

## Chapter 17.312

### ACCESSORY DWELLING

#### Sections:

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#### **17.312.010 Purpose.**

ORS 197.312 requires that at least one accessory dwelling be allowed per detached single-family dwelling in every zone within an urban growth boundary that allows detached single-family dwellings. Accessory dwellings are an economical way to provide additional housing choices, particularly in communities with high land prices or a lack of investment in affordable housing. They provide an opportunity to increase housing supply in developed neighborhoods and can blend in well with single-family detached dwellings. [Ord. 503 § 1 (Exh. B), 2018].

#### **17.312.020 Definition.**

“Accessory dwelling unit” is an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling. [Ord. 503 § 1 (Exh. B), 2018].

#### **17.312.030 Use and restrictions.**

An accessory dwelling unit, where allowed, is subject to review and approval through a Type II procedure, pursuant to CBDC 17.130.090, and shall conform to the following restrictions:

- (1) One accessory dwelling is allowed per legal lot of record containing a detached single-family dwelling. The unit may be a detached building, in a portion of a detached accessory building (e.g., above a garage or workshop), or a unit attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor);
- (2) The accessory dwelling unit may not be used as a vacation rental or temporary housing;
- (3) Construction of an accessory dwelling unit must meet the minimum standards of the current state residential specialty code;
- (4) A separate address shall be assigned to the accessory dwelling and the address shall be clearly identified, as required by state building code; and
- (5) A deed restriction must be recorded with the property advising future owners and lenders of the use restrictions. The deed restriction document will be created by the city and recorded at the county clerk’s office. [Ord. 503 § 1 (Exh. B), 2018].

#### **17.312.040 Development and design standards.**

##### **(1) Development Standards.**

- (a) A detached accessory dwelling unit shall not exceed 1,000 square feet of floor area, or 75 percent of the primary dwelling’s total floor area, whichever is smaller.
- (b) An attached or interior accessory dwelling unit shall not exceed 1,000 square feet of floor area, or 75 percent of the primary dwelling’s total floor area, whichever is smaller. However, an accessory dwelling unit that results from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the accessory dwelling unit would be more than 1,000 square feet.
- (c) Accessory dwellings shall meet all other development standards (e.g., height, setbacks, lot coverage, etc.) for buildings in the designated zoning district, except that conversion of an existing legal nonconforming

structure to an accessory dwelling is allowed; provided, that the conversion does not increase the nonconformity.

~~\_(d) One off street parking space is required for an accessory dwelling unit. A new curb cut is not permitted on the main frontage to accommodate the required parking.~~

~~If the existing curb cut is substandard in size, an expansion of the curb cut to city standards, as outlined in CBMC Title 18, Engineering Design Standards, would be permitted.~~

(2) Design Standards.

(a) An accessory dwelling unit, located in a historic district, must comply with the historic district regulations;

(b) An accessory dwelling unit located on the same lot as a structure listed on the National Register of Historic Places or listed as a cultural resource will be held to a high development standard, in that the exterior must be compatible with the primary structure.

(c) The exterior finish and trim materials of a detached accessory dwelling unit shall be similar to the primary dwelling unit in terms of type, size, placement, and finish.

(d) The roof pitch of a detached accessory dwelling unit shall be similar to the roof pitch of the primary dwelling. [Ord. 503 § 1 (Exh. B), 2018].