the accessory dwelling unit shall be subordinate to the primary dwelling unit.
Manufactured homes shall meet the architectural standards set forth in Section 19.10.030(E)
(Residential Zone General Development Standards).

F. Parking Requirements. Accessory dwelling units developed within existing
~~spaces-~~structures or living areas shall not be required to provide parking. A garage, carport, or
covered parking structure shall be subject to the development regulations of Section 19.22.030
(Accessory Structures), if the owner chooses to provide parking as part of the accessory dwelling
unit. ~~except that~~In addition, when a garage, carport, or covered parking structure is converted to
an accessory dwelling unit, the required off-street parking spaces for the primary dwelling unit, if
eliminated, ~~shall be replaced~~do not need to be replaced. If the property owner chooses to replace
the parking spaces. ~~T~~he replacement spaces may be located in any configuration on the same lot
as the accessory dwelling unit, including within the front yard or street side setback, and may be
covered spaces subject to conformance with the applicable requirements set forth in Section
19.22.030(C)(2) (Permitted Accessory Structures to Dwelling Use Type (Single-Family and
Two-Family)) or Section 19.22.030(D)(3) (Permitted Accessory Structures to Dwelling Use
Type (Multi-Family)), uncovered spaces or tandem spaces. All replacement parking shall comply

with the requirements set forth in Section 11.20.110 (Parking on Private Property Prohibited), ~~and~~ Section 19.10.030(F) (Residential Zone General Development Standards), and Section 19.26.040(A) (Design and Improvement of Parking).

G. Passageways. No passageways shall be required in conjunction with accessory dwelling units developed within existing ~~spaces~~structures or living areas.

H. Building and Fire Codes. Except as otherwise provided in this chapter, accessory dwelling units developed within existing ~~spaces~~structures or living areas shall comply with all local building and fire codes.

I. Fire Sprinklers. Accessory dwelling units developed within existing ~~spaces~~structures or living areas shall not be required to provide fire sprinklers if fire sprinklers were not required for the primary dwelling unit.

J. Utilities. Accessory dwelling units developed within existing ~~spaces~~structures or living areas shall not be required to install a new or separate utility connection directly between the accessory dwelling unit and the public utility infrastructure, unless the accessory dwelling unit was constructed with a new single-family dwelling unit. However, if necessary utility infrastructure does not exist with capacity available to serve both the primary dwelling unit and the accessory dwelling unit, the property owner shall be responsible for all costs related to installation of necessary infrastructure or upsizing existing infrastructure. Property owners may install a new or separate utility connection directly between the accessory dwelling unit and the public utility infrastructure at the property owner's option and expense.

K. Height. An accessory dwelling unit shall not exceed the height limits prescribed in Section 19.10.030 (Residential Zone General Development Standards) for the ~~district~~zone in which the accessory dwelling unit will be located, or if not within a residential zone, the height

shall not exceed the standards established in Section 19.10.030 for the single-family residential (R1) zone.

L. **Number Permitted.** Except as otherwise permitted by subsection M, only one accessory dwelling unit is permitted per lot.

M. **Exceptions to Development Standards.**

1. One accessory dwelling unit and one junior accessory dwelling unit is permitted 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 unit or existing space of a single-family dwelling unit or accessory structure and 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 single-family dwelling unit.

c. The side and rear setbacks are sufficient for fire and safety.

d. The junior accessory dwelling unit complies with the requirements of Government Code Section 65852.22, as it now exists or may hereafter be amended.

2. Multiple accessory dwelling units within portions of existing multi-family dwelling units are permitted in areas not used as livable spaces, including, but not limited to,

storage rooms, boiler rooms, passageways, attics, basements, or garages, if all of the following apply:

a. Each unit complies with state building codes for dwellings.

b. At least one accessory dwelling unit is permitted within an existing multi-family dwelling or up to 25% of the existing multi-family dwelling units may be converted to accessory dwelling units, whichever is greater.

3. Two detached accessory dwelling units are permitted per lot that has an existing multi-family dwelling unit, subject to a height limit of 16 feet and four-foot rear and side setbacks.

N. Waivers. Notwithstanding anything to the contrary contained in this title, limits on height, setbacks, lot coverage, floor area ratio, open space, and lot sizes are hereby waived if they do not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height, and which provides four-foot rear and side setbacks.

