

18.28.240 - Accessory dwelling unit, residential.

Accessory dwelling units are allowed in conjunction with all single-household dwelling units and two-household dwelling units in residential zone districts, including R-E, R-1, R-1A, R-2, R-3 and PUD, subject to the following conditions:

- (1) *Conformance to development standards.* Any accessory dwelling unit must meet the same development standards required for the principal dwelling unit structure.
- (2) *Existing or new development on lot.* An accessory dwelling unit is allowed only on lots used or developed as one household dwelling units or two-household dwelling units, regardless of the number of dwelling units allowed by zoning. A certificate of occupancy will only be granted to an accessory dwelling unit after it has been granted to the principal dwelling unit.
- (3) *Parking.* One on-site parking space shall be required for an accessory dwelling unit. Parking for the accessory dwelling unit is in addition to the required parking for the principal dwelling unit, as set forth in chapter 18.36. The required parking space may be in tandem with other required spaces, but must be identified on a site plan.
- (4) *Unit size and configuration.* Except as modified in subsection (5) herein, for a single-household or two-household dwelling unit of 1,000 square feet or more of living space, the accessory dwelling unit shall be no larger than 50 percent of the living space of such principal dwelling unit, or 800 square feet, whichever is smaller. For a principal dwelling unit of less than 1,000 square feet of living space, the accessory dwelling unit shall be no larger than 500 square feet. No accessory dwelling unit shall be less than 200 square feet. For the purposes of this subsection, square footage calculations shall exclude any garage, porch or similar area.
- (5) *Unit size exception.* For a new accessory dwelling unit enclosed entirely within a structure containing an existing single-household or two-household dwelling unit, the accessory dwelling unit shall be no larger than the existing single-household or two-household dwelling unit.
- (6) *Occupancy.* No more than three persons shall occupy an accessory dwelling unit.
- (7) *Number of accessory dwelling units per lot.* Only one accessory dwelling unit shall be allowed for each single-household or two-household dwelling unit. Accessory dwelling units shall be included as separate dwelling units for the purpose of calculating the minimum lot area required by section 18.28.200 for the R-2, R-3 and RM zone districts only.
- (8) *Owner occupancy.* The property owner, as reflected in title records and evidenced by voter registration, vehicle registration or other similar means, must occupy either the principal dwelling unit or accessory dwelling unit. The director may waive this requirement for temporary absences provided that the owner has occupied the principal or accessory dwelling unit for a minimum of two years and submits proof of the temporary absence.
- (9) *Design.* To preserve the appearance of the single-household dwelling, accessory dwelling units built as additions or separate structures shall be designed in the following manner:
  - (a) The design of the accessory dwelling unit shall be similar to the design of the principal dwelling

unit by use of similar exterior wall materials, window types, door and window trims, roofing materials and roof pitch;

- (b) If the entrance to the accessory dwelling unit is visible from an adjacent street, it shall be designed in a manner as to be clearly subordinate to the entrance of the principal dwelling;
  - (c) Windows which face an adjoining residential property shall be designed to protect the privacy of neighbors unless fencing or landscaping is provided which adequately accomplishes the same purpose.
- (10) *Outdoor areas.* The site plan shall provide accessible outdoor space and landscaping for both the accessory dwelling unit and the principal dwelling unit.
- (11) *Utility service requirements.* Accessory dwelling units must be connected to the water and wastewater utilities of the principal dwelling unit and may not have separate services, unless the director determines such to be infeasible.
- (12) *Mobile homes.* Mobile homes not meeting the definition of manufactured homes, campers, camper buses, travel trailers and recreational vehicles shall be prohibited for use as an accessory dwelling unit.
- (13) *Deed restriction.* Before obtaining a building permit for an accessory dwelling unit, the property owner shall file with the county clerk and recorder, in a form acceptable to the director, a declaration of restrictions in reference to the deed under which the property was acquired by the present owner stating that:
- (a) The accessory dwelling unit shall not be sold separately from the principle dwelling unit, nor shall the lot on which it is situated be subdivided unless such subdivision is permissible in accordance with all provisions of titles 17 and 18 of the Code;
  - (b) The accessory dwelling unit shall be restricted to the approved size;
  - (c) The certificate of occupancy for the accessory dwelling unit shall be in effect only so long as either the principal dwelling unit, or the accessory dwelling unit, is occupied by the owner of record;
  - (d) The above restrictions run with the land and are binding upon any successor in ownership of the property;
  - (e) It shall be unlawful for any property owner not to comply with the deed restrictions;
  - (f) The deed restrictions shall lapse upon removal of the accessory dwelling unit. To effect this intent, and upon verification of such removal, the city shall record appropriate documentation releasing such encumbrance. The property owner shall pay all required recording fees, and it shall be the property owner's responsibility to ensure that such recording is successfully completed.