

## Attachment II

### Proposed Accessory Dwelling Unit (ADU) amendments

#### Chapter 5 | Residential Districts

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Section 5.020 Use Regulations

5.020-F Accessory Uses

Accessory uses, such as home occupations, are not regulated by Table 5-2. Customary accessory uses are allowed in conjunction with principal uses permitted by right or by special exception, subject to compliance with all applicable accessory use regulations of Chapter 45.

*Table 5-2: R District Use Regulations*

USE CATEGORY	RE	RS-					RD	RT	RM-				RMH	Supplemental Regulations
Subcategory Specific use		1	2	3	4	5			0	1	2	3		
<b>RESIDENTIAL</b>														
Household Living (if in allowed building type identified in Table 5-2.5)														
Single household	P [1]	P [1]	P [1]	P [1]	P [1]	P [1]	P [2]	P [2]	P [2]	P [2]	P [2]	P [2]	P [2]	P [2]
Two households on single lot	-	-	-	S	S	S	P	P	P	P	P	P	P	-
Three or more households on single lot	-	-	-	-	-	S	S	P	P	P	P	P	P	-
***														
<b>AGRICULTURAL</b>														
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Farm, Market-, or Community-supported [1] [1] [2] [3]	S	S	S	S	S	S	S	S	S	S	S	S	S	Section 40.090

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#### Table 5-2 Notes

[1] Accessory dwelling units may be allowed by special exception in RE and RS Districts on a lot occupied by a detached house. For supplemental regulations, see Section 45.031.

[2] Accessory dwelling units are allowed by right in RD, RT, RM, and RMH Districts on a lot occupied by a detached house. For supplemental regulations, see Section 45.031.

[1] [2] [3] A Farm, Market or Community supported, may only be allowed in a residential district where the land area of a single parcel is greater than 2 acres.

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#### Chapter 25 | Special Districts

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Section 25.020 AG, Agricultural District and AG-R, Agricultural-Residential District

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## Section 25.020-B Use Regulations

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*Table 25-1: AG and AG-R District Use Regulations*

USE CATEGORY	Supplemental Use Regulations	
Subcategory (Section 35.020)	AG	AG-R
Specific use		
<b>RESIDENTIAL</b>		
Household Living (if in allowed Building type indicated in 25.1-5)		
Single household [1]	P/S	P/S

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[1] Accessory dwelling units may be allowed by special exception in AG and AG-R districts on a lot occupied by a detached house. For supplemental regulations, see Section 45.031.

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## Chapter 35 | Building Types and Use Categories

### 35.010 Building Types

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#### 35.010-A Detached House

A detached house is a principal residential building, other than a manufactured housing unit or mobile home, that contains only one dwelling unit and that is located on a single lot that is not occupied by other dwelling units principal residential buildings. Detached houses are not attached to and do not abut other dwelling units principal residential buildings. Detached houses include conventional (“stick-built”) construction and construction involving modular or system-built components as long as such construction complies with city building codes. (An Accessory Dwelling Unit, as defined by Section 45.031-A, is not considered a detached house).

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## Chapter 45 | Supplemental Use and Building Regulations

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## 45.030 Accessory Buildings and Carports in R Districts

### 45.030-A Accessory Building Size

#### 1. RE and RS-1 Districts

In RE and RS-1 districts, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, and accessory buildings not erected as an integral part of the principal residential building may not exceed 750 square feet or 40% of the floor area of the principal residential structure, whichever is greater. ~~{H}~~[1]

#### 2. RS-2, RS-3, RS-4, RS-5 and RM Districts

In RS-2, RS-3, RS-4, RS-5 or RM, zoned lots used for detached houses or duplexes, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, and accessory buildings not erected as an integral part of the principal residential building may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater. ~~{H}~~[1]

~~{H}~~[1] For detached accessory buildings, including accessory dwelling units, located within rear setbacks see §90.090- C2.

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## Section 45.031 ADU, Accessory Dwelling Units in R, AG, and AG-R Districts

### Section 45.031-A Definition

A dwelling unit that is located in an accessory building on the same lot as a detached house to which it is accessory and subordinate.

Examples of ADUs include carriage houses, garage apartments, and mother-in-law flats.

### Section 45.031-B Purpose

1. The purpose of allowing accessory dwelling units within R, AG, and AG-R districts is to:
  - a. accommodate new housing units while preserving the character of existing neighborhoods;
  - b. allow efficient use of the city's existing housing stock and infrastructure;
  - c. provide housing options and choices that respond to varying income levels, changing household sizes and lifestyle needs; and
  - d. provide a means for residents—particularly seniors, single parents, and empty-nesters—to remain in their homes and neighborhoods, and obtain extra income, security, companionship and assistance.
2. The ADU supplemental regulations are also intended to help ensure that that new buildings and modifications to existing buildings are designed with sensitivity to their

context in terms of building placement, proportions, building materials, and similar design features.

#### Section 45.031-C Applicability

These regulations apply to all accessory dwelling units, as defined by Section 45.031-A.

#### Section 45.031-D Regulations

##### 1. Where Allowed

Accessory dwelling units are allowed by special exception in all R, AG, and AG-R districts on lots occupied by a detached house.

##### 2. Number

No more than one accessory dwelling unit is allowed per lot.

