



CITY OF LARKSPUR

Planning Department
400 Magnolia Avenue
Larkspur, CA 94939

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SUBMITTAL REQUIREMENTS FOR ADMINISTRATIVE APPROVAL FOR ACCESSORY DWELLING UNITS

(Larkspur Municipal Code Section 18.23, Accessory Dwelling Units and 18.24, Junior Accessory Dwelling Units)

Complete and file the accessory dwelling unit application with the Planning Department counter representative along with the required submittal information.

Site Address: _____

Assessor Parcel No: _____

Zoning Designation: _____

Check One:

- | | |
|--|----------------------|
| <input type="checkbox"/> Junior Accessory Dwelling Unit | Complete Checklist A |
| <input type="checkbox"/> Interior Accessory Dwelling Unit | Complete Checklist B |
| <input type="checkbox"/> Attached/Detached Accessory Dwelling Unit | Complete Checklist C |
| <input type="checkbox"/> Multi-Family Accessory Dwelling Unit | Complete Checklist D |

Applicant's Name: _____

Mailing Address: _____

City, State, Zip: _____

Phone No.: _____ **Email:** _____

- Project description** - provide in the space below a summary of the proposed Accessory Dwelling Unit, its purpose and location. Indicate whether the proposed Accessory Dwelling Unit results in the demolition of, or conversion of, a garage or carport. Include a description of project's architectural characteristics if project includes expansion to the existing primary dwelling unit or it is a detached structure. (You may add an additional page if space below is not sufficient.)

Is the property located outside the restricted areas as shown in the map of restricted properties provided?

- Yes
- No If no, you will need to:
- 1. Provide a plan set, stamped, and approved by the Central Marin Fire Department Fire Marshal.
 - 2. Submit a letter requesting a waiver from the Zoning Administrator

SUBMITTAL REQUIREMENTS (must be completed or otherwise indicate why materials are not applicable)

*Staff
Check*

- Application & Checklist**- completed & signed by property owner and applicant (if different from the owner). _____
- Checklist for New ADUs (Attached)** _____
- Site Plan** – drawn to scale, including but not limited to the following information: _____
 1. All streets, walks, driveways, paths, parking areas, patios, and other hard surface areas.
 2. All existing structures on the subject property and all existing structures on adjacent properties that are within 10 feet of the subject property’s property lines. Site plan must identify location of new ADU or JADU whether attached, detached, or within existing structure.
 3. All heritage trees.
 4. Property lines with metes and bounds description and all easements.
- Topographic Survey – required if new addition is proposed** (Not required for interior accessory dwelling units). Survey shall show lot area and average grade. The scale of the map shall be the same as the site plan and the two plans may be combined. The contour interval shall not be greater than five feet. This requirement may be waived by the Planning Director if sufficient information is otherwise available to ensure the accuracy of the proposed site plan. _____
- Building elevations, section drawings, and roof plans** - depicting a proposed attached and/or detached addition including exterior materials and colors. _____
- Floor plans** - showing existing conditions and proposed alterations, dimensioned at 1/4-inch or 1/8-inch scale, and identifying the floor area of the existing residence and proposed accessory unit. Plans shall provide a calculation of floor area which conforms to the development standards as outlined in Section 18.23.060, below. _____
- Photographs** – showing existing primary residence. _____
- Total Cost of Planned Improvements** – Submit information necessary to determine whether the project represents a “Substantial Improvement” to an existing structure as determined by the Building Division. _____

Note:

- The Planning Director may waive any of the above required informational items, maps, drawings, etc., if, in his or her opinion, they are unnecessary or unreasonable under the specific circumstances of the project.
- Accessory dwelling units which are subject to other discretionary permits may be subject to additional submittal requirements specific to those permits.

I HEREBY CERTIFY under penalty of perjury that the above is true and correct and agree to comply with all city and state laws regulating this work. I further agree to save, indemnify, and keep harmless the City of Larkspur, it's officers and representatives against all liabilities and judgements resulting from, or which may in any way accrue in consequence of the granting of, this permit.

