

CHAPTER 33.205
ACCESSORY DWELLING UNITS

(Amended by: Ord. No. 171879, effective 2/2/98; Ord. No. 174263, effective 4/15/00; Ord. No. 175837, effective 9/7/01; Ord. Nos. 175965 and 176333, effective 7/1/02; Ord. No. 178172, effective 3/5/04; Ord. No. 178509, effective 7/16/04; Ord. No. 178927, effective 12/31/04; Ord. No. 179845, effective 1/20/06.)

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33.205.010 Purpose

Accessory dwelling units are allowed in certain situations to:

- Create new housing units while respecting the look and scale of single-dwelling development;
- Increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives;
- Allow more efficient use of existing housing stock and infrastructure;
- Provide a mix of housing that responds to changing family needs and smaller households;
- Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
- Provide a broader range of accessible and more affordable housing.

33.205.020 Where These Regulations Apply

An accessory dwelling unit may be added to a house, attached house, or manufactured home in an R zone, except for attached houses in the R20 through R5 zones that were built using the regulations of 33.110.240.E, Duplexes and Attached Houses on Corners.

33.205.030 Design Standards

- A. Purpose.** Standards for creating accessory dwelling units address the following purposes:
 - Ensure that accessory dwelling units are compatible with the desired character and livability of Portland's residential zones;
 - Respect the general building scale and placement of structures to allow sharing of common space on the lot, such as driveways and yards;
 - Ensure that accessory dwelling units are smaller in size than houses, attached houses, or manufactured homes; and
 - Provide adequate flexibility to site buildings so that they fit the topography of sites.
- B. Generally.** The design standards for accessory dwelling units are stated in this section. If not addressed in this section, the base zone development standards apply.

- C. Requirements for all accessory dwelling units.** All accessory dwelling units must meet the following:
1. Creation. An accessory dwelling unit may only be created through the following methods:
 - a. Converting existing living area, attic, basement or garage;
 - b. Adding floor area;
 - c. Constructing a detached accessory dwelling unit on a site with an existing house, attached house, or manufactured home; or
 - d. Constructing a new house, attached house, or manufactured home with an internal or detached accessory dwelling unit.
 2. Number of residents. The total number of individuals that reside in both units may not exceed the number that is allowed for a household.
 3. Other uses.
 - a. An accessory dwelling unit is prohibited on a site with a Type B home occupation.
 - b. An accessory dwelling unit is allowed on a site with an approved Bed and Breakfast facility if the accessory dwelling unit meets the standards of Paragraph 33.815.040.B.1.
 4. Location of entrances. Only one entrance may be located on the facade of the house, attached house, or manufactured home facing the street, unless the house, attached house, or manufactured home contained additional entrances before the accessory dwelling unit was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks.
 5. Parking. No additional parking is required for the accessory dwelling unit. Existing required parking for the house, attached house, or manufactured home must be maintained or replaced on-site.
 6. Maximum size. The size of the accessory dwelling unit may be no more than 33% of the living area of the house, attached house, or manufactured home or 800 square feet, whichever is less.
 7. Exterior finish materials. The exterior finish material must be the same or visually match in type, size and placement, the exterior finish material of the house, attached house, or manufactured home.
 8. Roof pitch. The roof pitch must be the same as the predominant roof pitch of the house, attached house, or manufactured home.
 9. Trim. Trim must be the same in type, size, and location as the trim used on the house, attached house, or manufactured home.
 10. Windows. Windows must match those in the house, attached house, or manufactured home in proportion (relationship of width to height) and orientation (horizontal or vertical). This standard does not apply when it conflicts with building code regulations.

11. Eaves. Eaves must meet one of the following:
 - a. The eaves must project from the building walls the same distance as the eaves on the house, attached house, or manufactured home;
 - b. The eaves must project from the building walls at least 1 foot on all elevations; or
 - c. If the house, attached house, or manufactured home has no eaves, no eaves are required on the accessory dwelling unit.

D. Additional requirements for detached accessory dwelling units. Detached accessory dwelling units must meet the following.

1. Setbacks. The accessory dwelling unit must be at least:
 - a. 60 feet from the front lot line; or
 - b. 6 feet behind the house, attached house, or manufactured home.
2. Height. The maximum height allowed for a detached accessory dwelling unit is 18 feet.
3. Bulk limitation. The building coverage for the detached accessory dwelling unit may not be larger than the building coverage of the house, attached house, or manufactured home. The combined building coverage of all detached accessory structures may not exceed 15 percent of the total area of the site.
4. Conversion of existing detached accessory structures.
 - a. In RF through R2.5 zones, conversion of an existing detached accessory structure that is in a front building setback required by Table 110-3 is not allowed. Conversion of an existing detached accessory structure that is in a rear or side building setback is allowed as provided by Subsection 33.110.250.C, Setbacks.
 - b. In R3 through IR zones, conversion of an existing detached accessory structure that is in a front building setback required by Table 120-3 is not allowed. Conversion of an existing detached accessory structure that is in a rear or side building setback is allowed as provided by Subsection 33.120.280.C, Setbacks
 - c. If the accessory dwelling unit is proposed for an existing detached accessory structure that meets any of the standards of Paragraphs C.7 through C.11 and Paragraphs D.2 and D.3, alterations that will move the structure out of conformance with the standards that are met are not allowed;
 - d. If the accessory dwelling unit is proposed for an existing detached accessory structure that does not meet one or more of the standards of Paragraphs C.7 through C.11, the structure is exempt from the standard it does not meet. If any floor area is added to the detached accessory structure, the entire structure must meet the standards of Paragraphs C.7 through C.11.

33.205.040 Density

In the single-dwelling zones, accessory dwelling units are not included in the minimum or maximum density calculations for a site. In all other zones, accessory dwelling units are included in the minimum density calculations, but are not included in the maximum density calculations.