

# ARTICLE 10

## SUPPLEMENTARY DEVELOPMENT REGULATIONS

### SECTION 10.0100 ACCESSORY DWELLINGS

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#### General

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##### 10.0101 Purpose and Applicability

The purpose of this section is to allow for establishment of an accessory dwelling unit in conjunction with a single detached dwelling or townhouse. An accessory dwelling may be permitted as a means of providing more housing opportunities.

- A. A proposed Accessory Dwelling need not comply with **Appendix 5.000** of the Community Development Code, except as required to serve the site of the proposed accessory dwelling.
- B. A proposed Accessory Dwelling is not subject to the standards of **Section 10.0200** and its square footage is not included as part of the size limitations of accessory residential structures.
- C. Accessory Dwelling units do not count toward density requirements in LDR-5, LDR-7, TR, TLDR, LDR-PV, VLDR-SW and LDR-SW. Accessory Dwelling units count toward minimum density but not maximum density requirements in all other districts.

#### Standards

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##### 10.0110 Standards

The Manager shall approve an application for not more than one accessory dwelling per existing primary single detached dwelling or townhouse if the applicant shows compliance with the following criteria and standards:

- A. Accessory Dwellings shall be located on the same lot as an existing single detached dwelling or townhouse.
- B. Accessory Dwellings may be freestanding, located either within or added to a single detached dwelling or townhouse; over or attached to a garage; or over or attached to a garage or single detached dwelling or townhouse which is under construction. The Accessory Dwelling shall be occupied no sooner than the primary dwelling.
- C. Accessory Dwellings shall be consistent with the applicable setback, height and lot coverage standards of the land use district; in the case of non-conforming single detached dwelling or townhouse, the LDR-7 setbacks and height requirements shall apply to the proposed Accessory Dwelling.
- D. The Accessory Dwelling shall be closer in distance to the primary on-site single detached dwelling than

to any single detached dwellings on abutting lots.

- E.** There shall be a minimum 6' separation between Accessory Dwellings and all other structures on the site.
- F.** Freestanding Accessory Dwellings shall not exceed the height of the existing primary dwelling and may not be located in front of the primary dwelling. In the case of corner lots, the Accessory Dwelling shall be no closer to the side street than the primary dwelling.

**Building Standards**

- G.** An Accessory Dwelling attached to a single detached dwelling shall not result in any new door entrance on an exterior wall facing a front yard property line.
- H.** Maximum Floor Area:
  - 1.** Attached:
    - a.** An Accessory Dwelling shall have a maximum floor area of 900 square feet if attached to or included within a primary dwelling or built over a garage.
    - b.** When attached to the side or back of a freestanding garage, the combined total square footage of the garage and Accessory Dwelling shall not exceed 750 square feet or 50% of the size of the total square footage of the occupiable space of the primary dwelling, whichever is less.
  - 2.** Freestanding:
    - a.** Free-standing Accessory Dwelling units shall have a maximum floor area of 750 square feet and shall not exceed 50% of the size of the total square footage of the occupiable space of the primary home, whichever is less.
    - b.** Freestanding Accessory Dwellings in the DCC, DMU, DTM, DRL-1, DRL-2 and CNRM districts are limited to no more than 750 square feet.
- I.** The exterior of the proposed Accessory Dwelling unit shall meet the following standards.
  - 1.** Exterior finish materials shall:
    - a.** Be the same as or visually match in type, size and placement, the exterior finish material of the on-site primary dwelling, or
    - b.** Be comprised of wood, composite boards, cement fiber, or factory finished metals in a shingle or horizontal clapboard pattern.
  - 2.** Roof pitch shall:
    - a.** Be the same as the predominant roof pitch of the on-site primary home, or
    - b.** Be at least 6/12.
  - 3.** Window and door trim shall:
    - a.** Be of the same type, size, and location as that used on the on-site primary home, or
    - b.** Be at least 3-1/2 inches wide
  - 4.** Windows shall:
    - a.** Match those on the street facing façade of the on-site primary home in orientation, or
    - b.** Be square, vertical or horizontal in orientation.
  - 5.** Eaves shall:
    - a.** Have the same projection distance as the on-site primary home, or
    - b.** Project at least one foot from the building walls.
- J.** All Accessory Dwellings shall conform with the Oregon Residential Specialty Code.

## Use Standards

- K.** Accessory Dwellings are not allowed for short-term rentals (**Section 8.0113** of the Development Code).

## Process

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### 10.0120 Review Procedures for an Accessory Dwelling

- A.** An application for an accessory dwelling shall be reviewed by the Manager under the Type I procedure when:
  - 1.** The Accessory Dwelling is proposed to be located within an existing single detached dwelling, or
  - 2.** The Accessory Dwelling is located in the DCC, DMU, DTM, DRL-1, DRL-2 and CNRM Districts.
- B.** In all other circumstances, the Type II Process will be applied.
- C.** Accessory Dwellings are subject to the standards in **Section 10.0120**. If these criteria cannot be met, the application will also be subject to the Variance criteria outlined in **Section 11.1500**.

