

* **SECTION 24 - SECONDARY DWELLING UNIT**

- 24.1 Purpose. This chapter is designed to provide for, and to regulate, the establishment of secondary dwelling units in all residential zoning districts. The purpose of permitting second units is to promote more efficient use of the City's existing housing stock and to help meet the need for small rental units while preserving the character of the City.
- 24.2 Location. Secondary dwelling units shall be allowed in the following residential zoning districts:
- All R-1 Single Family Residential zones.
 - For Single Family Dwellings located in R-2, R-3, and R-4 Residential Zones.
 - HRO Hillside Residential & Open Space zones upon approval of a Conditional Use Permit by the Planning Commission, as set forth herein.
- 24.3 Property Development Standards. A secondary dwelling unit shall be allowed only if it can exist in compliance with the following standards:
- (a) Zoning Requirements. All site area, density, height and yard area standards of the R-1 zoning districts shall apply to the property proposed for conversion. Both the principal and secondary dwelling must conform to these zoning requirements.
- (b) Lot Size. The minimum lot size for a secondary dwelling unit shall be 5,000 square feet. Conditional Use Permit approval by the Planning Commission shall be required for all properties having less than 8,000 square feet of total area.
- (c) Minimum Unit Size. The minimum size for a second unit shall be 275 square feet.
- (d) Maximum Allowable Unit Size with approval of a Building Permit (Administrative)
- A detached unit not greater than 399 square feet.
 - A unit constructed within the building envelope of the existing main dwelling not greater than 640 square feet.
 - A unit combining existing floor area with new floor area not greater than 640 square feet (maximum of 399 square feet outside of building envelope).
- (e) Maximum Allowable Unit Size with approval of a Conditional Use Permit by the Planning Commission
- Units greater than 640 square feet and up to 1,200 square feet or maximum of 30% of the total floor area of the principal dwelling, whichever is smaller.

* Section 24 was added by Ord. #716, 2/9/84; Amended by Ord. #999, 5/27/04

- (f) Number of bedrooms. A maximum of two bedrooms is allowed for any new secondary dwelling unit.
- (g) Height. Detached secondary dwelling units shall not exceed 15 feet in height and shall comply with all development requirements of the R-1 Single Family Residential Zoning District.
- (h) Design. The secondary dwelling unit shall be subordinate to the principal building in size and shall be designed so that the appearance of the principal building remains that of a single-family residence. The secondary dwelling unit shall be architecturally compatible with the main structure and shall be constructed of similar materials. The roof forms and pitches of a secondary dwelling unit shall be consistent with those of the principal building.
- (i) Off-Street Parking. Notwithstanding Section 8.1.4, either an existing or new single-family detached dwelling with either a new studio, one-bedroom, or two bedroom secondary dwelling unit shall be provided with four off-street parking spaces (minimum of two automobile garage spaces).

Spaces provided shall meet the size requirements pursuant to Section 8.3.1 and must be paved and located wholly upon the property in fee. One space may be permitted in tandem in the driveway of a two-car garage if the garage meets minimum setback requirements, adequate on-street parking is available, and the lot configuration precludes placement elsewhere on the property.
- (j) Occupancy. At least one unit shall be owner occupied.
- (k) Sale of unit. Title to a secondary dwelling unit may not be transferred separately from title to the primary unit or the underlying land.

24.4 Additional Development Standards.

- (a) Secondary dwelling units shall be allowed only on parcels on which one dwelling unit is located.
- (b) Secondary dwelling units must comply with all applicable building, health, and fire codes and shall be served by sanitary sewer.
- (c) Secondary dwelling units are allowed for legal non-conforming principal buildings only if existing setbacks are conformed to.
- (d) Exterior access (such as exterior doors, stairways, and landings) to attached secondary dwelling units shall not be located on the front of the primary dwelling, unless approved by the Planning Commission pursuant to Sections 13A.1(c) & 13A.2 – Single Family Design Review.
- (e) No separate curb cuts shall be allowed in the creation of off-street parking for any new unit. A detached secondary dwelling unit shall be served by the same driveway access to the street as the existing main dwelling.

- (f) A restrictive covenant which mandates owner occupancy of at least one of the units shall be recorded with the establishment of a new secondary dwelling unit. The restrictive covenant shall be binding upon any successor in ownership of the property and lack of compliance shall void the approval of the unit and may result in legal action against the property owner. The restrictive covenant shall be subject to approval by the City Attorney as to its form and content.
- (g) The conversion of any detached accessory structure with non-conforming yard setbacks into a secondary dwelling unit shall be subject to variance review and approval by the Planning Commission pursuant Section 14 (Variances), as set forth herein.
- (h) Vehicles of any kind, with or without wheels, and trailers are prohibited as secondary dwelling units.