



## **Accessory Structures – Planning and Building Division Requirements**

### **Purpose**

This handout discusses the requirements to allow an accessory structure in the City of San Pablo. The purpose of the requirements is to protect the public health, safety, and welfare by maintaining safe distances between structures, establishing architectural compatibility between primary structures and certain types of accessory structures, and minimizing potential impacts associated with lot coverage, privacy, and maintenance of light and air space.

### **Definition of Accessory Structure**

A subordinate building which is incidental and not attached to the primary building or use on the same lot. If an accessory building is attached to the primary building or if the roof is a continuation of the primary building roof, the accessory building shall be considered an addition to the primary building. Includes structures regardless of whether a building permit is required, including, but not limited to, enclosed and unenclosed patios, barns, guesthouses, accessory dwelling units, garages, carports, storage buildings/sheds, trellis, gazebos, decks, and real or artificial rockscapes.

Please note that the below requirements apply to detached accessory structures only. Accessory structures that are attached (carports, garages, patio covers, porches) are considered part of the primary structure, and related provisions apply.

*Please view Section 17.42 of the San Pablo Municipal Code for the codified language on Accessory Structures.*

### **Development Standards for Accessory Structures**

- Accessory structures containing full indoor cooking facilities (combination of a sink, cooking apparatus, and refrigeration appliance) and a full bath are Accessory Dwelling Units (ADUs) and must follow those separate requirements. There is a handout available for ADUs as well.
- Ingress/Egress into Backyard. A minimum three-foot ingress/egress pathway into a backyard shall be maintained for fire access.
- Parcel Coverage. All accessory buildings and structures shall be included in the maximum parcel coverage calculation.
- Floor Area. The total floor area of all accessory buildings shall not exceed fifty percent of the floor area of the main building, except as provided by an approved use permit.
- Maintenance. All on-site accessory structures shall be kept in a serviceable, well-maintained, and presentable manner that makes a positive contribution to the surrounding area.
- Compatibility. Accessory buildings located in established neighborhoods shall be of compatible size, scale, and appearance, so as to be in harmony with the character and quality of the primary building and surrounding development within the zone.

### **Do I need a permit?**

- An accessory structure under 120 square feet that does not contain any plumbing or electricity must comply with all requirements listed in Chapter 17.42.A (and summarized in this handout) but does not require planning review or building permits.
- An accessory structure over 120 square feet may need to go through design review with the planning department and must obtain building permits. All construction must comply with the 2016 Building Codes.

**Table 17.42-A—Development Standards for Residential Accessory Structures**

| Minimum Setback Distance (from Property Line) <sup>1</sup>   |                           |   |                           | Minimum Distance between Structures | Maximum Height                   | Other                       |
|--|---------------------------|---|---------------------------|-------------------------------------|----------------------------------|-----------------------------|
| Residential Accessory Structure  | Front/Street Side         | Interior Side   | Rear                      |                                     |                                  |                             |
| Closed-Roof Structure (including but not limited to sheds, pool houses, detached garages, accessory dwelling units, gazebos, etc.) | Same as primary structure | 3 feet; increase to 5 feet for high-density residential | 3 feet rear; 5 feet alley | 6 feet                              | 12 feet (one story) <sup>2</sup> | Located on rear half of lot |
| Open-Roof Structure  | Same as primary structure | 3 feet  | 3 feet                    | 6 feet                              | 12 feet                          | Located on rear half of lot |
| Pool/Spa <sup>3, 4, 5, 6</sup>   | Same as primary structure | 5 feet <sup>8</sup>                                     | 5 feet <sup>8</sup>       | 6 feet                              | 2 feet                           | Located on rear half of lot |
| Deck (detached)  | No minimum                | No minimum  | No minimum                | No minimum                          | 2 feet                           |                             |
| Carpports <sup>7</sup>   | Same as primary structure | 5 feet  | 5 feet                    | 6 feet                              | 12 feet                          |                             |

1. No accessory structure shall be permitted within an established easement unless a waiver is granted from holder of easement.
2. Conditional use permit required for height between twelve feet and sixteen feet. Accessory dwelling units meeting the requirements of Section 17.60.070 are permitted with a maximum height of sixteen feet to the roof peak, or the height of the existing primary dwelling, whichever is less.
3. Single-family residences must comply with the Pool Safety Act (Health and Safety Code Section 115920 through 115929).
4. Setback measured to edge of water.
5. All mechanical equipment must be behind the setback.
6. Noise ordinance applicable to equipment (Chapter 17.50).
7. No temporary carports permitted.
8. Measured at edge of water.