Signature of Property Owner Date Signature of Applicant Date

Printed Name of Property Owner Date Printed Name of Applicant Date

For City Staff use only:

Approved

These plans and submitted materials are found to conform to the Accessory Dwelling Unit Ordinance, LMC 18.23 and/or Junior Accessory Dwelling Unit Ordinance, LMC 18.24

Application No.: _____

Date Received: _____

By: _____ Date: _____

Denied

If so, why? _____

CHECKLIST A. JUNIOR ACCESSORY DWELLING UNITS For conversion of space within an existing structure:

(To be filled out by Applicant; Staff Confirmation)

Circle the appropriate answer as it applies to the proposed accessory dwelling unit questions below:

*Staff
Check*

- | | | | |
|--|-----|----|-------|
| 1. Does ADU have a separate entrance? | Yes | No | _____ |
| 2. Does JADU have its own cooking facility for food preparation, cooking, eating and dishwashing, that includes the following features: | | | |
| • Sink with maximum width and length dimensions of 16 inches and a maximum waste line diameter of 1.5 inches | Yes | No | _____ |
| • Cooking appliance that does not require service greater than 120 volts or natural or propane gas | Yes | No | _____ |
| • A refrigerator | Yes | No | _____ |
| • A food preparation counter limited to a maximum of six linear feet and food storage cabinets | Yes | No | _____ |
| 3. Does JADU have its own bathroom? | Yes | No | _____ |
| Must include, at minimum, the following features: | | | |
| • Toilet | Yes | No | _____ |
| • Sink with storage space | Yes | No | _____ |
| • Shower and/or bathtub | Yes | No | _____ |
| 4. What is the floor area of the proposed JADU? _____ square feet.
(Note: The code permits no smaller than 150 square feet and, no larger than 500 square feet in size.) | | | |
| 5. Does JADU result in any reduction of on-site parking? | Yes | No | _____ |
| 6. Does the JADU have a street address assigned to it? | Yes | No | _____ |
| 7. Is the proposed JADU on a property listed in the National and California Register of Historic Places or identified in the Local Inventory of History Places? If so, refer to the requirements of LMC, Chapter 18.19, Historic Preservation. | Yes | No | _____ |
| 8. Have you prepared a draft Deed Restriction for use of the JADU? | Yes | No | _____ |

CHECKLIST B. INTERIOR ACCESSORY DWELLING UNITS - For conversion of space within an existing structure:

(To be filled out by Applicant, Staff Confirmation)

Circle the appropriate answer as it applies to the proposed accessory dwelling unit questions below:

*Staff
Check*

- | | | | |
|--|-----|----|-------|
| 1. Does ADU have a separate entrance? | Yes | No | _____ |
| 2. Does ADU consist only of conversion of floor area within a structure not requiring any additions beyond 150 sq. ft. to accommodate a separate entrance? | Yes | No | _____ |
| • Does conversion include area with garage or carport? | Yes | No | _____ |
| • Does conversion include area with an accessory structure? | Yes | No | _____ |
| 3. Does ADU have its own cooking facility? | Yes | No | _____ |
| That includes, for food preparation, cooking, eating and dishwashing, with the following features: | | | |
| • Sink with hot and cold running water | Yes | No | _____ |
| • Range or stove-top and an oven | Yes | No | _____ |
| • Apartment sized refrigerator no less than 7.3 cubic feet | Yes | No | _____ |
| • Counter and food storage cabinets no less than 40 square feet of shelf space | Yes | No | _____ |
| 4. Does ADU have its own bathroom? | Yes | No | _____ |
| Must include, at minimum, the following features: | | | |
| • Toilet | Yes | No | _____ |
| • Sink with storage space | Yes | No | _____ |
| • Shower and/or bathtub | Yes | No | _____ |
| 5. Floor Area: _____ sq. ft. | | | _____ |
| 6. How many bedrooms are proposed? | | | _____ |
| <input type="checkbox"/> Studio (up to 850 sq. ft. unit) | | | |
| <input type="checkbox"/> 1-bedroom (up to 850 sq. ft. unit) | | | |
| <input type="checkbox"/> 2-bedroom (up to 1,000 sq. ft. unit) | | | |
| <input type="checkbox"/> 3-bedroom (up to 1,200 sq. ft. unit or 50% of the floor area of the existing primary dwelling, whichever is less) | | | |
| 7. Does the ADU involve removal of parking space(s)? | | | _____ |
| <input type="checkbox"/> Yes If yes, are you providing a replacement parking space? Please describe: | | | _____ |
| _____ | | | |
| _____ | | | |
| <input type="checkbox"/> No | | | |

