



Standards for Accessory Buildings *Constructed Prior to April 2004 *

“Accessory Buildings” are buildings which are subordinate to the main building and used for the shelter of people or animals, or the storage of property. Examples include detached garages, workshops, studios, pool houses, and garden sheds.

Zoning Standards

Accessory buildings constructed *prior to April 2004* may not occupy more than 30% of the rear property line setback and must meet one of the three following sets of zoning standards.

1. The regular setbacks of the applicable zoning district (see **Table 1**) and the height standards which were in effect at the time the accessory building was constructed (see the Height Standards in **Table 2**); or
2. The special setbacks and height standards which were in effect at the time the accessory building was constructed (see **Table 2**); or
3. The following Small Accessory Building exemption standards:
 - a. Maximum floor area of 120 square feet;
 - b. Maximum height of 8 feet (including foundation);
 - c. Located at least 10 feet behind nearest front corner of the residence; and
 - d. Substantially concealed from public view by a six-foot solid fence.

Please contact the Community Development Department for standards applicable to properties located in the Planned Development Districts (e.g., Oakhurst, Regency Woods, Westwood, Oakwood Circle, Clayton Green, Silver Creek II, Diablo Village, Greystone).

Approval Procedures

If your accessory building was installed prior to 2004, is not in a Planned Development District, and does not comply with one of the above three sets of zoning standards, it is an illegal building and must be brought into compliance with the current zoning standards for accessory buildings (contact the Community Development Department for a separate brochure on the current standards) or apply for a variance to “legalize” your accessory building (note: the granting of a variance is not automatic and is subject to approval or denial by the Clayton Planning Commission).

Homeowner Association CC&R’s

In addition to the zoning standards, many neighborhoods also have covenants, conditions, and restrictions (CC&R’s) which are applicable to accessory buildings and often administered through a homeowners association. We recommend that you review your CC&R’s and/or contact your homeowners association to determine if CC&R’s are applicable to your accessory building.

Questions

For additional information contact the Community Development Department at 925-673-7340 or visit the City’s website at <http://www.ci.clayton.ca.us>.

Table 1				
Zoning District	Regular Property Line Setbacks			
	Front (Minimum)	Side (Minimum)		Rear (Minimum)
		Interior Lots	Corner Lots	
R-10	20'	10' Min / 20' Aggregate	20'	15'
R-12	20'	10' Min / 25' Aggregate	20'	15'
R-15	20'	10' Min / 25' Aggregate	20'	15'
R-20	25'	15' Min / 35' Aggregate	25'	15'
R-40 / R-40-H	40'	20' Min / 40' Aggregate	40'	15'

Table 2					
Time Frame	Height Standards (Maximum)	Accessory Building Special Setbacks*			
		Front Property Line (Minimum)	Interior Side Property Line (Minimum)	Rear Property Line (Minimum)	From Main Building (Minimum)
April 1996 - May 2004	16' or one story	65'	3'	3'	12'
May 1976 - April 1996	16' or one story	65'	3'	0'	12'
February 1968 - May 1976	35'	65'	3'	0'	12'

* An accessory building must meet all of the special setbacks.