

839 ACCESSORY DWELLING UNITS

839.01 NUMBER ALLOWED

Only one accessory dwelling unit shall be allowed per primary attached or detached single-family dwelling, and per primary manufactured dwelling, on the same lot of record.

839.02 GENERAL STANDARDS

Except in the VR-4/5, VR-5/7, and VTH Districts, accessory dwelling units shall comply with the following standards:

- A. Maximum Area: The maximum floor area of an accessory dwelling unit shall be 900 square feet, except in the R-2.5 District, where the maximum shall be 500 square feet. In no case shall the floor area of an accessory dwelling unit be larger than that of the primary dwelling.
- B. Entrances: If an accessory dwelling unit is attached to a primary dwelling, the accessory dwelling entrance(s) shall be on the side or rear of the building. An exception to this requirement may be granted if there is no ground-level access to the accessory dwelling unit, or if the primary dwelling has additional front entrances prior to the development of an accessory dwelling unit and the total number of entrances is not increased.
- C. Owner Occupancy: Except in the HR District, owner occupancy of either the accessory dwelling unit or the primary dwelling shall be required. A deed restriction requiring owner-occupancy of one of the dwelling units shall be recorded prior to issuance of a building permit for the accessory dwelling unit.

839.03 STANDARDS IN THE VR-4/5 AND VR-5/7 DISTRICTS

In the VR-4/5 and VR-5/7 Districts, accessory dwelling units shall comply with the following standards:

- A. An accessory dwelling unit either may be located above a detached garage, or it may be integral to a primary dwelling.
- B. If the accessory dwelling unit is located above a detached garage:
 - 1. The maximum floor area of the accessory dwelling unit shall be 900 square feet.
 - 2. The accessory dwelling unit shall be subject to the standards in Table 315-3, *Dimensional and Building Design Standards in the VR-5/7, VR-4/5, and VTH Districts*, that apply to accessory structures in the VR-4/5 and VR-5/7 Districts.

- C. If the accessory dwelling unit is integral to a primary dwelling, it shall be subject to the standards in Table 315-3 that apply to primary dwellings in the VR-4/5 and VR-5/7 Districts.

839.04 STANDARDS IN THE VTH DISTRICT

In the VTH District, accessory dwelling units shall comply with the following standards:

- A. An accessory dwelling unit either may be located above a detached garage, or it may be integral to a primary dwelling.
- B. If the accessory dwelling unit is located above a detached garage:
 - 1. The maximum floor area of the accessory dwelling unit shall be 500 square feet.
 - 2. The accessory dwelling unit shall be subject to the dimensional standards in Table 315-3, *Dimensional and Building Design Standards in the VR-5/7, VR-4/5, and VTH Districts*, that apply to accessory structures in the VTH District.
- C. If the accessory dwelling unit is integral to a primary dwelling, it shall be subject to the standards in Table 315-3 that apply to primary dwellings in the VTH District and to Subsection 1005.12(A).

839.05 MANUFACTURED DWELLINGS

A manufactured dwelling may not be used as an accessory dwelling unit in any zoning district except the FF-10, RA-1, RA-2, and RRFF-5 Districts. A manufactured dwelling used as an accessory dwelling unit is not subject to Section 824, *Manufactured Dwellings*.

[Added by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-250, 10/13/14; Amended by Ord. ZDO-269, 9/6/18]