8. Parking Standards

- Does proposed parking meet the minimum requirements:
Required parking dimensions (LMC Section 18.56.150.A(11):
9' x 18' minimum long for non-confined stall
12' x 18' minimum long for confined stall Yes No _____
- Does the new parking structure (e.g., carport, garage, or parking deck) comply with required setbacks for primary & accessory structures as applicable? Yes No N/A _____
- Does the proposal meet the replacement parking requirements? (LMC 18.23.060.G.1) Yes No N/A _____

9. Does the ADU have a street address assigned to it? Yes No _____

10. Is the proposed ADU on a property listed in the National and California Register of Historic Places or identified in the Local Inventory of History Places? If so, refer to the requirements of LMC, Chapter 18.19, Historic Preservation. Yes No _____

11. Does the ADU's exterior improvements match materials and color of existing structure? Architectural Standards (18.23.060.H)
- Are exterior light fixtures night-sky compliant and avoid glare into adjacent property? Yes No _____
 - Do windows meet requirements of (LMC 18.23.060.H(3))? Yes No _____

12. Have you prepared a draft Deed Restriction for use of the JADU? Yes No _____

CHECKLIST C. EXTERIOR ACCESSORY DWELLING UNITS – For additions to existing residences or new detached structures:

(To be filled out by Applicant, Staff Confirmation)

Circle the appropriate answer as it applies to the proposed accessory dwelling unit questions below:

*Staff
Check*

- | | | | |
|--|-----|----|-----------|
| 1. Does ADU have a separate entrance? | Yes | No | _____ |
| 2. Have you prepared a draft Deed Restriction for use of the JADU? | Yes | No | _____ |
| 3. Does ADU have its own cooking facility?
Must include, at minimum, for food preparation, cooking, eating and dishwashing, with the following features: | Yes | No | _____ |
| • Sink with hot and cold running water | Yes | No | _____ |
| • Range or stove-top and an oven | Yes | No | _____ |
| • Apartment sized refrigerator no less than 7.3 cubic feet | Yes | No | _____ |
| • Counter and food storage cabinets no less than 40 square feet of shelf space | Yes | No | _____ |
| 4. Does ADU have its own bathroom?
Must include, at minimum, the following features: | Yes | No | _____ |
| • Toilet | Yes | No | _____ |
| • Sink with storage space | Yes | No | _____ |
| • Shower and/or bathtub | Yes | No | _____ |
| 5. Setbacks | | | |
| • Is this an existing residence with non-conforming setbacks? | Yes | No | N/A _____ |
| • Is this an existing legal accessory structure that is converted to an accessory dwelling unit? | Yes | No | N/A _____ |
| • Is this an ADU that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure? | Yes | No | N/A _____ |
| • Is the ADU an attached or detached accessory dwelling units which is no larger than 800 square feet, and no more than 16 feet in height? | Yes | No | N/A _____ |
| 6. Floor Area: _____ sq. ft. | | | _____ |
| 7. How many bedrooms are proposed? | | | _____ |
| <input type="checkbox"/> Studio (up to 850 sq. ft. unit) | | | |
| <input type="checkbox"/> 1-bedroom (up to 850 sq. ft. unit) | | | |
| <input type="checkbox"/> 2-bedroom (up to 1,000 sq. ft. unit) | | | |
| <input type="checkbox"/> 3-bedroom (up to 1,200 sq. ft. unit or 50% of the floor area of the existing primary dwelling, whichever is less) | | | |

8. Parking Exemptions

- Is this ADU eligible for parking exemptions (refer to LMC 18.23.060G.2.)? Yes No _____
If so, explain why: _____

9. Parking Standards

- Does proposed parking meet the minimum requirements: Required parking dimensions (LMC Section 18.56.150.A(11): 9' x 18' minimum long for non-confined stall 12' x 18' minimum long for confined stall Yes No N/A _____
- Does the new parking structure (e.g., carport, garage, or parking deck) comply with required setbacks for primary & accessory structures as applicable? Yes No N/A _____
- Does the proposal meet the replacement parking requirements (LMC 18.23.060.G.1) Yes No N/A _____
- Does the proposal meet the parking requirement for substantial remodels of primary dwelling? (LMC 18.23.060.G.5 & 18.56.030(B)) Yes No N/A _____

10. Does the ADU's exterior improvements match materials and color of existing structure? Architectural Standards (18.23.060.H)

