

Marion County Accessory Dwelling Units Standards/Options For November 29, 2017 Marion County Board of Commissioners Hearing

**Submit written comments to: Brandon Reich, Senior Planner, Marion County Planning
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Category of Standard	Recommendation of Planning Commission	Discussion
Type	Interior, attached or detached site built or modular. OR Interior, attached or detached site built, modular or manufactured dwellings.	<ul style="list-style-type: none"> Interior: Units built inside an existing dwelling or attached garage Attached: Sharing a wall with, or within 5 feet of an existing dwelling or attached garage. Detached: More than 5 feet from an existing dwelling/garage. RVs not permitted to be used as ADUs. Manufactured dwellings could be permitted if they otherwise meet the standards for ADUs. Manufactured dwelling standards would apply similar to existing for urban area: pitched roof, no vertical rolled goods siding, etc.
Size	900 square feet of living space or 75% of the size of the footprint of the main dwelling, whichever is less	Same as Salem's requirements. Size limit intended to ensure ADU is scaled for residential zones and to limit to being smaller than the existing dwelling.
Location	Detached: Side or rear yards Attached/Interior: Front, side or rear meeting same setbacks as dwelling.	Not located in front yard in order to limit visual impact of ADUs on neighborhoods.
Density Standards	Exempt	Ability to place ADU as accessory to the dwelling where other standards are met (setbacks, location, size, etc.)
Property Owner-Occupied Status	Do not require the owner of the property to live in the ADU or main house.	Dwellings are frequently rented now in residential areas. Whether ADU or dwelling or both are rented will not change residential nature of the use.
Land Division	Land with ADU cannot be divided off from land containing main dwelling.	The ADU is accessory to the dwelling and therefore must be on the same parcel.
Number	One	To minimize any impact to neighborhoods, limit ADUs to one unit associated with a dwelling. Multiple dwelling units on a property can be approved in multi-family zones.
Height	Not exceed height of primary dwelling. OR Detached maximum height 25 feet. Attached/interior, same as existing maximum height in zone for dwellings, 35 feet.	Not exceeding height of primary dwelling in order to minimize visual impact in neighborhoods and to ensure the ADU is scaled for placement in residential zones. Maximum height of 25 feet for detached ADU permits an ADU to be constructed over an existing detached garage.
Setback	Attached/Interior: Same setbacks as the dwelling: 12 feet front, 5 feet side, 14 feet rear. Detached side yard: 5 feet side, 14 feet rear. Detached rear yard: nine feet at the lot line, increasing one foot for each one foot of distance from the lot line to a maximum height of 20 feet, not take up more than 25% of the 14' required rear yard. OR Keep existing setbacks for accessory structures in UGBs other than Salem. Match Salem's setbacks for detached ADUs in Salem rear yard: 5 feet from property lines and in Salem side yard: 3 feet from property line.	Apply the same setbacks as are applied to other accessory structures. Intended to ensure adequate setbacks from neighboring properties to minimize any impact and to be consistent with standards already in place. Salem adopted reduced setbacks for detached ADUs in order to maximize their ability to be placed on a lot and to preserve the greatest amount of usable rear yard space.
Parking	If interior or attached, one additional parking space. If detached, two additional parking spaces. No new curb cuts are permitted.	Require two additional parking spaces; can count two spaces in the garage and two spaces in the driveway usually. If interior ADU, possibly remodeled garage. Since garage is no longer available for parking, it's harder to achieve two additional spaces; in that case, only require one additional parking space.
Rental duration	30 days minimum rental.	To ensure ADUs are not used as short-term rentals or vacation stays. Same as Salem's rental requirement.
Deed Restriction	Property owner records deed restriction acknowledging the standards for ADUs.	To ensure that future property owners are made aware of the standards that apply to the ADU already built on their property.
Zones where permitted	UT zones (residential plan designation): interior or attached only. RS, UD zones: interior, attached or detached. Not permitted in other zones.	<ul style="list-style-type: none"> UT zones are meant for future urban development upon annexation. A detached ADU would take up space on a property intended for redevelopment at city densities. Therefore, only permit interior or attached to minimize the amount of parcel developed at annexation. Otherwise permit in zones where single-family residences are allowed. Additional dwelling units are permitted on a property already in multi-family zones.
Approval Process	Outright permitted; no land use review required. Standards can be changed for an individual property through the adjustment process. Existing ones at time of adoption of ordinance that don't meet standards can be considered for approval through adjustment.	<ul style="list-style-type: none"> Create standards for placement of an ADU in code and not require a land use decision. Existing ADUs at the time the ordinance is adopted could be legalized through an adjustment application with evidence of the ADUs construction provided by the property owner.