

Clean-up Amendments to DRAFT Ordinance Prior to Introduction
Item 6-D (Accessory Dwelling Units)
June 20, 2017

Note: Paginations below referred to Draft Accessory Dwelling Ordinance attached to agenda report for Item 6-D (June 20, 2017)

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4. Detached Accessory Dwelling Units: An accessory dwelling unit that is constructed as a detached structure or created through the conversion of an existing accessory structure shall comply with the requirements in Section 30-5.7(f) Accessory Buildings. Notwithstanding Section 30-5.7(f), no setback shall be required for an existing garage that is converted to an accessory dwelling unit, and The aggregate lot coverage of all building footprint(s) and nonpermeable surfaces on the lot shall not exceed sixty (60%) percent. Utilities extended to a detached accessory dwelling unit shall be underground.

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5. Design Standards:

- a) Attached Unit: The design of an attached accessory dwelling unit shall appear as an integral part of the primary dwelling and incorporate the same materials, colors and style as the exterior of the primary dwelling, including roof materials and pitch, eaves, windows, accents, distinctive features, and character defining elements. Creation of the second unit accessory dwelling unit shall not involve any changes to existing street-facing walls nor to existing floor and roof elevations.
- b) Detached Unit: The design of a detached accessory dwelling unit shall be subordinate to the primary dwelling in terms of massing, height and building footprint. The detached building shall exhibit residential character and complement the primary dwelling in terms of proportions, roof form, and basic architectural features. Where there is a clearly recognizable architectural style present in its immediate surroundings, the detached building shall have the same architectural style and level of interest as the immediately surrounding buildings. Where the immediate context surrounding is eclectic and no particular style of architecture is dominant, a greater degree of architectural variety may be established with the detached building accessory dwelling unit.
- c) Detached Unit in the Front Yard or Adjacent to a Street Side Yard of a Corner Lot: The design of a detached accessory dwelling unit shall be subordinate to the primary dwelling in terms of massing, height and building footprint. The design shall incorporate the same materials, colors and style as the exterior of the primary dwelling, including roof materials and pitch, eaves, windows, accents, distinctive features, and character defining elements.

Provided by staff

Re: 6-D

6/20/17

6. Junior Accessory Dwelling Units. One junior accessory dwelling unit shall be permitted ministerially if complying with the standards of subsection c.1, c.3.a, and c.3.b above, and the following:

- a) The junior accessory dwelling unit shall be fully located within an existing primary dwelling in the R-1 District.
 - b) The unit shall be created from the conversion of an existing bedroom in the primary dwelling. c) The unit shall be no larger than 500 square feet in floor area.
 - c) The unit shall maintain an interior connection to the primary dwelling.
 - d) The unit may contain separate sanitation facilities or may share with the primary dwelling.
 - e) The unit shall include an efficiency kitchen that ~~is limited to~~ shall include the following components:
 - a. Sink with a maximum waste line diameter of 1.5 inches;
 - b. Cooking appliances that do not require electrical service greater than 120 volts, or natural or propane gas; and
 - c. A food preparation counter and storage cabinets.
- d. Parking: The parking requirement for an accessory dwelling unit shall be one offstreet parking space per unit. This space shall comply with all requirements set forth in Section 30-7 Off-Street Parking and Loading Space Regulations. Notwithstanding Section 30-7, this space may be provided as tandem parking, including on an existing driveway or in a side or rear yard area, unless specific findings are made by the Community Development Director that parking in setback areas or tandem parking is not feasible based upon fire and life safety conditions.
1. Exceptions. Notwithstanding the parking requirement in this Section, no offstreet parking shall be required for an accessory dwelling unit in any of the following instances:
- a) The accessory dwelling unit is within an existing primary dwelling or an existing accessory structure.
 - b) The accessory dwelling unit is located within one-half mile of a public transit stop or station.
 - c) The accessory dwelling unit is located within an architecturally and historically significant historic district.
 - d) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - e) When there is a ~~car~~ car-share rental service pick-up/drop-off location vehicle located within one block of the accessory dwelling unit.

- e. Rental and Sale Limitations: Before issuing a building permit for an accessory dwelling unit or junior accessory dwelling unit, the property owner shall file with the county recorder a declaration or an agreement of restrictions, which has been approved by the City Attorney as to its form and content, containing a reference to the deed under which the property was acquired by the owner and stating that:
1. The accessory dwelling unit shall not be sold separately from the primary dwelling or rented for a period of less than thirty (30) days.
 2. The restrictions shall be binding upon any successor in ownership of the property and lack of compliance shall result in legal action against the property owner.
- f. Application and Review Process.
1. Ministerial Review. Except as provided below, application for an accessory dwelling unit shall be permitted ministerially within 120 days without discretionary review or public hearing when in compliance with the development standards of this Section. Prior to issuance of a building permit for an accessory dwelling unit, the Community Development Director shall issue a zoning clearance which establishes that all applicable development standards of this Section are met.
 2. Occupancy. The applicant for an accessory dwelling unit shall be a current owner-occupant of the property.
 3. Exceptions to Ministerial Review. Discretionary design review as provided by Section 30-36 shall be required for accessory dwelling units that involve any of the following:
 - a) An addition to the primary dwelling involving a second story or above;
 - b) A change in floor level in the primary dwelling, such as when the building is lifted to create a new lower floor. This does not include basement excavation where the exterior building proportions remain the same;
 - c) Accessory dwelling units that do not meet the dDesign sStandards provided in subsection (c) above.