

#### 5.16.6 Accessory Uses and Structures

##### A. Accessory Dwelling Unit (ADU)

1. An ADU is permitted on a parcel that has one Single-Family Dwelling as the permitted principal use.

2. An ADU is permitted as or within any legally conforming Accessory Building.

2.3. The owner shall occupy either the ADU or the Single-Family Dwelling on the property, except for temporary absences not to exceed a combined total of six months in a calendar year.

3.1. Leasing or rental of the ADU for less than 30 days is prohibited.

4.5. The ADU shall be designed so that the appearance of the Building remains that of a Single-Family residence or detached Accessory Building such as a garage or carriage house. Any new entrances to an attached ADU shall be located on the side of the Building or in the rear of the Building.

6. A deed restriction that runs with the land, on a form to be provided by the City, shall be filed with the Register of Deeds prior to occupancy, and it shall incorporate the following restrictions:

a. The ADU may not be sold separately from the Single-Family dwelling.

b. The owner occupancy requirement of Section 5.1.1A.2

c. The deed restriction shall be in effect until the ADU is removed.

5.7. ~~The minimum Lot area for an ADU is 5,000 square feet. For Lots from 5,000 up to 7,200 square feet in size, the maximum size of an ADU is 600 square feet of Floor Area or the size of the Floor Area of the ground Floor of the primary dwelling, whichever is less. For Lots 7,200 square feet or greater in size, the maximum size of an ADU is 800 square feet of Floor Area or the size of the Floor Area of the ground Floor of the primary dwelling, whichever is less.~~

6.8. The ADU and principal unit shall not be occupied by more than the number of occupants permitted by Section 5.16.1A except that only two unrelated Persons plus their offspring living as a single Housekeeping Unit may occupy the ADU.

7. An ADU is permitted in a legally conforming Accessory Building that was constructed before December 31, 2016. Additionally, if the existing Accessory Building is more than 200 square feet of Floor Area then it may be replaced or modified and used as an ADU as long as the new or modified Accessory Building is legally conforming. A nonconforming Accessory Building that was constructed before December 31, 2016 which is over 200 square feet of Floor Area may be replaced or modified and used as an ADU as long as the new or modified Accessory Building is legally conforming.

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~~8.9.~~ The total number of Persons residing in the primary Dwelling Unit and the ADU combined shall not exceed four Persons plus their Offspring, except when a Functional Family is allowed by Special Exception Use.

~~9.10.~~ At least one off-street Parking Space shall be provided for the ADU unless the property is within ¼ mile of a bus stop, then no additional Parking Space is required. Tandem or stacked parking in a Driveway may count toward the off-street parking requirement if not located in the Front Yard setback.

~~10.11.~~ An ADU or Single-Family Dwelling that is not owner-occupied shall be subject to periodic housing inspections as required by Section 8:511.

~~11.1. Leasing or rental of the ADU for less than 90 days is prohibited.~~

~~12. A deed restriction that runs with the land, on a form to be provided by the City, shall be filed with the Register of Deeds prior to occupancy, and it shall incorporate the following restrictions:~~

- ~~a. The ADU may not be sold separately from the Single Family dwelling.~~
- ~~b. The owner occupancy requirement of Section 5.16.6D.2~~
- ~~c. The deed restriction shall be in effect until the ADU is removed.~~