

From DRAFT Ordinance before City Council March 18, 2008	Zoning Code for ADUs (Use Unit 41)	Current Zoning District Requirements (If ordinance passes, ADUs would be allowed in these Zones By-Right)							
		R-A	RSF-0.5	RSF-1	RSF-2	RSF-4	RSF-7	RSF-8	Neighborhood Conservation
Maximum Density	1 ADU allowed per lot	One-half unit per acre	One-half unit per acre	1 unit per acre	2 units per acre	4 units per acre - 1 family dwelling 7 units per acre - 2 family dwelling	7 units per acre - 1 family dwelling	8 units per acre - 1 family dwelling	10 units per acre
Lot Area Minimum	5,000 square feet	2 acres per dwelling unit	71,438 square feet	35,720 square feet	17,860 square feet	8,000 sq ft per 1 family dwelling 12,000 sq ft per 2 family dwelling	6,000 sq ft per 1 family dwelling 6,000 sq ft per 2 family dwelling 3,000 sq ft per Townhouse (no more than 2 attached)	5,000 sq ft per 1 family dwelling 5,000 sq ft per 2 family dwelling	4,000 square feet
Minimum Setbacks	Same as existing zoning	35 ft. - front 20 ft. - side 35 ft. - rear	35 ft. - front 20 ft. - side 35 ft. - rear	35 ft. - front 20 ft. - side 35 ft. - rear	30 ft. - front 15 ft. - side 30 ft. - rear	25 ft. - front 8 ft. - side 20 ft. - rear	25 ft. - front 8 ft. - side 20 ft. - rear	15 ft. - front 5 ft. - side 5 ft. - rear	Between 0 - 25 ft - front or facing street 5 ft - side & rear internal 12 ft - rear from alley or easement
Maximum Height	20 ft - 1 story 25 ft - 2 story	No max. if exceeds 15 feet additional setback requirements apply	45 ft. if exceed 45 ft requires approved variance from Planning Commission	45 ft. if exceed 45 ft requires approved variance from Planning Commission	45 ft. if exceed 45 ft requires approved variance from Planning Commission	45 ft. if exceed 45 ft requires approved variance from Planning Commission	45 ft. if exceed 45 ft requires approved variance from Planning Commission	45 ft	45 ft or 3 stories which ever is less
Maximum Building Area	600 square feet	None	None	None	None	40% of total lot area (All Buildings Combined)	50% of total lot area (All Buildings Combined)	50% of total lot area (All Buildings Combined) 60% with detached garage	None
Additional Requirements & Items to be reviewed by Planning Staff.									
Tree Preservation	To protect existing tree canopy to the greatest extent possible, prior to application for an accessory dwelling unit, the applicant shall consult with the Urban Forester, to prepare a site plan illustrating the location of all significant trees. All significant trees on the property shall be adequately protected during construction. Any proposed removal of significant trees on the site will require the following of the property owner: (a) The applicant must show that the removal of a significant tree or trees is necessary in order to locate the accessory dwelling unit on the lot and also meet all contributing location requirements such as building setbacks, utility or drainage easements, topography, etc. (b) For every significant tree removed the property owner shall replace said tree with a total of two (2) two-inch caliper large species shade trees from the list of approved tree species in a location deemed appropriate by the Urban Forester. (c) Should the Urban Forester find justifiable cause to determine a significant tree or trees were removed in an attempt to thwart the intent of this ordinance prior to application for an accessory dwelling unit, the application shall not be approved administratively.								
Water & Sewer	Water and sewer service for the accessory dwelling unit shall be connected directly to the public water and sewer system, where reasonably accessible in accordance with all applicable regulations, and shall be metered separately from the principal residence.								
Occupancy	1. The property owner must permanently occupy either the principal or accessory dwelling unit. 2. A maximum of two persons shall reside in an accessory dwelling unit.								
Registration	The principal and accessory dwelling unit shall be registered on an annual basis, from the date of approval, with the Planning Division to verify occupancy requirements.								
Building Design & Orientation	1. Exterior design of the accessory dwelling unit should be compatible with the principal dwelling unit through architectural use of building forms, height, construction materials, and colors. 2. A two-story accessory dwelling unit should generally limit the major access stairs, decks, entry doors, and major windows to the walls facing the principal dwelling, or to the alley if applicable. Windows that impact the privacy of the neighboring side or rear yard should be minimized. The design of the accessory unit should relate to the design of the principal residence and not visually dominate it or the surrounding properties. 3. The orientation and location of buildings, structures, open spaces and other features of the site should protect and maintain natural resources including significant trees and shrubs to the extent feasible and minimize alteration of natural land forms. Building profiles, location and orientation should relate to natural land forms.								
Stormwater Prevention	The site plan should incorporate low impact storm water mitigation techniques, such as cisterns, rain barrels, permeable pavers, rain gardens, indigenous plants and landscape berms.								
Impact Fee	\$100.00 Impact Fee for Accessory Dwelling Unit								
Deed Restrictions	Before obtaining a building permit for an accessory dwelling unit the property owner shall file with the Washington County Clerk's Office a declaration of restrictions containing a reference to the deed under which the property was acquired by present owner and stating that: (1) The accessory dwelling unit shall not be sold separately from the principal residence. (2) The accessory unit is restricted to the approved size. (3) The property owner shall at all times reside on the property. (4) The above restrictions are binding upon any successor in ownership of the property and shall run with the property.								