

City of Cloverdale Zoning Code – will go into effect on 10/12/17

Section 18.09.180 Accessory Dwelling Units

The purpose of these standards is to ensure that accessory dwelling units located in any Zoning District do not adversely impact either adjacent parcels or the surrounding neighborhood, and are developed in a manner which protects the integrity of the Zoning District, while providing for needed housing opportunities for owners of eligible parcels. Accessory dwelling unit(s) may be established by the conversion of an attic, basement, garage (with replacement of covered parking) or other portion of a single-family unit. A detached accessory dwelling unit may also be established by the conversion of an accessory structure or by new construction. The City has determined that accessory dwelling units which are allowed on parcels with primary residences:

1. Provide for unmet housing needs;
2. Provide for efficient use of existing public infrastructure; and
3. Provide relatively affordable housing.

A. Applicability

Accessory dwelling units are permitted in any Zoning District that permits a single-family residence or when proposed on a lot that is developed with an existing single-family residence, subject to Building Permit approval. Accessory dwelling units shall be prohibited on lots containing or more than one existing single-family dwelling. The primary dwelling unit shall be completed and occupied prior or simultaneous to occupying an accessory dwelling unit.

B. Property Development Standards

Accessory dwelling units shall comply with existing Building and Fire Codes, and any applicable design criteria, including but not limited to, setbacks, height limits, maximum floor area ratio and maximum lot coverage. Accessory dwelling units are exempt from density calculations. For purposes of reviewing a project for compliance with the applicable lot coverage, floor area ratio and related development standards, an accessory dwelling unit is not considered an “accessory structure” or an “accessory use” as established under the provisions of Chapter 18.14 (Zoning Code Definitions). In addition, the following standards shall apply:

1. The parcel intended for the accessory dwelling unit must contain an existing single-family detached unit.
2. Not more than two accessory dwelling units shall be placed on the same parcel. The total maximum square footage of all accessory dwelling units located on the same parcel shall not exceed the square foot limitations for the respective parcel size i.e. 800 square feet on parcels less than 6,000 square feet or 1,200 square feet on parcels 6,000 square feet or larger.
3. Accessory dwelling units shall not exceed an interior size of 800 square feet on parcels less than 6,000 square feet. On parcels greater than 6,000 square feet accessory

dwelling units shall not exceed an interior size of 1,200 square feet. However, an accessory dwelling unit shall be subordinate to the primary dwelling unit in size and placement, and in no case, shall an accessory dwelling unit cause a parcel to exceed the maximum floor area ratio (F.A.R.) permitted by the Zoning Ordinance.

4. Accessory dwelling units shall be subordinate to the primary dwelling in terms of size and the unit's scale, appearance and character shall be similar to the primary dwelling unit. The accessory dwelling unit shall incorporate the same or similar architectural features, building materials and colors as the primary residence located on the property. Compatibility with the primary residence includes coordination of colors, materials, roofing and other architectural features, and landscaping so that the appearance of the property remains that of a single-family residence.
5. Accessory dwelling units may be attached to or detached from the primary dwelling unit or may be a combination thereof subject to meeting the maximum ADU square footage limitations for the parcel.
6. An accessory unit may be constructed from or within an existing building subject to the provisions of this Section.
7. Any window or door of an accessory dwelling unit shall utilize techniques to lessen privacy impacts onto adjacent properties. These techniques may include use of obscured glazing, window placement above eye level, windows and doors facing toward the primary on-site residence or screening treatments.
8. No additional parking shall be required for an accessory dwelling unit. However, if construction of an accessory dwelling unit includes removal of required parking established for the primary unit, then equivalent or better replacement parking shall be provided for the primary residence in substantial conformance with location, design and setback requirements of the underlying zoning district. The amount and type of replacement parking shall not be required to exceed either the amount of parking provided prior to removal, or the minimum standards required under the zoning district, whichever is less restrictive.
9. Separate utility meters may be provided for second dwelling units. In cases where an existing primary dwelling structure is to be converted to an accessory dwelling unit or partially converted to create an accessory dwelling unit within the structure, the area designated for the accessory dwelling unit must comply with applicable structural, electrical and plumbing codes, subject to the review and approval of the Building Official.
10. A separate entrance to an accessory dwelling unit shall be provided.
11. Review of an accessory dwelling unit for compliance with the applicable Municipal Code standards shall be completed within 120 days of submittal of a complete application to the Building Department. An application for a Building Permit shall include all information necessary to complete review of the proposal for compliance with the provisions of this section, within the prescribed timeframe.

12. Height

- a) An accessory dwelling unit that is attached to the primary residence, shall be subject to the same zoning district height limit established for the primary dwelling.
- b) A detached accessory dwelling unit may be allowed up to two stories and a height of twenty-five (25) feet.

13. Setbacks

- a) A new detached accessory dwelling unit shall be subject to the following setbacks:
 - i. Minimum interior side yard and rear yard setbacks: Five (5) feet.
 - ii. Street side yard of a corner lot: Ten (10) feet.
 - iii. Front yard: Same as the required front setback for the zoning district in which the property is located, not to exceed twenty (20) feet.
- b) A new attached accessory dwelling unit shall be subject to the same setbacks that apply to the primary structure.
- c) An accessory dwelling unit that is created as a result of internal conversion of existing and legally permitted garage area or habitable living space shall be allowed, regardless of whether the existing structure complies with current setback requirements. This includes the conversion of an attached or detached habitable or garage structure that maintains a 0 setback, provided that all other applicable requirements of the Municipal Code and Building Code have been or will be met.
- d) Side and rear setbacks provided to an accessory dwelling unit shall be sufficient for fire safety.