19.60.070 Development standards for accessory dwelling units proposed as new construction.

Newly ~~proposed~~constructed accessory dwelling units are permitted to be attached to a proposed or existing primary dwelling unit or detached from a proposed or existing primary dwelling unit as long as the newly ~~proposed~~constructed accessory dwelling unit is located on the same lot as a proposed or existing primary dwelling unit. Newly ~~proposed~~constructed accessory dwelling units shall be allowed only in compliance with the following standards:

A. **Minimum Lot Area.** ~~5,000 square feet.~~ There is no minimum lot area.

B. **Maximum Lot Coverage.** ~~The maximum combined building coverage shall not exceed the percentage prescribed in Section 19.10.030 (Residential Zone General Development Standards) for the district in which the accessory dwelling unit will be located.~~ There is no maximum lot coverage.

C. **Setbacks.** ~~An accessory dwelling unit shall maintain the setbacks required in the zoning district in which the accessory dwelling unit will be located and shall comply with all local building and fire codes.~~ No setback shall be required for an accessory dwelling unit constructed in the same location (i.e., footprint) and to the same dimensions as an existing accessory structure. A setback of ~~five~~four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is otherwise newly constructed, including porches, decks, balconies, stairs, and patios which are attached to and for the use of the accessory dwelling unit. ~~above an existing garage.~~

D. **Floor Area.** The total floor area ~~of floorspace~~ of an attached accessory dwelling unit shall not be less than 150 square feet nor exceed ~~50% of the proposed or existing primary dwelling unit~~ the standards of Section 19.60.070(E) (Unit Sizes). ~~living area, with a maximum increase in floor area not to exceed 800 square feet.~~ The total floor area ~~of floorspace~~ for a detached accessory dwelling unit shall not be less than 150 square feet nor exceed the standards of Section 19.60.070(E) (Unit Sizes) ~~800 square feet.~~

E. **~~Minimum~~ Unit Sizes.**

1. An accessory dwelling unit shall not be less than the minimum size for an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, as it now exists or may hereafter be amended.

2. An accessory dwelling unit shall not be more than 850 square feet for a studio or one-bedroom or more than 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

F. Minimum Facilities. The accessory dwelling unit shall include permanent provisions for independent living, sleeping, eating, cooking, and sanitation within the unit and must include a separate exterior entrance from the primary dwelling unit if the primary dwelling is a single-family dwelling.

G. Appearance. The accessory dwelling unit shall be designed and constructed so as to be compatible with the proposed or existing primary dwelling unit and neighborhood in terms of height, form, and materials, as determined by the Planning Manager or designee applying objective standards, and the accessory dwelling unit shall be subordinate to the primary dwelling unit. Manufactured homes shall meet the architectural standards set forth in Section 19.10.030(E) (Residential Zone General Development Standards).

H. Parking Requirements. Except as otherwise provided by this chapter, the parking required by this section is in addition to that required for the primary dwelling unit located on the lot by Chapter 19.26 (Off-Street Parking and Loading). Garages, carports, and covered parking structures attached to the accessory dwelling unit and built to satisfy the required parking standards for the accessory dwelling unit are subject to the same setbacks and other development regulations as the accessory dwelling unit.

1. Accessory dwelling units with one or more bedrooms shall provide at least one off-street parking space. Studios shall not be required to provide any parking spaces. The parking requirement for accessory dwelling units with bedrooms can be met by providing the required parking space within the ~~20-foot~~ front yard setback and may be located in tandem with

other on-site parking as long as it complies with the requirements set forth in Section 11.20.110 (Parking on Private Property Prohibited), ~~and~~ Section 19.10.030(F) (Residential Zone General Development Standards), and Section 19.26.040(A) (Design and Improvement of Parking).

2. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, the required off-street parking spaces for the primary dwelling unit, if eliminated, ~~shall be replaced~~ do not need to be replaced. If the property owner chooses to replace these parking spaces, ~~the~~ replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including within the front yard or street side setback, and may be covered spaces subject to conformance with the applicable requirements set forth in Section 19.22.030(C)(2) (Permitted Accessory Structures to Dwelling Use Type (Single-Family and Two-Family)) or Section 19.22.030(D)(3) (Permitted Accessory Structures to Dwelling Use Type (Multi-Family)), uncovered spaces or tandem spaces. All replacement parking shall comply with the requirements set forth in Section 11.20.110 (Parking on Private Property Prohibited), ~~and~~ Section 19.10.030(F) (Residential Zone General Development Standards), and Section 19.26.040(A) (Design and Improvement of Parking).

