

## PROPOSED TEXT AMENDMENTS – SECONDARY DWELLINGS

### Chapter 9-2. Definitions

#### Section 9-2-1. General.

**Accessory structure:** A structure on the same lot with, and of a size and nature customarily incidental and subordinate to, the principal structure. Examples of accessory structures include, but are not limited to, the following: detached garages and/or carports; storage structures and/or barns; freestanding greenhouses; aboveground swimming pools and pool houses; tennis courts; satellite dish antennas; freestanding workshops; freestanding decks and gazebos; radio and/or TV antenna structures not attached to the principal structure; paved areas other than driveways and walkways; and property identification signs not associated with or attached to a mailbox. **Accessory structures do not include backyard cottages, secondary suites, and guest houses.**

**Accessory use:** A use on the same lot with, and of a nature customarily incidental and subordinate to, the principal use.

**Backyard cottage** ~~Accessory dwelling unit:~~ A detached residential unit, other than a Class "A" or Class "B" manufactured home, designed for one family only. The structure must be accessory and subordinate to a ~~single-family~~ **principal** dwelling (see definition of "subordinate" and "dwelling, single-family"), and **shall** conform to the standards for the district in which it is located. **Also known as a detached accessory dwelling unit.**

**Dwelling, single-family:** ~~An attached or detached~~ residential unit other than a Class "A" or Class "B" manufactured home, hotel or motel, located on a single lot functioning as the ~~only~~ **principal** residential unit and designed for and occupied by one family only.

**Dwelling, single-family, attached:** A single-family dwelling attached to at least one other single-family dwelling by a common vertical wall functioning as the property line, with each dwelling located on a separate lot.

**Dwelling, two-family:** A detached residential structure containing two dwelling units, designed for occupancy by not more than two families living independent of each other.

**Dwelling unit:** One room, or rooms connected together, constituting a separate, independent housekeeping establishment, containing independent cooking, sleeping and toilet facilities ~~and which are~~ **is** physically separated from any other dwelling units which may be in the same structure.

**Guest house:** ~~A detached~~ accessory structure to a ~~single-family~~ **principal** dwelling **which may include sleeping and toilet facilities and which shall not include** ~~provided there are no~~ cooking facilities ~~in the guest house.~~

**Habitable square footage:** The finished, livable area of a home that is suitable for year-round use and safe for human occupancy. It includes areas like bedrooms, kitchens, and living rooms, but typically excludes carports, unfinished basements, attics, and non-permanent structures like decks and patios. Does not include “accessory structures” as defined in this title.

**Secondary suite:** A separate and distinct dwelling unit that is attached, accessory, and subordinate to a principal dwelling unit and conforms to the standard for the district in which it is located. Also known as *attached accessory dwelling units*.

**Subordinate:** Subordinate nature is achieved through 1) placement, 2) orientation, and 3) scale. 1) Placement – Subordinate dwelling is located behind the front building plane of the principal structure. 2) Orientation - Secondary dwelling orientation shall be toward the property on which it is located and not to adjacent property. 3) Scale – Subordinate dwelling has less habitable square footage and fewer bedrooms than the principal dwelling.

## Chapter 9-15. General Regulations

### Section 9-15-12.B. Accessory Buildings and Structures.

B. A guest house, secondary suite, or backyard cottage may be maintained accessory to a single-family principal dwelling provided there are no kitchen cooking facilities in the guesthouse. No more than one (1) backyard cottage, secondary suite, and/or guest house shall be permitted per lot as an accessory structure, shall not exceed 1,000 square feet in size, and shall have fewer bedrooms than the principal residential structure.

### Section 9-15-12.F. Accessory Buildings and Structures.

F. Except in the A-R zone, an accessory structure, guest house, secondary suite, or backyard cottage associated with for a single-family principal residence is not permitted in a front yard, unless erected more than 100 feet from the front street right-of-way.

## Chapter 9.5. Agricultural Residential (AR) District

### Section 9-5-2. Permitted Uses.

The following uses and their accessory uses are permitted as contained in the use table below:

Zoning Districts	AR
Accessory Dwelling Units Backyard Cottages	L(4)
Guest House	L(4)

Secondary Suites	L(4)
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L(4) = A maximum of one ~~detached residential unit~~, guest house, secondary suite, or backyard cottage designed for and occupied by one family only. The structure must be accessory and subordinate to a single-family principal dwelling unit and located on a tract of land that is at least ten acres in size, and conform to the standards outlined in this Title, including requirements set forth in Section 9-15-12 of this Title with an exemption from the 1,000 square foot habitable square footage limit for properties not located within an AR neighborhood. The accessory dwelling structure must: (1) be located entirely in the rear yard of the principal residential structure; (2) have gross square footage that is 50% or less of the habitable square footage of the principal residential structure; and (3) have fewer bedrooms than the principal residential structure. Guest houses, secondary suites, or backyard cottages may include but are not required to provide one (1) additional off-street parking space in conformance with all other additional standards set forth in the Title.