##### 3. Methods of Creation

An accessory dwelling unit may be created only through the following methods:

- a. Constructing an accessory dwelling unit on a lot with a new or existing detached house; or
- b. Converting or increasing existing floor area within an accessory building on a lot with an existing detached house.

##### 4. Density (Minimum Lot Area and Lot Area per Unit)

No additional lot area or lot area per unit is required for the accessory dwelling unit.

##### 5. Open space (Minimum open space per unit)

No additional open space is required for the accessory dwelling unit.

##### 6. Accessory Dwelling Unit Size

###### a. RE and RS-1 Districts

In RE and RS-1 districts, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, may not exceed 750 square feet or 40% of the floor area of the principal residential structure, whichever is greater. [1]

###### b. RS-2, RS-3, RS-4, RS-5, and RM Districts

In RS-2, RS-3, RS-4, RS-5 or RM zoned lots used for detached houses, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater. [1]

[1] For detached accessory buildings, including accessory dwelling units, located within rear setbacks, see Section 90.090-C2.

##### 7. Building and Fire Codes

All accessory dwelling units are subject to applicable building and fire codes.

8. Additional Regulations for Accessory Dwelling Units

a. Entrances

Building entrances to accessory dwelling units may not face the nearest side or rear property line unless there is an alley abutting that property line.

b. Setbacks

An accessory dwelling unit must be located at least 10 feet behind the detached house. This required 10-foot separation distance must be open from the ground to the sky except that it may include walkways, patios, decks and similar structures that do not exceed 30 inches in height above finished grade.

c. Exterior Finish Materials

The exterior finish material of any new accessory dwelling unit must be the same or visually match in type, size and placement, the exterior finish material of the detached house.

d. Roof Pitch

The roof pitch any new accessory dwelling unit must be the same as the predominant roof pitch of the principal building.

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**Chapter 90 Measurements**

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Section 90.090 Setbacks

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90.090-C Permitted Setback Obstructions in R Zoning Districts

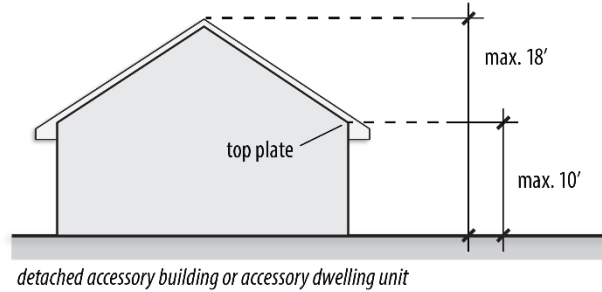
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2. Detached Accessory Buildings, including Accessory Dwelling Units, in RE, RS, RD Districts and RM Zoned Lots Used for Detached Houses or Duplexes.

a. Detached accessory buildings, including accessory dwelling units, may be located in rear setbacks provided that:

(1) The building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate; and

Figure 90-9: Maximum Height of Accessory Buildings, Including Accessory Dwelling Units, In Rear Setbacks (RE, RS and RD Districts or RM Zoned Lots Used for Detached Houses or Duplexes)



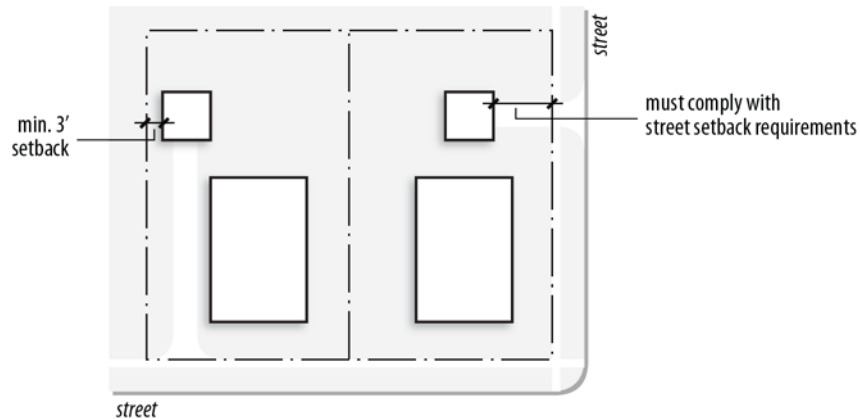
(2) Building coverage in the rear setback does not exceed the maximum limits established in Table 90-2:

Table 90-2: Accessory Building, **Including Accessory Dwelling Units**, Coverage Limits in Rear Setback

Zoning District	Maximum Coverage of Rear Setback
RS-1 and RE Districts	20%
RS-2 Districts	25%
RS-3, RS-4, RS-5, and RD Districts	30%
RM zoned Lots Used for Detached Houses or Duplexes	30%

b. Detached accessory buildings, **including accessory dwelling units**, in the rear setbacks must be set back at least 3 feet from all interior lot lines. For lot lines abutting street right-of-way, detached accessory buildings, **including accessory dwelling units**, must comply with the same setback requirements that apply to principal buildings.

Figure 90-10: Required Setbacks for Accessory Buildings, **Including Accessory Dwelling Units**, in Rear Setbacks (RE, RS and RD Districts and RM Zoned Lots Used for Detached Houses and Duplexes)



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## Chapter 95 | Definitions

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**Accessory Dwelling Unit:** See Section 45.031-A