

33.205 Accessory Dwelling Units

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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 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, C, or EX 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 General Requirements

- A. Number of residents.** The total number of individuals that reside in both units may not exceed the number that is allowed for a household.
- B. Other uses.**
 1. Type B home occupation. An accessory dwelling unit is prohibited on a site with a Type B home occupation.
 2. Type A accessory short-term rental. An accessory dwelling unit is allowed on a site with a Type A accessory short-term rental.
 3. Type B accessory short-term rental. An accessory dwelling unit is allowed on a site with a Type B accessory short-term rental if the accessory dwelling unit meets the standards of Paragraph 33.815.040.B.1.

33.205.040 Development 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 development 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. 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. Detached accessory dwelling units are exempt from this standard.
2. 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.
3. Maximum size. The size of the accessory dwelling unit may be no more than 75 percent of the living area of the primary dwelling unit or 800 square feet of living area, whichever is less. The measurements are based on what the square footage of the primary dwelling unit and accessory dwelling unit will be after the accessory dwelling unit is created.
4. Setbacks. Detached accessory dwelling units must be:
 - a. Set back 40 feet from the front lot line; or
 - b. Located behind the rear wall of the house, attached house, or manufactured home. For the purpose of this regulation, the rear wall of the house is the wall furthest from the wall with the main entrance to the street.
5. Detached accessory dwelling units must meet the development standards for detached covered accessory structures in the base zone.

33.205.050 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.

(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; Ord. No. 183598, effective 4/24/10; Ord. No. , effective 8/29/14; Ord. No. 186736, effective 8/29/14; Ord. No. 187471, effective 1/1/16.)

