

20-534 **ACCESSORY DWELLING UNITS** (Permitted only in RS40, RS20, RS10, RS7, MU and CN1)

(1) **Purpose**

Accessory Dwelling Units are allowed in certain situations to:

- (i) create new housing units while preserving the look and **Scale** of single-**Family Detached Dwelling** neighborhoods; subject to the procedures established in Section 20-534(2)(xi);
- (ii) allow more efficient use of the City's existing housing stock and **Infrastructure**;
- (iii) provide a mix of housing types that responds to changing **Family** needs and smaller households;
- (iv) provide a means for residents, particularly seniors, single parents, and couples, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
- (v) provide a broader range of accessible and more affordable housing.

(2) **Design Standards**

(i) **Purpose**

These design standards are intended to ensure that **Accessory Dwelling Units**:

- a. are compatible with the desired character and livability of the **Zoning Districts**;
- b. respect the general **Building Scale** and placement of **Structures** to allow sharing of common space on the **Lot**, such as **Driveways** and **Yards**; and
- c. are 960 square feet or smaller in size.

(ii) **Generally**

The design standards for **Accessory Dwelling Units** are stated in this section. If not addressed in this section, the **Base District** standards apply.

(iii) **Methods of Creation**

An **Accessory Dwelling Unit** may only be created through one of the following methods:

- a. converting existing living area within a **Detached Dwelling**, **Attached Dwelling** (e.g., attic, **Basement** or attached garage); or
- b. adding **Floor Area** to an existing **Detached Dwelling**, **Attached Dwelling** or detached garage; or
- c. constructing a new **Detached Dwelling**, **Attached Dwelling** or detached garage with an internal **Accessory Dwelling Unit**.

(iv) **Owner Occupancy Required in RS Districts**

Either the principal **Dwelling Unit** or the **Accessory Dwelling Unit** must be occupied by one or more of the persons who is/are the record **Owner** of the **Premises**.

If at any time, neither of the **Dwelling Units** in a **Building** that contains an **Accessory Dwelling Unit** is the principal residence of one of the **Owner** of the property, then the

property shall be considered a **Duplex**. If a **Duplex** is not permitted in the **Zoning District** in which the property is located, the **Owner** shall be subject to penalties for a zoning violation and to an abatement order requiring restoration of the **Premises** to lawful status, conforming with the uses permitted in the **Zoning District**.

(v) Number of Residents

The total number of individuals that reside in both units (principal + accessory) may not exceed the ~~number that is allowed for a household~~ **Occupancy Limit established for the Principal Building in Section 20-601(d)**, plus one additional person.

(vi) Other Uses

An **Accessory Dwelling Unit** is prohibited in a house with a Type B **Home Occupation**.

(vii) Location of Entrances

- a. Only one entrance to the **Principal Building** may be located on the front **Facade** that faces the **Street**, unless the **Principal Building** contained an additional **Street-facing** entrance before the **Accessory Dwelling Unit** was created.
- b. When the **Accessory Dwelling Unit** is located behind the rear wall of the **Principal Building**, the accessory **Dwelling** entrance shall face the **Front Lot Line**.
- c. An exception to subsection (b), above, is **Dwelling Units** that do not have **Access** from the ground such as **Dwelling Units** with entrances from balconies or elevated decks.

(viii) Parking

The following **Parking** requirements apply to **Accessory Dwelling Units**.

- a. Lots containing **Accessory Dwelling Units** shall contain a minimum of two off-**Street Parking Spaces**.
- b. If the **Lot** containing the **Accessory Dwelling Unit** abuts only a **Local Street** and the pavement of the **Local Street** is at least 27 feet wide, no additional **Parking Space** is required for the **Accessory Dwelling Unit**.
- c. If the **Lot** containing the **Accessory Dwelling Unit** abuts only a **Local Street** and the pavement of the **Local Street** is less than 27 feet wide, or if the **Accessory Dwelling Unit** is created at the same time as the principal **Dwelling Unit**, one additional **Parking Space** is required for the **Accessory Dwelling Unit**.
- d. One additional **Parking Space** is required for the **Accessory Dwelling Unit** if the **Lot** containing the **Accessory Dwelling Unit** abuts only a **Collector** or **Arterial Street**.

(ix) Size

The maximum size of an **Accessory Dwelling Unit** may be no more than (33%) of the living area of the **Detached Dwelling** or **Attached Dwelling**, or 960 square feet, whichever is less.

(x) Floor Area Additions

Accessory Dwelling Units created through the addition of habitable **Floor Area** to an existing **Structure** shall comply with the following standards:

- a. the exterior finish material shall be the same or visually match in type, size and placement, the exterior finish material of the house or existing [Structure](#);
- b. the roof pitch shall be the same as the predominant roof pitch of the house or existing [Structure](#);
- c. trim on edges of elements on the addition shall be the same in type, size and location as the trim used on the rest of the house or existing [Structure](#);
- d. windows shall match those in the house in proportion (relationship of width to [Height](#)) and orientation (horizontal or vertical);and
- e. eaves shall project from the [Building](#) walls the same distance as the eaves on the rest of the house or existing [Structure](#).

(xi) Registration; Affidavit

- a. [Accessory Dwelling Units](#) shall be registered with the [Planning Director](#) prior to their establishment. The requirement for registration is intended to ensure that the applicant is aware of the provisions of this Development Code governing [Accessory Dwelling Units](#); that the City has all information necessary to evaluate whether the [Accessory Dwelling Unit](#) initially meets and continues to meet Development Code requirements; and that the distribution and location of [Accessory Dwelling Units](#) is known.
- b. At the time of registration, the applicant shall submit an affidavit pledging agreement to the [Accessory Dwelling Unit](#) standards of this section. The affidavit shall specify which of the [Dwelling Units](#) will be occupied by an [Owner](#) of the property; if at any time such [Owner](#) moves to the other [Dwelling Unit](#), the [Owner](#) shall be responsible for filing an updated affidavit, recording such change.
- c. Permits for [Accessory Dwelling Units](#) may be issued after the [Planning Director](#) determines that the proposal complies with all applicable Development Code requirements.