

# ADU Ordinance Timeline

Prior 2017, city had Secondary Dwelling Unit Ordinance in accordance with state law governed by CMC Chapter 17.85



SB 1069 and AB 2299 enacted in 2017 revised the law to Accessory Dwelling Units (ADU)

City revised its Secondary Dwelling Unit ordinance to ADU and adopted regulations in accordance with state law



AB 881 amending ADU law signed October 2019 by governor

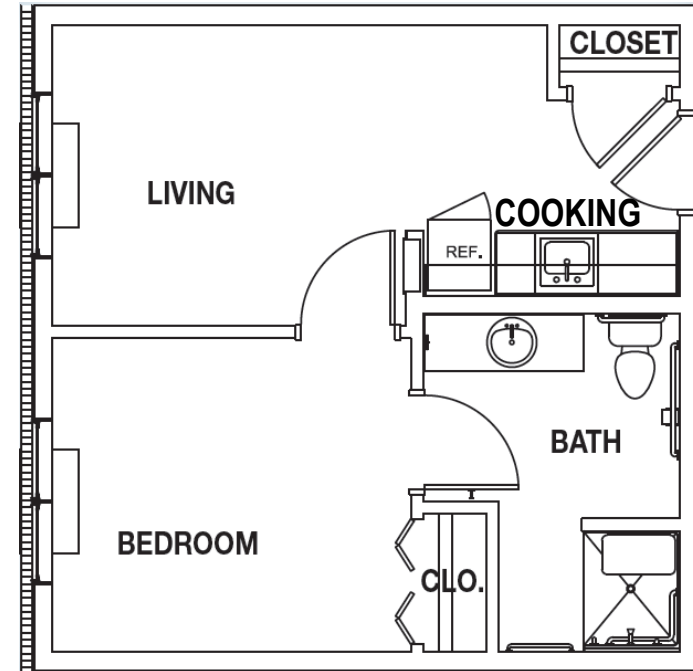


AB 881 becomes effective January 1, 2020

# What are Accessory Dwelling Units

Independent living space from the primary dwelling unit:

- Living and sleeping area.
- Eating and cooking area.
- Sanitation area.
- Separate independent entrance.



# Types of Accessory Dwelling Units



ADU ESTABLISHED  
WITHIN EXISTING SPACE



ADU DETACHED FROM  
PRIMARY DWELLING

ADU ATTACHED AS  
NEW ADDITION



# ADU Amendment Highlights

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17.85.030 (C)

The lot proposed for an accessory dwelling unit is zoned for single family, ~~or~~ multiple family residential or residential/commercial mixed-use and contains an existing or proposed primary unit.

# ADU Amendment Highlights

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17.85.030 (K)

The maximum number of accessory dwelling units and/or junior accessory dwelling units that may be constructed on each lot shall be as follows:

On lots with an existing or proposed single-family primary unit:

- 1 detached accessory dwelling unit that otherwise complies with the requirements of this chapter

**AND**

- Either one (1) junior accessory dwelling unit or one (1) accessory dwelling unit that is contained entirely within the existing or proposed single-family primary unit (NEW)

# ADU Amendment Highlights

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17.35.030 (K) continued...

On lots with existing multi-family residential units the following spaces can be converted to an ADU:

- Accessory structures located on the same lot that are not used as livable space (NEW)
- Storage rooms, boiler rooms, passageways, attics, basements or garages, and other similar spaces (NEW)

All conversions are subject to compliance with applicable building codes.

# ADU Amendment Highlights

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17.85.030 (K) continued....

On lots with existing multi-family residential units:

- Accessory dwelling unit(s) or junior accessory dwelling unit(s) may be constructed within up to twenty-five percent (25%) of the existing multi-family residential units on the lot (NEW)
- At least one (1) accessory dwelling unit or junior accessory dwelling unit shall be permitted within the existing multi-family residential units on the lot. (NEW)
- On lots with existing multi-family residential units, no more than two (2) detached accessory dwelling units. (NEW)

# ADU Amendment Highlights

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## Parking associated with ADUs

- An accessory dwelling unit attached or detached from the primary unit shall provide one parking space per unit or one parking space per bedroom, whichever is less (covered by current ordinance)
- Parking may be provided on an existing driveway in the front yard setback area of the lot on which the accessory dwelling unit is located, provided that the driveway is at least 20 feet in depth (covered by current ordinance).
- If an existing garage, carport, or covered parking structure is converted to an accessory dwelling unit or demolished in conjunction with the construction of an accessory dwelling unit, **the parking provided by such garage, carport, or covered parking structure is not required to be replaced.** (NEW)



# ADU Amendment Highlights

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17.85.040

- The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet
- Or fifty percent (50%) of the primary unit if attached (NEW)
- Or subject to yard setback, lot coverage, building height, and landscaping requirements of the zone
- No development standard shall apply to prohibit the construction of an accessory dwelling unit that is at least 16 feet in height and at least 800 square feet in size (NEW)

# ADU Amendment Highlights

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17.85.040 continued...

A setback of no more than ~~five~~ four feet from the side and rear lot lines, including lot lines adjacent to streets, shall be required for all other accessory dwelling units  
(NEW)

# Amendment to Various R-1 zones

## Building Separation Requirement

Building Separation between **ADU** and **primary dwelling unit**:

- A, A-14.4, A-1A, and R-1-14.4 Zones:
  - 25 feet
- R-20.0:
  - 20 feet
- R12.0:
  - 15 feet
- R1-9.6, R-1-8.4, R-1-7.2:
  - 10 feet

Proposed  
amendment to  
remove separation  
requirement

For reference purposes:  
Current ordinance allows a  
building separation of 5 feet  
between and accessory building  
(which is not an ADU) and  
primary dwelling