



Community Development Department
14000 City Center Dr., Chino Hills, CA 91709
(909) 364-2740 Fax (909) 364-2795
www.chinohills.org

ACCESSORY DWELLING UNITS

Definitions and Development Standards

One accessory dwelling unit is permissible on properties that are zoned for single-family residential¹ use and which contain an existing, single-family dwelling unit, subject to the provisions of Chino Hills Municipal Code Section 16.10.140.

Dwelling Unit, Accessory: ‘Accessory Dwelling Unit’ (ADU) means a second dwelling unit within a single-family detached residential lot with complete independent living facilities (including a living area; sleeping area; a full kitchen with a stove, a refrigerator, and a sink; and bathroom facilities consisting of a bath/shower, toilet, and sink) for one or more persons and that is located on the same lot as a primary dwelling unit. An ADU may be detached from, attached to, or contained entirely within the primary dwelling unit, subject to the provisions of Section 16.10.140 of the Chino Hills Municipal Code.

Dwelling Unit, Accessory Efficiency: ‘Accessory Efficiency Dwelling Unit’ means a second dwelling unit within a single-family detached residential lot with independent living facilities (including a combined living and sleeping area; bathroom facilities consisting of a bath/shower, toilet, and sink; and a full or partial kitchen) and is located on the same lot as a primary dwelling unit. (As used in this section, a partial kitchen shall consist of a sink and refrigeration facility.) An Accessory Efficiency Dwelling Unit may be detached from, attached to, or contained entirely within the primary dwelling unit. An Accessory Efficiency Dwelling Unit shall be for occupancy by not more than two persons with a minimum floor area of 150 square feet as defined in California Health and Safety Code Section 17958.1. An Accessory Efficiency Dwelling Unit, as defined herein, shall be considered an accessory dwelling unit, subject to the provisions of Section 16.10.140 of the Chino Hills Municipal Code.

Guest House: ‘Guest House’ means living quarters with bathroom plumbing only (plumbing for a shower/bath, sink, and toilet located within a single room) located on the same lot as, but without interior access to, the primary dwelling unit and intended for temporary occupancy by family members, guests, or persons employed on the premises. The floor area of a Guest House shall not exceed 450 square feet or 20 percent of the primary dwelling unit, whichever is less. A Guest House meeting this definition is not subject to the development standards listed below for ADUs.

DEVELOPMENT STANDARDS FOR ALL ADUs:

- A. At no time shall more than one ADU be located within the same property.
- B. ADUs shall not be sold separately from the primary dwelling.
- C. The owner of the property on which the accessory dwelling unit is located shall reside in either of the dwelling units on the property as their primary residence as long as the ADU remains on the property. This is a perpetual requirement that runs with the land.
- D. Deed Restriction. Prior to the issuance of a building permit for the ADU, a restrictive covenant shall be recorded against the property stipulating that (i) the accessory dwelling unit shall not be

¹ Applicable single-family residential zoning districts are Agriculture-Ranch (R-A), Rural Residential (R-R), Low Density Residential (R-S), and properties designated for single-family residential uses within Planned Development districts.

sold separately from the primary dwelling, (ii) the property owner shall reside in either of the dwelling units on the property as their primary residence as long as the ADU remains on the property, and (iii) any rental of the ADU shall be for a period exceeding 30 days. Proof of recordation shall be submitted to the Community Development Department prior to permit issuance.

- E. Minimum Size. The ADU shall have a minimum size of 750 square feet, except that efficiency units shall have a minimum size of 150 square feet.
- F. Maximum Size. The maximum size of an ADU shall not exceed 50 percent of the existing living area of the primary dwelling unit with a maximum of 1,200 square feet.
- G. Building Code. The ADU shall comply with all provisions of the currently adopted building and construction codes pursuant to Title 15, except that ADU shall not be required to provide fire sprinklers if they were not required for the existing primary residence.