- Are exterior light fixtures night-sky compliant and avoid glare into adjacent property? Yes No _____
- Do windows meet requirements of (LMC 18.23.060.H(3))? Yes No _____

11. Does the proposed ADU impact or require removal of heritage trees? If yes, it must comply with the requirements of LMC, Chapter 12.16, 'Heritage Trees'. Has a Heritage Tree Permit been issued by the Planning Commission? Yes No N/A _____

12. Does the ADU have a permanent foundation? Yes No _____

13. Does the ADU have a street address assigned to it? Yes No _____

14. Is the proposed ADU on a property listed in the National and California Register of Historic Places or identified in the Local Inventory of History Places? If so, refer to the requirements of LMC, Chapter 18.19, Historic Preservation. Yes No _____

D. MULTI-FAMILY ACCESSORY DWELLING UNITS – For additions or new structure, you must answer the following:

*Staff
Check*

- | | | | |
|--|------------|----------|------------|
| 1. Does the application include more than ADU?
If Yes, list how many: _____
(Note: you will need to answer questions below for <u>all</u> ADUs - separate sheet may be required). | Yes | No | |
| 2. Is the ADU Interior or Exterior (Attached to Detached)? Describe: _____ | | | |
| 3. If Interior, is the unit converted from existing non-habitable space? | Yes | No | N/A |
| 4. If Interior: a) How many multi-family units are on the site? _____
b) How many ADUs are on the site, including proposed? _____
(Note: ADUs may comprise no more than 25% of existing multifamily units) | | | N/A
N/A |
| 5. How many Exterior ADUs are proposed on the site? _____
(Note: No more than two are permitted on a multifamily site). | | | N/A |
| 6. Does the ADU require HOA approval?
If Yes, is evidence of HOA approval provided? | Yes
Yes | No
No | N/A
N/A |
| 7. Does the ADU have a separate entrance? | Yes | | |
| 8. Have you prepared a draft Deed Restriction for use of the JADU? | Yes | No | |
| 9. Does ADU have its own cooking facility?
Must include, at minimum, for food preparation, cooking, eating and dishwashing, with the following features: | Yes | No | N/A |
| • Sink with hot and cold running water | Yes | No | N/A |
| • Range or stove-top and an oven | Yes | No | N/A |
| • Apartment sized refrigerator no less than 7.3 cubic feet | Yes | No | N/A |
| • Counter and food storage cabinets no less than 40 square feet of shelf space | Yes | No | N/A |
| 10. Does ADU have its own bathroom?
Must include, at minimum, the following features: | Yes | No | N/A |
| • Toilet | Yes | No | N/A |
| • Sink with storage space | Yes | No | N/A |
| • Shower and/or bathtub | Yes | No | N/A |
| 11. Setbacks | | | |
| • Is this an existing residence with non-conforming setbacks? | Yes | No | N/A |
| • Is this an existing legal accessory structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit? | Yes | No | N/A |
| • Is this an ADU that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure? | Yes | No | N/A |

- Is the ADU an attached or detached accessory dwelling units which is no larger than 800 square feet, and no more than 16 feet in height? Yes No
N/A

12. Floor Area: _____ sq. ft.

13. How many bedrooms are proposed?

- _____
- Studio (up to 850 sq. ft. unit)
 - 1-bedroom (up to 850 sq. ft. unit)
 - 2-bedroom (up to 1,000 sq. ft. unit)
 - 3-bedroom (up to 1,200 sq. ft. unit or 50% of the floor area of the existing primary dwelling, whichever is less)

14. Parking Exemptions

- Is this ADU eligible for parking exemptions (refer to LMC 18.23.060G.2.)? Yes No _____

If so, explain why: _____

15. Parking Standards

- Does proposed parking meet the minimum requirements: Required parking dimensions (LMC Section 18.56.150.1(k): 9' x 18' minimum long for non-confined stall 12' x 18' minimum long for confined stall Yes No
- Does the new parking structure (e.g., carport, garage, or parking deck) comply with required setbacks for primary & accessory structures as applicable? Yes No
- Does the proposal meet the replacement parking requirements (LMC 18.23.060.G.1) Yes No N/A
- Does the proposal meet the parking requirement for substantial remodels of primary dwelling? (LMC 18.23.060.G.5 & 18.56.030(B)) Yes No N/A

