
Accessory Residential Units: Regulatory Overview

Land Development Code Revision Team
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Overview

History of City's Accessory Residential Unit Regulations

- Summary of Current Accessory Structure Types
 - Two-Family Residential Uses (i.e. ADU)
 - Secondary Apartments (Infill Special Use)
 - Guesthouses & On-site Worker Housing
 - Accessory Apartments
- Highlights of ADU Regulations in LDC Revision
- Response to 2020 ADU Resolution

Overview of City's Accessory Residential Unit Regulations

- Most accessory residential structures are permitted as “two-family residential uses,” more commonly called “accessory dwelling units” or ADUs, under regulations adopted in 2015.
- The Land Development Code also provides for:
 - Accessory apartments, guest houses, and on-site worker housing, which have been allowed since 1984 under regulations similar to today's code.
 - Secondary apartments, which were added as a neighborhood planning tool in 2000.

Two-Family Residential (ADU)

- Where Permitted:** SF-3, SF-5, SF-6, all MF zones, CBD, and DMU
- Lot Size:** 5,750 square feet
- Unit Size:** Smaller of 1,100 square feet or .15 FAR
Second story no more than 550 square feet
- Parking Requirements:** For Principal Unit: 2 spaces
For Secondary Unit:
- 1 space, if more than 0.25 miles from Activity Corridor
 - No spaces, if less than 0.25 miles from Activity Corridor
- Code Section:** § 25-2-774

Secondary Apartments

Where Permitted:	SF-1, SF-2, and -MU, subject to inclusion in a Neighborhood Plan
Lot Size:	Same as Two-Family Residential Use
Unit Size	Same as Two-Family Residential Use
Parking Requirements:	Same as Two-Family Residential Use
Code Section:	§ 25-2-1463

Guesthouse

Where Permitted:	Accessory to a Single-Family Use
Lot Size:	10,000 square feet
Unit Size:	N/A
Parking Requirements:	N/A
Additional Requirements:	Limited to non-paying guests
Code Section:	§ 25-2-893

On-Site Employee Housing

Where Permitted:	Accessory to a Single-Family Use
Lot Size:	15,000 square feet
Unit Size:	N/A
Parking Requirements:	N/A
Additional Requirements:	Intended for residents employed on-site
Code Section:	§ 25-2-893

Accessory Apartments

Where Permitted:	Accessory to a Single-Family Use
Lot Size:	Per base zoning district
Unit Size:	N/A
Parking Requirements:	1 onsite space
Additional Requirements:	<ul style="list-style-type: none">• Must be contained within principal structure• No garage conversions or street-facing entrances• Intended for residents over 60 or with disabilities
Code Section:	§ 25-2-901

Comparison of Accessory Structure Types

Structure Type	Zone/Use	Lot Size	Parking	Other Requirements	LDC Section
ADU (Two-Family Residential)	<ul style="list-style-type: none"> SF-3, SF-5, SF-6 All MF zones CBD & DMU 	<ul style="list-style-type: none"> 5,750 sq. ft. (SF zones) 8,000 sq. ft. (MF zones) 	<ul style="list-style-type: none"> Within 0.25 mi of Activity Corridor – 0 Outside 0.25 mi of Activity Corridor - 1 	<ul style="list-style-type: none"> Detached from principal structure Unit size capped at lesser of 1,100 sq. feet or 0.15 FAR 2nd story capped at 550 sq. feet 	§ 25-2-774
Secondary Apartment	<p>If included in adopted Neighborhood Plan:</p> <ul style="list-style-type: none"> SF-1, SF-2, SF-3, SF-5, SF-6 All MF zones -MU 				§ 25-2-1463
Guesthouse	<ul style="list-style-type: none"> Accessory to Single-Family Permitted in all zones that allow Single-Family 	10,000 sq. ft.	No additional parking required	Intended for non-paying guests	§ 25-2-893
Onsite Employee Housing		15,000 sq. ft.		Intended for on-site employees	
Accessory Apartment	<ul style="list-style-type: none"> Accessory to Single-Family Permitted in all zones that allow Single-Family 	Per base zone	1 on-site space	Contained within the principal structure	§ 25-2-901

ADU Regulations in LDC Revision

- ADUs permitted in every Residential House-Scale zone
- Consolidated specialized accessory and secondary apartment uses from the current code into a single ADU use category
- Streamlined regulations:
 - No additional parking required
 - Allowed anywhere on the property
 - External detached, external attached, internal
- Maximum size of 1,100 square feet

Response to 2020 ADU Resolution

- Staff issued report responding to Council resolution seeking options for making ADUs more attainable to low- to moderate-income homeowners.
- In addition to programmatic measures, staff made the following findings and recommendations regarding ADU regulations:
 - Homeowners most at risk of displacement prefer alternative strategies, other than ADUs, to remain in place
 - Even with streamlined permitting, financing obstacles make ADU construction difficult for many low and moderate-income homeowners
 - Removing barriers to internal and attached ADUs would reduce construction costs

Questions