Additional Standards for an Accessory Dwelling Unit within an Existing Structure

1. For the purposes of this section, “existing structure” refers to either a single-family residence or an accessory structure that existed as of January 1, 2017, and which received a duly-issued building permit and approval for occupancy from the Building Official or designee.
2. ADUs are permissible within the existing floor area of existing structures within a single-family residential zoning district.
3. The ADU shall be provided with exterior access independent from the primary residence.
4. The side and rear setbacks for the ADU shall be sufficient for compliance with current City building and fire code requirements.
5. The construction of an ADU shall not relieve or diminish the parking requirements applicable to the primary dwelling unit.

Additional Standards for an Attached² or Detached Accessory Dwelling Unit (New Construction or Addition to an Existing Structure)

1. Minimum Lot Size. The lot on which an ADU is proposed to be located shall be at least 10,000 square feet in size.
2. Maximum slope. An ADU shall not be developed on an existing slope of greater than five percent (5%) and shall be located at the toe of any slope. (The slope shall be determined by identifying the lowest and highest elevations on the subject property, calculating the difference between the lowest and highest elevations, and dividing the difference by the linear distance between the two points.)
3. Location on Lot. An ADU may be permanently attached or detached from the primary dwelling, and shall be generally located behind the primary dwelling as viewed from the front property line.
4. Development Standards. An ADU shall comply with all of the development standards for the underlying zoning district of the property on which it is located.
5. Maximum building height. The maximum building height of an ADU shall be 14 feet.
6. Required Parking. One parking space shall be provided per bedroom of the ADU (with a minimum of one space per unit) in addition to the minimum onsite parking required for the

² “Attached” means that the proposed ADU is connected to the existing primary dwelling unit by a wall plane that is at least 50% of the length of the longest wall of the proposed ADU.

primary dwelling unit. The construction of an accessory dwelling unit shall not relieve or diminish the parking requirements applicable to the primary dwelling unit.

- i. Parking spaces for the ADU may be covered or uncovered and may be provided as tandem spaces on an existing driveway.
 - ii. Notwithstanding the foregoing, additional parking for the ADU is not required if the ADU is located within one-half mile of public transit. (For the purposes of this section, public transit shall include without limitation any public bus stop or other mass transit stop.)
 - iii. Garage (or covered) parking required for the primary dwelling unit shall not be converted to an ADU.
7. **Size, Scale, and Height.** The ADU shall be subordinate in size, scale, and building height to the primary dwelling unit.
 8. **Exterior Design.** The exterior of an ADU and/or exterior changes to an existing structure in conjunction with the ADU shall match the architectural design and detailing, roof material, and exterior materials, colors, and finishes of the primary dwelling unit.
 9. **Street Visibility.** To maintain the single-family residential character of the street, the ADU shall be designed and built in such a manner as to minimize its visibility from the public or private rights-of-way.
 10. **Separate Utilities.** Separate utility connections, meters, and lines shall be provided for a detached ADU. If the existing residence utilizes a septic system in lieu of a sewer connection, the detached ADU shall be provided with a septic system that is independent from that of the primary dwelling unit.

PROCESS:

1. The applicant shall submit a building permit application with all applicable submittal materials to the City's Building and Safety Division. The building permit application shall clearly identify the proposed project as an ADU.
 - a. If the proposed ADU is not located within an existing structure, the applicant shall provide a topographic survey or grading plan showing existing elevations for the subject property. The topographic survey or grading plan shall be prepared, stamped, and signed by a licensed land surveyor or civil engineer.
2. Staff will review the building permit application and plans and provide any corrections.
3. Staff will prepare the ADU restrictive covenant and provide it to the applicant.
4. The applicant will sign and notarize the ADU restrictive covenant provided by staff and submit it for recordation to the San Bernardino County Recorder's Office.
5. Once the project plans are approved and a copy of the recorded restrictive covenant is submitted to the City, staff will approve the project for permit issuance.
6. Permit issuance and inspections will proceed in accordance with the City's standard practices.