3. Notwithstanding the above, accessory dwelling units shall not be required to provide parking in any of the following circumstances:

a. When the accessory dwelling unit is located within one-half mile walking distance of ~~a public bus stop, bus station or train station~~ public transit.

b. When the accessory dwelling unit is located within the Old Town Historic District (DT-4) or the Central Business District (DT-6).

c. When the accessory dwelling unit is part of an existing or proposed primary dwelling unit or an existing accessory structure.

d. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

e. When there is a car share vehicle located within one block of the accessory dwelling unit.

I. Passageways. No passageways shall be required in conjunction with the construction of an accessory dwelling unit.

J. Building and Fire Codes. Except as otherwise provided in this chapter, newly ~~proposed~~constructed accessory dwelling units shall comply with all local building and fire codes.

K. Fire Sprinklers. Accessory dwelling units shall not be required to provide fire sprinklers if fire sprinklers were not required for the primary dwelling unit.

L. Utilities. New or separate utility connections directly between the accessory dwelling unit and the public utility infrastructure shall only be required if directed by the environmental utilities department or the electric department. In such cases, if necessary utility infrastructure does not exist with capacity available to serve both the primary dwelling unit and the accessory dwelling unit, the property owner shall be responsible for all costs related to installation of necessary infrastructure or upsizing existing infrastructure.

M. Height. An accessory dwelling unit shall not exceed the height limits prescribed in Section 19.10.030 (Residential Zone General Development Standards) for the ~~district~~zone in which the accessory dwelling unit will be located, or if not within a residential zone, the height

shall not exceed the standards established in Section 19.10.030 for the single-family residential (R1) zone.

N. **Number Permitted.** Except as otherwise permitted by subsection O, only one accessory dwelling unit is permitted per lot.

O. **Exceptions to Development Standards.**

1. One newly constructed detached accessory dwelling unit that does not exceed four-foot rear and side setbacks, which may be combined with one junior accessory dwelling unit, is permitted per lot if all of the following apply:

a. The total floor area for the newly constructed detached accessory dwelling unit shall not exceed 800 square feet.

b. The newly constructed detached accessory dwelling unit shall not exceed 16 feet in height.

2. Two newly constructed detached accessory dwelling units are permitted per lot that has an existing multi-family dwelling unit, subject to a height limit of 16 feet and four-foot rear and side setbacks.

P. **Waivers.** Notwithstanding anything to the contrary contained in this title, limits on height, setbacks, lot coverage, floor area ratio, open space, and lot sizes are hereby waived if they do not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height, and which provides four-foot rear and side setbacks.

19.60.080 Use restrictions.

A. Sales Prohibited. Accessory dwelling units shall not be sold independently of the primary dwelling unit on the lot.

~~**B. Owner Occupancy.** Applications for building permits for accessory dwelling units must be submitted by the owner of the property proposed for an accessory dwelling unit. The owner of the property proposed for an accessory dwelling unit shall occupy as a principal residence either the primary dwelling unit or the accessory dwelling unit.~~

~~**C.B. Rentals.** Accessory dwelling units may be rented as long as the rental term exceeds 30 calendar days, or complies with all City short term rental regulations, policies and procedures. Accordingly, short-term rental permits authorized pursuant to Chapter 4.25 (Short-Term Rentals) will not be issued for accessory dwelling units.~~

~~**D. Deed Restriction.** Following final inspection approval of a building permit for an accessory dwelling unit, a deed restriction, in a form approved by the City Attorney, shall be recorded with the Placer County Recorder's office, which shall include the applicable restrictions and limitations of an accessory dwelling unit identified in this chapter. Said deed restriction shall run with the land, and shall be binding upon any future owners, heirs, or assigns. A copy of the recorded deed restriction shall be filed with the City stating that:~~

~~1. The accessory dwelling unit shall not be sold separately from the primary dwelling unit.~~

~~2. The accessory dwelling unit is restricted to the maximum size allowed per the development standards identified in this chapter.~~

~~3. The accessory dwelling unit shall be considered legal only so long as either the primary dwelling unit, or the accessory dwelling unit, is occupied by the owner of record of the property.~~

~~4. The restrictions shall be binding upon any successor in ownership of the property and lack of compliance with this provision may result in legal action against the property owner, including revocation of any right to maintain an accessory dwelling unit on the property.~~

19.60.090 ~~Accessory dwelling units with n~~**Nonconforming primary dwelling unit**zoning conditions.

