

2019 ACCESSORY DWELLING UNIT HANDOUT

This handout reflects changes made by Ordinance No. 18-1032, adopted on January 15, 2019

9-1T-10: ACCESSORY DWELLING UNITS:

A. Applicability: Accessory dwelling units will be permitted in all residential zones subject to the requirements of this section.

B. Development Standards:

1. Any accessory dwelling unit, whether attached, detached, or located within an existing dwelling is calculated toward the maximum permitted floor area ratio and lot coverage. Construction must be in full compliance with all applicable zoning criteria found in article M, "Residential Districts", of this chapter, except as modified by this section.
2. The lot on which the accessory dwelling unit is located must be improved with one (1) single-family dwelling. An accessory dwelling unit is not allowed on lots with more than one (1) single-family dwelling, multifamily dwellings, an existing accessory dwelling unit, or other nonconforming uses.
3. The single-family dwelling or accessory dwelling unit must be owner occupied.
4. The accessory dwelling unit may not be sold separately from the single-family dwelling, but may be rented for periods of not less than thirty (30) days.
5. An accessory dwelling unit may be detached, attached, or located within the living area of the main dwelling or another accessory structure.
 - a. If the accessory dwelling unit is detached, it must comply with the size limitations for accessory structures in section 9-1M-11 of this chapter and must not exceed 800 square feet and must be single-story. The maximum height of the structure must not exceed 18 feet, measured from the natural grade to the highest roof ridge or parapet. The height of the top plate must not exceed nine feet.
 - b. If the accessory dwelling unit is attached or located within the main dwelling, it must not exceed a size equal to 50 percent of the main dwelling, with a maximum floor area of 800 square feet.
6. The maximum size of an accessory dwelling unit is 800 square feet. The maximum number of bedrooms for an accessory dwelling unit will be determined by the gross floor area:
 - a. There will be no minimum gross floor area for studios or bachelor units. Studios and bachelor units cannot exceed 800 square feet of gross floor area. For the purposes of this section, a studio or bachelor unit cannot contain enclosed rooms with the exception of a bathroom and kitchen.
 - b. One bedroom units must provide a minimum of 600 square feet of gross floor area and cannot exceed 800 square feet of gross floor area. For the purposes of this section, a den, library, study or similar enclosed room will be considered a bedroom.
 - c. Two bedroom units must provide a minimum of 700 square feet of gross floor area and cannot exceed 800 square feet of gross floor area. For the purposes of this section, a den, library, study or similar enclosed room will be considered a bedroom.
7. All accessory dwelling units must be located on the rear 50 percent of the lot.

8. The minimum side yard setback for a newly constructed detached accessory dwelling unit is five feet.
9. The minimum rear yard setback for a newly constructed detached accessory dwelling unit is 10 feet.
10. The existing side and rear yard setback may be maintained for an existing garage or other permitted existing accessory structure built prior to January 1, 2017, that is converted to an accessory dwelling unit. Accessory structures and additions constructed without building permits are required to comply with the current development standards.
11. An addition to a legally non-conforming accessory structure for the purpose of creating an accessory dwelling unit must comply with the provisions found in section 9-1H-8, "Additions To Nonconforming Structures", of this chapter.
12. The accessory dwelling unit may share utility connections and meters with the main dwelling, or may be separately connected and metered. Utilities must be upgraded as deemed necessary by the building official to comply with the applicable codes, including but not limited to sewer laterals, electrical service panels, and water service.
13. Accessory dwelling units are subject to park construction fees per section 9-5-2 of this title.
14. The minimum lot size for a new accessory dwelling unit is 6,000 square feet.

C. Parking Requirements:

1. Detached accessory dwelling units must provide one garage, covered, or open parking space. The following standards will apply:
 - a. The required parking may be located in the side and rear setback areas when a five foot landscaped buffer is provided between the nearest property line and the parking area.
 - b. The required parking for a detached accessory dwelling unit must be independent from required parking for the existing main dwelling and must not block access to the required parking for the main dwelling.
2. Accessory dwelling units attached to, or located within the main dwelling, or an accessory structure legally constructed prior to the adoption of this section do not require parking.
3. When a garage or carport, constructed prior to January 1, 2017, is converted or demolished in conjunction with the construction of an accessory dwelling unit, the replacement spaces may be located in any configuration on the same lot, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts.
4. No parking is required for a detached or attached accessory dwelling unit in any of the following circumstances:
 - a. The accessory dwelling unit is located within one-half (1/2) mile of a park and ride facility or a bus stop, which operates regularly with headways of fifteen (15) minutes or less.
 - b. The accessory dwelling unit is located within a designated historic district.
 - c. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - d. When there is a car share vehicle hub or pick-up location located within one block of the accessory dwelling unit.

D. Design Standards: The following design standards will apply to all accessory dwelling units:

1. The doors to all accessory dwelling units must not be visible from the public right-of-way. If the accessory dwelling unit is located on the second floor of the main dwelling, the stairs leading to the unit must be located on the interior of the structure.
2. All attached and detached accessory dwelling units must have 15-gallon hedges planted five feet (5') on center along the side and rear property lines nearest the structure. This is not required for the conversion of an existing structure to an ADU if the setbacks are less than five feet (5').
3. All attached and detached accessory dwelling units must have a view obscuring six foot (6') high wall or fence in good repair along the side and rear property lines nearest the accessory dwelling units.
4. There must be a minimum of four hundred (400) square feet of open space for the accessory dwelling unit with dimensions of no less than ten feet (10'). The open space will be accessible to the accessory dwelling unit. Features such as landscape and hardscape materials, swales, mounds, and garden walls will be used to create open space that is distinct from other areas and uses on the lot.
5. There must be a minimum building separation of ten feet (10') (measured eave to eave) from any other buildings on the lot and a five foot (5') distance from pools, spas, or the like.
6. All accessory dwelling units must be consistent with the architectural style of the main dwelling including but not limited to the roof pitch, articulation, window size, proportion of window units to wall size, direction of opening, muntin pattern, exterior building materials, lighting fixtures, garage door design, and paint colors. (Ord. 17-1022)

9-1J-7(A)(1) OFF STREET PARKING REQUIREMENTS

- b. Required guest parking spaces for multi-family developments shall be a minimum of fourteen feet (14') in width by eighteen feet (18') in length when abutted by walls or structures on both sides. Guest parking spaces that abut one wall or structure shall provide at least twelve feet (12') in width by eighteen feet (18') in length. Guest parking spaces shall be improved with grasscrete or turf block material so as to be permeable.
- c. Residential garage parking for accessory dwelling units may be provided in tandem parking spaces with minimum interior dimensions of 10 feet in width by 40 feet in length. Open and covered parking spaces for accessory dwelling units must comply with the size requirements specified in 9-1J-7(A)(1)(b)

9-1M-11 LIMITATIONS OF USES (R-1, SINGLE-FAMILY RESIDENTIAL)

B. Accessory Structures: Accessory structures must be limited to one per lot, including accessory dwelling units, pool houses, workshops, shed, and the like, but not including required garages. On lots improved with a main dwelling that is greater than or equal to 1,280 square feet, the maximum area for accessory structures on a lot - excluding required parking - must not exceed 1,400 square feet or 50 percent of the living area of the main dwelling, whichever is smaller. On lots improved with a main dwelling that is less than 1,280 square feet, the maximum area for all accessory structures on a lot - excluding required parking - must not exceed 640 square feet. (1960 Code; amd. Ord. 77-452; Ord. 87-603; Ord. 03-888; Ord. 17-1022)