



**City of Encinitas
Planning and Building Department
505 S. Vulcan Avenue
Encinitas, CA 92024
(760) 633-2722**

ACCESSORY UNIT REGULATIONS (Section 30.48.040V)

V. ACCESSORY UNITS. The City finds that there are many benefits associated with the creation of accessory residential units on existing single family lots, which include (Ord 93-07):

- Providing affordable housing for low and moderate income households without public subsidy while maintaining the general character of a single family neighborhood.
- Providing a cost effective means of serving development through the use of existing infrastructure.
- Providing a means for homeowners of new or existing homes to meet loan payments.
- Providing security for senior homeowners.

Accessory residential units are permitted subject to the following regulations (1-9):

1. On parcels zoned for residential single family dwellings as a permitted use, one attached or detached accessory unit may be constructed. Attached and detached units shall be permitted by right.
2. Attached and detached accessory units must maintain the general character of a single family residential neighborhood, and maintain the character as a single family dwelling as determined by the Director. Architectural design, building materials, and exterior colors shall be compatible with the principal residence.
3. Maximum living area of an accessory unit shall not exceed 750 square feet or 30 percent of the living area of the principal residence, whichever is less. An accessory unit of 400 square feet is permitted regardless of the living area of the principal residence.

4. Accessory units shall be provided with full kitchen facilities, standard height limits, lot coverage, floor area ratio, and other requirements for residential zones (Ord 97-17).
5. One off-street parking space shall be provided for the second unit in addition to any off-street parking requirements for the principal unit. The primary unit may utilize tandem parking, and the parking space for the accessory unit may be located in the required front yard.
6. Properties currently served by a septic system shall be required to connect into the sewer system provided a sewer line exists in the street or alley immediately adjacent to the property.
7. Accessory units shall be used as a dwelling unit only, and no businesses other than home occupations shall be conducted from or in the second unit.
8. Accessory units shall be permitted on a lot or parcel having a guest house or accessory living quarters. (Conversion of such quarters into an accessory unit is permitted provided all zoning and building code requirements are met.) However, only one detached accessory structure for residential occupancy is permitted.
9. Prior to issuance of a building permit for an accessory unit, a covenant shall be recorded between the Owner and the City of Encinitas agreeing to the terms stipulated in this ordinance.