~~When the primary dwelling unit is nonconforming, a~~An accessory dwelling unit or junior accessory dwelling unit in compliance with the ~~above~~standards set forth in this chapter is still permitted even when the primary dwelling unit has a nonconforming zoning condition.,
~~providing that the accessory dwelling unit does not increase the nonconformity.~~

19.60.100 **Fees.**

All fees and charges, ~~including, but not limited to, mitigation fees, development impact fees, and connection fees and capacity charges for water, sewer, and electric services,~~ will be charged in accordance with the Accessory Dwelling Units Fee Policy adopted by the City Council on ~~May 23~~ May 23, 2018~~21~~ by Resolution No. ~~1821-185~~ 1821-185, as amended from time to time.

19.60.110 **Administrative permit requirements.**

An accessory dwelling unit or junior accessory dwelling unit which does not meet the standards set forth in this chapter, shall be required to obtain an Administrative Permit pursuant to Chapter 19.74 (Permit and Variance Requirements).

~~The provisions of this chapter do not apply to junior accessory dwelling units as defined in Government Code Section 65852.22, as it now exists or may hereafter be amended. Junior accessory dwelling units shall also be required to obtain an administrative permit pursuant to Chapter 19.74.~~

19.60.120 Junior accessory dwelling units.

A. Junior accessory dwelling units are principally permitted within areas zoned to allow single-family residential use and must be located on a lot that contains an existing or proposed single-family dwelling unit as defined in Section 19.08.080(F)(2) (Residential Use Types).

B. Junior accessory dwelling units are subject to the following conditions:

1. Only one junior accessory dwelling unit is permitted per residential lot.

2. A junior accessory dwelling unit shall not exceed 500 square feet.

3. The property owner shall occupy the single-family dwelling unit in which the junior accessory dwelling unit will be permitted. The property owner may reside in either the remaining portion of the single-family dwelling unit or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is a governmental agency, land trust, or housing organization.

4. Following final inspection approval of a building permit for a junior accessory dwelling unit, a deed restriction, in a form approved by the City Attorney, shall be recorded with the Placer County Recorder's office, which shall include the applicable restrictions

and limitations of a junior accessory dwelling unit identified in this chapter. Said deed restriction shall run with the land, and shall be binding upon any future owners, heirs, or assigns. A copy of the recorded deed restriction shall be filed with the City stating that:

a. The junior accessory dwelling unit shall not be sold separately from the single-family dwelling unit.

b. The junior accessory dwelling unit is restricted to the development standards, including maximum size, identified in this chapter.

c. The junior accessory dwelling unit shall be considered legal only so long as either the single-family dwelling unit, or the junior accessory dwelling unit, is occupied by the owner of record of the property.

d. The restrictions shall be binding upon any successor in ownership of the property and lack of compliance with this provision may result in legal action against the property owner, including revocation of any right to maintain a junior accessory dwelling unit on the property.

5. The junior accessory dwelling unit shall be constructed within the walls of the proposed or existing single-family dwelling unit, including attached garages.

6. The junior accessory dwelling shall include a separate entrance from the main entrance to the proposed or existing single-family dwelling unit.

7. The permitted junior accessory dwelling unit must include an efficiency kitchen, which shall include at a minimum all of the following:

a. A cooking facility with appliances.

b. A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

8. Junior accessory dwelling units shall comply with all local building and fire codes applicable to the existing single-family dwelling unit except that fire sprinklers shall not be required if fire sprinklers were not required for the single-family dwelling unit.

9. Junior accessory dwelling units may be rented as long as the rental term exceeds 30 calendar days. Accordingly, short-term rental permits authorized pursuant to Chapter 4.25 (Short-Term Rentals) will not be issued for junior accessory dwelling units.

10. Junior accessory dwelling units shall comply with all other applicable requirements set forth in this chapter.

C. Junior accessory dwelling units shall not be required to provide parking.

SECTION 2. This ordinance shall be effective at the expiration of thirty (30) days from the date of adoption.

SECTION 3. The City Clerk is hereby directed to cause this ordinance to be published in full at least once within fourteen (14) days after it is adopted in a newspaper of general circulation in the City, or shall within fourteen (14) days after its adoption cause this ordinance to be posted in full in at least three (3) public places in the City and enter in the Ordinance Book a certificate stating the time and place of said publication by posting.

PASSED AND ADOPTED by the Council of the City of Roseville this ____ day of _____, 2021, by the following vote on roll call:

AYES COUNCILMEMBERS:

NOES COUNCILMEMBERS:

ABSENT COUNCILMEMBERS:

MAYOR

ATTEST:

City Clerk