

SECTION 16.50.010. - ACCESSORY DWELLING

16.50.010.1. - Applicability.

This section applies to accessory dwelling units and accessory living space as defined in the Matrix: Use Premises and Parking Requirements and to the construction of a single-family dwelling unit as a principal use on a lot where an accessory dwelling unit already exists.

16.50.010.2. - Generally.

See the definition of Accessory Dwelling Unit in the Use Matrix for definition.

16.50.010.3. - Purpose and intent.

Accessory dwelling units are a recognized element of our neighborhoods and provide for a variety of housing types. The following standards allow the continuation and establishment of this housing type in manner consistent with the surrounding development. The provisions of this section do not override any deed restriction or homeowners' association declarations restricting accessory dwelling units, however the City has no authority to enforce such restrictions.

16.50.010.4. - Establishment.

Establishment or expansion of a lawful accessory dwelling unit shall be subject to the following requirements:

1. Not more than one accessory dwelling unit shall be permitted for each single-family dwelling in the districts where allowed by the Matrix: Use Permissions and Parking Requirements, subject to all requirements of this section.
2. An accessory dwelling unit shall not be permitted before construction of the principal building has commenced or a lawful principal use is established.
3. An accessory dwelling unit shall be subordinate to the principal use as to location, square footage, and building coverage. An attached accessory dwelling unit may be located to the side of a principal unit provided that the access to the unit be located to the side or rear and not be visible from the street right-of-way.
4. An accessory dwelling unit shall not be utilized as a transient accommodation use as defined and regulated by this chapter.

16.50.010.5. - Development standards.

16.50.010.5.1. - Lot requirements.

A. Establishment of a new accessory dwelling unit shall only be allowed if:

1. The lot area shall be at least 4,500 square feet in all NT districts.
2. The lot area shall be at least 10,000 square feet in all NS districts, or the lot is located on an alley or corner and the lot conforms to the district minimum lot area and width standards.
3. If the accessory dwelling unit is detached and the legal front and rear of the lot are consistent with the front and rear yards of lots on the same block face. An attached accessory dwelling unit shall not be permitted where lots have been refaced such that the legal front yards face a different direction than the rest of the lots in the block or where refacing has eliminated alley access for a lot.

- B. A lot containing an accessory dwelling unit shall not be subdivided to separate the accessory dwelling unit from the principal use, unless such division and can meet all applicable standards of the zoning district and land development regulations.

16.50.010.5.2. - Building and site requirements.

Accessory dwelling units shall be subject to the following design standards:

1. The floor area of any accessory dwelling unit shall not exceed 800 square feet and all areas under roof may not exceed 67% of the floor area of the principal dwelling unit. For detached accessory dwelling units, this limit shall apply to the combined square footages of the accessory dwelling unit and any accessory living space within the same building, including any areas used for storage, bathrooms, or shared laundry facilities (excluding any enclosed parking spaces).
2. Detached accessory dwelling units in the NS districts shall comply with a minimum side yard setback of ten feet.
3. The portion of the building containing an accessory dwelling unit may be attached to the side or rear of the principal structure and shall comply with the setbacks of the zoning district.
4. Sides of buildings containing second floor porches, or unenclosed staircases which face the interior side yard of an adjacent property shall comply with the minimum setback of the zoning district or ten feet, whichever is greater. This requirement shall not apply to completely enclosed staircases.
5. A paved walkway at least two feet in width shall connect the main entrance of the accessory dwelling unit with the off-street parking spaces.
6. The building containing an accessory dwelling unit shall comply with the architectural standards for the zoning district and be compatible with the style of the building containing the principal use, including finishes, roof pitch, and paint scheme.
7. Where an attached garage on the front façade of a structure is converted to an accessory dwelling unit, the following standards shall apply:
 - a. The garage door shall be removed and the enclosure must be architecturally compatible with the style of the building including finishes and color scheme and comply with building design criteria of the zoning district.
 - b. There shall be a 3-foot wide green yard provided between the exterior wall and any remaining pavement.
 - c. Required on-site parking spaces must be provided and be located entirely on the property.

16.50.010.5.3. - Visual buffering.

Given the compact urban form of traditional neighborhoods, it is necessary to establish minimum standards for visual buffering between uses to afford residents a reasonable level of privacy in rear yards. Each lot is different. Certain design solutions may be more effective or appropriate in some circumstances than others. The intent is to prioritize privacy for adjacent properties over the privacy between the principal and accessory use on the lot. Buildings for a new accessory dwelling unit shall comply with the following requirements:

1. Where an accessory dwelling unit is proposed at a second story level, all outdoor living areas such as porches, balconies, and unenclosed staircases shall be oriented toward the interior of the property or meet at least a ten foot side yard setback.

16.50.010.5.4. - Parking and accessibility.

Accessory dwelling units shall be subject to the following parking standards:

1. Off-street parking spaces shall be provided for all uses on the site as required in the Matrix: Use Permissions and Parking Requirements except where the property meets all of the following criteria:
 - a. The property is within 1/8-mile (660 feet) of a high frequency transit route,
 - b. The unit size is equal to or less than 600 square feet,
 - c. The unit is located on an alley,
 - d. All required parking spaces for the single-family home are accessed from the alley, and
 - e. There is no front-loading driveway.
2. All required off-street parking spaces shall be provided in the rear yard where the rear yard is adjacent to an alley. If no alley access exists, parking shall be contained within the rear portion of the site accessed by a driveway from the side street. Driveway access from the primary street shall only be permitted where there is no alley or side street and shall be no larger than a single lane wide.
3. Driveways for off-street parking areas shall comply with the design and location restrictions for the zoning district.
4. At least one of the required parking spaces shall be an unobstructed space for exclusive use by occupants of the accessory dwelling unit.
5. A storage area shall be reserved along the property line adjacent to the alley to provide storage of solid waste collection containers, where possible.