



# ACCESSORY DWELLING UNITS (ADU)

## PURPOSE

The purpose of allowing ADUs is to:

- Provide homeowners with a means of obtaining, through tenants in either the ADU or the principal unit, rental income, companionship, security, and services.
- Add affordable units to the existing housing.
- Make housing units available to moderate-income people who might otherwise have difficulty finding homes within the (city/county).
- Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.
- Protect neighborhood stability, property values, and the single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the conditions of this Ordinance.

## APPLICABILITY

- Accessory Dwelling Units are permitted within all residential and commercial zoning districts

## BASIC DEVELOPMENT STANDARDS

### A. Maximum Building Height

- 32 feet when within the buildable area for the principle structure
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- 14/18 ft within the rear yard.

### B. Setbacks

- Front Yard: 20 feet
- Side Yard,: 5/10 feet 5/5 if alley
- Side Yard, fronting a street: 10 feet
- Rear Yard: 0 feet

### D. Parking

- None required other than for the principle dwelling.

### E. Owner Occupancy

Either the principal dwelling unit or the accessory dwelling unit must be occupied by a majority owner of the property or an immediate family member of the property owner. Owner occupancy is defined as a property owner, as reflected in title records, who makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means, and actually resides at the site more than six months out of any given year.

## F. Number of Occupants

One accessory dwelling unit is permitted as subordinate to an existing single-family dwelling; provided, the following requirements are met. The total number of occupants in both the principal dwelling unit and accessory dwelling unit combined shall not exceed the maximum number established for a household as defined in Section 17.02.055.

17.02.055 B. "Family" unless otherwise specified by ordinance means any of the following:

1. One or more persons who are related by blood, marriage, or adoption; or
2. No more than four (4) persons who are unrelated by blood, marriage or adoption living together as a single housekeeping unit; or
3. No more than a total combination of five (5) persons related and unrelated living together as a single housekeeping unit; or
4. A group:
  - a. Placed in a foster home or childcare facility by an authorized agency;
  - b. Eight (8) persons or less devoting full time to a religious or ethical discipline, unrelated by blood, marriage, or adoption, any of which are living together as an independent housekeeping unit together with incidental domestic servants and temporary nonpaying guests; or
  - c. Eight (8) persons or less who are unrelated by blood, marriage, or adoption who are mentally or physically handicapped, or elderly with no more than two (2) residential staff members.

## G. Subdivision

Accessory dwelling units shall not be subdivided or otherwise segregated in ownership from the principal dwelling unit.

## H. Size and Scale

The square footage of the accessory dwelling unit shall be a minimum of 300 square feet and a maximum of 700 square feet, excluding any garage area; provided, the square footage of the accessory dwelling unit shall not exceed 40 percent of the total square footage of the primary dwelling unit, excluding the garage area, as it exists or as it may be modified.

## I. Location

The accessory dwelling unit may be added to or included within the principal unit, or located in a detached structure. Other code standards may apply.

## j. Entrances

The single-family dwelling containing the accessory dwelling unit shall have only one entrance on each front or street side of the residence.

## k. Additions

Additions to an existing structure or newly constructed detached structures created for the purpose of developing an accessory dwelling unit, shall be designed consistent with the existing roof pitch, siding, and windows of the principal dwelling unit.

## Permitting and Enforcement

### A. Application.

The property owner shall apply for an accessory dwelling unit permit and other applicable permits with the City. The application shall include an affidavit signed by the property owner affirming that a majority owner or an immediate family member will occupy the principal dwelling unit or accessory dwelling unit for more than six months per year.

### B. Applicable Codes.

The accessory dwelling unit shall comply with all standards for health and safety and any applicable codes, except as provided in this chapter. The ADU shall comply with all development code provisions for single-family dwellings including height and setbacks, except as provided in 17.06.650 of this chapter through this section.

### C. Recording Requirements.

Approval of the accessory dwelling unit shall be subject to the applicant recording a document with the County recorder which runs with the land and identifies the address of the property, states that the owner(s) resides in either the principal dwelling unit or the accessory dwelling unit, includes a statement that the owner(s) will notify any prospective purchasers of the limitations of this section, and provides for the removal of the accessory dwelling unit if any of the requirements of this chapter are violated.

### D. Permit.

Upon compliance with the provisions of section 17.06.650 of this chapter through this section, an accessory dwelling unit permit will be issued.

### E. Enforcement.

The city retains the right with reasonable notice to inspect the ADU for compliance with the provisions of this section.

### F. Elimination/Expiration.

Elimination of an accessory dwelling unit may be accomplished by the owner recording a certificate with the County and the City's Planning Department stating that the accessory dwelling unit no longer exists on the property.