



**CALAVERAS COUNTY
PLANNING DEPARTMENT**

ACCESSORY DWELLING FACT SHEET

What is an accessory dwelling?

"Accessory dwelling" means either an attached or detached dwelling unit which provides potential living facilities for one or more persons, and exceeds the permitted density for a parcel by one unit. Accessory dwellings are subject to the provisions of Calaveras County Zoning Code Chapter 17.66.

What standards are used for granting an accessory dwelling permit in accordance with State Law?

Accessory dwellings are a State mandated program.

What standards are used for granting an accessory dwelling permit in accordance with County Code?

In order for an accessory dwelling to be permitted minimum County requirements must be satisfied. Accessory dwelling permits meeting the minimum requirements of County Code will be approved. Accessory dwellings are permitted in the U, HS, GF, TP, A1, AP, RA, RR, R1, and RM zoning districts upon approval and validation of an accessory dwelling permit. The following are the minimum County requirements that must be satisfied in order to be considered for an accessory dwelling permit:

- A. The subject property shall be no less than one acre in size. A parcel of 0.99 acres does not qualify for an accessory dwelling
- B. There shall be an existing single-family residence on the subject property which is occupied by the property owner as the permanent primary residence of the property owner as evidenced by a homeowners' exemption carried on the latest equalized assessor rolls, except in the case of simultaneous construction as authorized in Section 17.66.050 of this chapter. Failure to maintain the primary, permanent residence shall be grounds for revocation of the accessory dwelling permit resulting in a prohibition of further occupancy of the accessory dwelling.
- C. No more than one accessory dwelling shall be permitted on any legally existing parcel of land. (Ord. 2289 §3(part), 1992).

Is there a limit on the size of the accessory dwelling?

No. The County does not currently limit the size of accessory dwellings.

Is the property owner required to live on the property?"

Yes. The property owner must occupy a single-family residence on the site as their permanent primary residence (See B. above).

Can both the primary and accessory dwelling be constructed at the same time?

Yes. Simultaneous construction of both a primary and accessory dwelling is permitted, upon approval by the Planning Department. The department may also require the property owner to submit verification that a homeowner's exemption has been applied for inclusion in the next assessment roll.

If I already have a home on my property can I build a second home and live in it as my primary residence

Yes. When a property owner is residing in an existing house on the subject property, and wishes to construct a second home to become the primary dwelling, but maintains the original home for residential occupancy, the Planning Department may include a condition that the existing structure be deemed the accessory dwelling upon completion and occupancy of the new structure.

Can I rent my accessory dwelling?

Yes. The purpose of an accessory dwelling is to provide opportunities for affordable rental housing, accommodations for family members, and to implement Section 65852.2 of the California Government Code.

Accessory dwellings serve the following purposes:

1. Increased opportunity to meet unmet housing needs;
2. Housing for relatives no longer capable of independently caring for themselves;
3. Provide residences for agriculture caretaking and security personnel;
4. Provide guest quarters for nonpaying visitors.

Notwithstanding the above, no accessory dwellings may be used as transient rental or occupancy unit.

How much does an accessory dwelling permit cost and how long does it take?

The application fee for an accessory dwelling permit is \$1,538.00 and permits take 30 - 45 days to process once the application is deemed complete.

Who is notified when I apply for an accessory dwelling permit?

Noticing of the project is limited only to agencies that have jurisdiction over standards or regulations such as the Building Department, Public Works Department, Environmental Health and any agencies providing water and/or sewer service. The County will not route to the 300' adjacent property owners.

Can the approval of an accessory dwelling permit be appealed?

Yes. Accessory dwelling applications are reviewed and approved ministerially by the Planning Director without a public hearing before the Planning Commission or the Board of Supervisors. A public or agency "protest" will no longer be the basis for a public hearing. An appeal of the Planning Director's decision could be based on the accessory dwelling not meeting the required standards. Appeals will be heard by the Calaveras County Planning Commission. The decision of the Planning Commission may be further appealed to the Calaveras County Board of Supervisors.