16. Does the proposed ADU meet the Architectural Standards (LMC 18.23.060.G.5)?

- Materials and colors Yes No
- Exterior Lighting Yes No
- Privacy Yes No

17. Does the proposed ADU impact or require removal of heritage trees? Yes No
If yes, it must comply with the requirements of LMC, Chapter 12.16, 'Heritage Trees'. Has a Heritage Tree Permit been issued by the Planning Commission? Yes No N/A

18. Does the ADU have a permanent foundation? Yes No

19. Does the ADU have a street address assigned to it? Yes No

20. Is the proposed ADU on a property listed in the National and California Register of Historic Places or identified in the Local Inventory of History Places? If so, refer to the requirements of LMC, Chapter 18.19, Historic Preservation. Yes No

ACCESSORY DWELLING UNITS DEVELOPMENT STANDARDS

Larkspur Municipal Code 18.23.060

An accessory dwelling unit, as defined in LMC Section 18.23.020, shall comply with the following development standards:

- A. *Number of Units.* Accessory dwelling units are only permitted on parcels with an existing or proposed single family use *or a multi-family residential use.* A parcel with a single family residential use, may have only one accessory dwelling unit. *A parcel with a multi-family residential use may have:*
- 1) *Interior accessory dwelling units: at least one and up to a maximum of 25 percent of the existing multi-family dwellings units, which shall be converted from existing non-habitable space.*
 - 2) *Attached or detached (exterior) accessory dwelling units: no more than two per site.*
- B. *Location of Accessory Dwelling Unit.* The accessory dwelling unit may be within, attached to, or detached from the primary dwelling unit, *duplex or multi-family residence.* Accessory dwelling units may be created through the conversion of a garage, carport, covered parking structure, *storage area or accessory structure.*
- C. *Access.* An attached or interior accessory dwelling unit (attached to, or located within, the primary dwelling unit) shall have a separate independent exterior entrance
- D. *Kitchen Facility and Bathroom.* The accessory dwelling unit shall contain its own cooking facility/kitchen and bathroom, separate from the primary dwelling unit.
1. The kitchen facility must include, at minimum, for food preparation, cooking, eating and dishwashing, the following features: a sink with hot and cold running water, a range or stove-top and an oven, an apartment sized refrigerator, and counter and *food storage cabinets that provide no less than 40 square feet of shelf space.*
 2. The bathroom must include, at minimum, for sanitary purposes the following features: toilet, sink with storage space, shower and/or bathtub.
- E. *Setback and Other Zoning Regulations.* For purposes of setbacks and other zoning regulations, the accessory dwelling unit shall be considered to be a part of the principal use of the subject site and shall be subject to the same requirements of the underlying zoning district, including standards for lot coverage, setbacks, floor area, and height, unless otherwise provided below.
1. When an existing residence has non-conforming setbacks, the conversion of space to an interior accessory dwelling unit shall not require additional setbacks, except as required for fire safety.
 2. No setback shall be required for an existing legal accessory structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit.
 3. A setback of no more than four (4) from the side and rear lot lines shall be required for an ADU that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

4. Attached and detached accessory dwelling units which are no larger than eight hundred (800) square feet and no more than sixteen (16) feet in height are exempt from lot coverage, floor area ratio, open space, and minimum lot size standards, and are subject to no more than a four (4) foot side yard setback and a four (4) foot rear yard setback.

F. *Floor Area Limits.* The accessory dwelling unit shall have a minimum floor area of one hundred and fifty (150) square feet (required to accommodate an efficiency unit per Health and Safety Code, Section 17958.1), and a maximum floor area of eight hundred and fifty (850) square feet in size for studio and one bedroom units. A two bedroom shall have a maximum floor area of one thousand (1,000) square feet in size. For units of three or more bedrooms, the maximum floor area shall be either 1,200 square feet or fifty (50) percent of the floor area of the existing primary dwelling, whichever is less.

G. *Parking Requirements.*

1. *Unless otherwise specified in Section 2 below:*

- a. One additional off-street parking space is required for each attached or detached accessory dwelling unit.
- b. No additional off-street parking is required for the primary residence, except as specified under Section (4) below.
- c. *Parking Space Dimensions.* All required interior and exterior parking space dimensions shall be pursuant to LMC Section 18.56.150.1(k), a minimum of 9 feet wide by 18 feet long for non-confined stall, and a minimum 12 feet wide by 18 feet long for confined stall.