## Chapter 9.6. Institutional (IN) District

### Section 9-6-2. Permitted Uses.

The following uses and their accessory uses are permitted as contained in the use table below:

Zoning Districts	IN Institutional
Accessory Dwelling Units Backyard Cottages	N
Guest House	N
Secondary Suites	N

## Chapter 9-7. Single Family Residential (RS) Districts

### Section 9-7-2. Permitted Uses.

The following uses and their accessory uses are permitted as contained in the use table below:

Zoning Districts	RS-40	RS-25	RS-15	RS-8	RS-5
Accessory Dwelling Units Backyard Cottages	L(5)	L(5)	L(5)	L(5)	L(5)
Guest House	L(5)	L(5)	L(5)	L(5)	L(5)

Secondary Suites	L(5)	L(5)	L(5)	L(5)	L(5)
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L(5). A maximum of one guest house, secondary suite, or backyard cottage designed for and occupied by one family only. The structure must be subordinate to a principal dwelling and conform to the standards outlined in this Title, including all requirements set forth in Section 9-15-12. Guest houses, secondary suites, or backyard cottages may include but are not required to provide one (1) additional off-street parking space in conformance with all other additional standards set forth in the Title.

**Section 9-7-5. Design for individual ownership of units required.**

All units developed in this zone, with the exception of guest houses, secondary suites, or backyard cottages, shall be designed for individual ownership of each unit meeting the definition of “dwelling, single-family” or “dwelling, single-family attached”, as defined in this Title.

**Chapter 8. Mixed Density Residential (RM) Districts**

**Section 9-8-2. Permitted uses.**

The following uses and their accessory uses are permitted as contained in the use table below:

Zoning Districts	RM-1	RM-2	RM-3
Accessory Dwelling Units Backyard Cottages	L(7)	L(7)	L(7)
Guest House	L(7)	L(7)	L(7)
Secondary Suites	L(7)	L(7)	L(7)

L(7) = A maximum of one guest house, secondary suite, or backyard cottage detached residential secondary dwelling unit, designed for and occupied by one family only. The structure must be accessory and subordinate to a single-family principal dwelling unit and located on a tract of land that is at least twice the minimum lot size for the district in which it is located, and conform to the standards outlined in this Title, including all requirements set forth in Section 9-15-12. The accessory dwelling structure must: (1) be located entirely in the rear yard of the principal residential structure; (2) have gross square footage that is 50% or less of the habitable square footage of the principal residential structure; and (3) have fewer bedrooms than the principal residential structure. Guest houses, secondary suites, or backyard cottages may include but are not required to provide one (1) additional off-street parking space in conformance with all other additional standards set forth in the Title.

## Chapter 9-10. Commercial (C) Districts

### Section 9-10-2. Permitted Uses.

The following uses and their accessory uses are permitted as contained in the use table below:

Commercial Zoning Districts	C-G	C-D	C-O	C-N	C-R
<i>Residential Categories</i>					
<del>Accessory Dwelling Units</del> Backyard Cottages	L(17)	L(17)	L(17)	L(17)	L(17)
Guest Houses	L(17)	L(17)	L(17)	L(17)	L(17)
Secondary Suites	L(17)	L(17)	L(17)	L(17)	L(17)

L(17). A maximum of one guest house, secondary suite, or backyard cottage designed for and occupied by one family only. The structure must be subordinate to a principal dwelling unit and conform to the standards outlined in this Title, including all requirements set forth in Section 9-15-12. Guest houses, secondary suites, or backyard cottages may include but are not required to provide one (1) additional off-street parking space in conformance with all other additional standards set forth in the Title. These limitations apply to sites with existing first-floor residential use which are not subject to L(1) restrictions.

## Chapter 9.11. Institutional (IN) District

### Section 9-11-2. Permitted Uses.

The following uses and their accessory uses are permitted as contained in the use table below:

Zoning Districts	E-O Employment Office	E-I Employment Industrial	I Industrial
<del>Accessory Dwelling Units</del> Backyard Cottages	N	N	N
Guest House	N	N	N
Secondary Suites	N	N	N