

# ARTICLE 10

## SUPPLEMENTARY DEVELOPMENT REGULATIONS

### SECTION 10.0100 ACCESSORY DWELLINGS

#### General

10.0101 Purpose and Applicability

10.0102 Development Permit for an Accessory Dwelling

#### Standards

10.0120 Standards

#### 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-family detached dwelling. An accessory dwelling may be permitted as a means of providing more affordable housing opportunities for young families, empty nesters and others; encouraging additional density with minimal cost and disruption to surrounding neighborhoods; allowing individuals and smaller households to retain large houses as residences; providing convenient care for the elderly and infirm on a long-term basis; and allowing more energy-efficient use of large, older homes.

- 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.

##### 10.0102 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-family home, 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**.

## Standards

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### 10.0120 Standards

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

#### Site Standards

- A. Accessory Dwellings shall be located on the same lot as an existing single-family home.
- B. Accessory Dwellings may be freestanding, located either within or added to a single-family detached dwelling or single-family attached dwelling; over or attached to a garage; or over or attached to a garage or single-family detached or single-family attached home 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-family homes, 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-family home than to any homes 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 single-family dwelling and may not be located in front of the single-family dwelling. In the case of corner lots, the Accessory Dwelling shall be no closer to the side street than the single-family home.

#### Building Standards

- G. An Accessory Dwelling attached to a single-family home 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 single-family home 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 home, 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).