2. *Parking Exemptions.* Off-street parking is not required for an accessory dwelling unit in the following instances:

- a. The accessory dwelling unit is located within one-half mile walking distance of a public transit stop;
- b. The accessory dwelling unit is located within an architecturally and historically significant historic district;
- c. In an area requiring on-street parking, permits are required but not offered to the occupant of the accessory dwelling unit; and
- d. When the accessory dwelling unit is located within one block of a car sharing pick-up/drop-off location.
- e. The accessory dwelling unit is built within the legally existing primary residence or a legally existing accessory structure (interior accessory dwelling unit).
- f. Attached or detached accessory dwelling units which are no more than eight hundred (800) square feet in floor area, no more than sixteen (16) feet in height, and at least four (4) foot side and rear yard setbacks.

3. *Location of Required Parking.* Parking required for the accessory dwelling unit may be located in a garage, carport, uncovered or tandem space on a driveway:

- a. Required replacement parking may be located within the required front yard setback, street side setback, and rear yard setback areas. Parking in setbacks and tandem parking may not be permitted if the Fire Department determines that parking in those areas is unsafe due to site specific fire and/or life safety conditions.

- b. A parking structure (e.g., carport, garage, or parking deck) shall comply with required setbacks for both primary and accessory structures.
 4. *Replacement Parking.* When an existing garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit, no replacement parking is required.
 5. *Substantial Remodels of Primary Dwelling.* Substantial remodels to an existing primary dwelling, unless such remodel is solely for the construction of an accessory dwelling unit and does not involve any other changes, may require additional parking for the primary dwelling as applicable, subject to LMC Section 18.56.030(B).
- H. *Architectural Standards.* Attached and detached accessory dwelling units and conversions of an existing legally permitted accessory structure shall be designed to comply with the following standards:
1. *Materials and Colors.* All external construction that be constructed of the same or similar exterior materials, finishes, and family of colors as the primary dwelling unit on site.
 2. *Exterior Lighting.* Exterior lighting shall be limited to no more than 2 lumens, night sky compliant, and shielded and/or directed so that it does not glare off-site or illuminate onto adjacent and nearby property.
 3. *Privacy.* Windows shall be located offset from neighbor's windows to maximize privacy and to avoid line of sight to windows of abutting properties. Clerestory windows, obscured glass, and other techniques may be used to avoid line of sight. All second story windows facing adjacent properties and located 30 feet or less from the property line, shall have a sill height of at least six feet above finished floor.
- I. *Heritage Trees.* Any new construction of accessory dwelling units that impacts or requires removal of heritage trees shall comply with the requirements of LMC, Chapter 12.16, "Heritage Trees."
- J. *Building Code.* Accessory dwelling units shall comply with all applicable requirements of the California Building Codes, as adopted by reference in Title 15 of the Larkspur Municipal Code.
- K. *Permanent Foundation.* A permanent foundation shall be required for all accessory dwelling units.
- L. An accessory dwelling unit shall not be rented, leased, or provided for compensation for a period of less than 30 days.
- M. Fire sprinklers and other fire safety measures are not required if they are not required in the primary dwelling unit.
- N. *Street Address Required.* Street addresses shall be assigned to all accessory dwelling units to assist in emergency response.
- O. *Business License Required.* If the accessory dwelling unit is a rental, the property owner shall comply with LMC, Chapter 5.04, Business Licenses & Regulations Requirements.
- P. *Deed Restriction.* Prior to obtaining a building permit for an accessory dwelling unit, a deed restriction, approved by the Planning Director or his/her designee, shall be recorded with the

County Recorder's office. Said deed restriction shall run with the land, and shall be binding upon any successor in ownership of the property. A copy of the final recorded deed restriction shall include the following:

1. An accessory dwelling unit may not be sold or otherwise conveyed separately from primary residence.
 2. Any modification of the accessory dwelling unit or termination of use shall be subject to the then applicable zoning and building codes. For example, if *the kitchen, bathroom, and/or sleeping facilities* of the accessory dwelling unit are removed and the structure no longer qualifies as an accessory dwelling unit, the structure may be required to provide additional off-street parking or comply with lot coverage requirements.
- Q. *Historic Preservation.* New additions and detached structures which include an accessory dwelling unit to any real property listed in the National and California Register of Historic Places or identified in the Local Inventory of Historic Places may be subject to the requirements of the LMC, Historic Preservation, Chapter 18.19.