

## ACCESSORY DWELLING UNITS

### Sec. 5.5.05. Uses of Land.

| Table 5.5.05.B. Uses: Residential Zone Districts |                         |              |     |                          |
|--|-------------------------|--------------|-----|--------------------------|
| Use Category                                     | Specific Use            | TN, MCN, MON |     | Use or Other Regulations |
|  |                         | LDR          | MDR |                          |
| RESIDENTIAL                                      |                         |              |     |                          |
| Accessory Uses                                   | Accessory dwelling unit | QRP          | QRP | 5.9.03.                  |

### Sec. 5.9.02. Applicability.

| Table 5.9.02. Use Regulations and Approval Process |         |                |                                 |                  |                  |
|--|---------|----------------|---------------------------------|------------------|------------------|
| Use  | Section | Counter Review | Director Review                 | Qualified Review | Special Land Use |
| Accessory dwelling units                           | 5.9.03. | — LDR,<br>MDR  | CC, TCC,<br>TBA, TOD,<br>C, NOS | LDR, MDR         | —                |

### Sec. 5.9.03. Accessory Dwelling Units (ADU).

~~The following ADU use regulations shall not be waived or altered by the Planning Commission.~~

- A. Not more than one (1) Accessory Dwelling Unit (ADU) may be permitted per lot~~included within a detached single-family dwelling (primary dwelling unit), or accessory structure, or separate from but located on the same lot as a detached single-family dwelling.~~
- B. An ADU may be permitted only in association with a single-family or two-family dwelling.
- C. Minimum Lot Area. An ADU may be developed on a lot meeting the minimum lot size for the applicable zone district.
- ~~C~~D. Residential Density. ~~An~~The ADU shall be excluded from maximum residential density requirements.
- ~~D~~E. Setbacks.
  1. An attached ADU shall be subject to the zone district setback requirements for a primary structure.
  2. A detached ADU shall be subject to the zone district setback requirements for an accessory structure.

#### Building Height.

- ~~1. The portion of a single family detached dwelling with an ADU, when newly added, shall not exceed the permissible main building height of the Zone District. The Planning Commission may increase the height of an accessory structure occupied by an ADU up to a maximum of twenty-five (25) feet.~~
- ~~2. The maximum permitted height for a detached ADU is twenty five (25) feet where the applicable zone district setback requirements for a primary structure are met. Where zone district setback requirements for a primary structure cannot be satisfied, the detached ADU shall be no higher than (20) feet.~~

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### FE. Floor Area.

1. The maximum permitted floor area for an accessory structure that contains a second floor ADU may be increased by one hundred (100) percent solely for the construction of a second-floor unit.
2. Maximum ADU Size. The ADU shall not exceed forty (40) percent of the gross floor area of the primary structure or four hundred (400) square feet, whichever is larger. In no case shall the ADU exceed eight hundred fifty (850) square feet in gross floor area.~~Maximum Floor Area. The maximum permitted floor area for an accessory structure that contains an ADU may be increased by one hundred (100) percent solely for the construction of a second-floor unit.~~ Minimum/Maximum ADU Size. The ADU shall not exceed forty (40) percent of the gross floor area of the primary dwelling unit, but in any case shall be at least four hundred (400) square feet and not larger than eight hundred fifty (850) square feet in gross floor area.

GF. Building Height. The maximum permitted height of a detached ADU is twenty-five (25) feet. ~~Front Yard Prohibited. If not part of the main building, the ADU shall not be in the front yard.~~

HG. Minimum/Maximum ADU Size. ~~The ADU shall not exceed forty (40) percent of the gross floor area of the primary dwelling unit, but in any case shall be at least four hundred (400) square feet and not larger than eight hundred fifty (850) square feet in gross floor area.~~

~~H. Bedroom Maximum.~~ A maximum of two (2) bedrooms are permitted within an ADU.

I. Owner Occupancy. ~~One (1) of the dwelling units shall be owner-occupied. If the ADU is leased, it shall be registered with the City as required in Chapter 140 of the City Code.~~

~~J. Leasing or Rental.~~ No ADU shall be ~~leased or~~ rented for ~~fewer~~less than thirty (30) ~~days,~~ ~~and days and~~ shall not be used as a short-term rental. If the ADU is leased not occupied as a residence by the owner, it shall be registered and certified with the City as required in Chapter 140 of the City Code.

JK. Alterations or New Construction. Any alterations to existing buildings or structures or the construction of a new structure to accommodate ~~the an~~ ADU shall be designed to maintain the architectural design, style, appearance and character of the main building ~~as a detached single-family dwelling~~, including but not limited to entrances, roof pitch, siding and windows.

KL. Deed Restriction. A deed restriction enforceable by the City shall be recorded prior to the issuance of a building permit stipulating that the ADU will not be conveyed separately from the primary dwelling unit(s). An alternative form of security may be substituted if it meets the intent of this provision and is approved by the City Attorney.

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### Sec. 5.10.04. - Off-Street Parking: Space Requirements.

| Table 5.10.04.C. Off-Street Parking Requirements |                         |                   |   |                          |  |
|--|-------------------------|-------------------|---|--------------------------|--|
| Use Category                                     | Use                     | Zone District     |   |                          | Measurement/Additional Requirements                              |
|  |                         | TN-TCC;<br>TN-TOD | TN-MDR;<br>TN-TBA;<br>MCN-TOD;<br>MON-TOD | All Other Zone Districts |  |
|  |                         |                   |   |                          |  |
| RESIDENTIAL                                      |                         |                   |   |                          |  |
| Accessory Uses                                   | Accessory dwelling unit | <del>1-0</del>    | <del>1-0</del>                            | <del>1-0</del>           | <del>Per dwelling unit plus .25/per bedroom over 1 bedroom</del> |

### Sec. 5.16.02. Definitions.

DWELLING UNIT, ACCESSORY. A secondary and clearly subordinate dwelling unit that is contained within a detached single-family or two-family dwelling (~~primary dwelling unit~~), included within an accessory structure, or separate from but located on the same lot as a detached single-family or two-family dwelling. Also known as a "granny flat."