

Happy Valley Municipal Code							
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#### 16.44.050 Accessory dwelling units.

A. Purpose. The purpose of this section is to establish appropriate locations, site development standards, and permit requirements to allow for the provision of accessory dwelling units (ADUs) within the City. ADUs, commonly referred to as “granny flats” or “mother-in-law apartments,” are a well-established housing strategy that utilize an additional living unit in areas zoned for single-family use. By creating a self-contained unit with a separate entrance and kitchen from existing space in the primary dwelling; a combination of existing and newly created space; space in an existing accessory building; or, from the addition of a new accessory building, secondary living areas can be created in association with existing or new homes. Such living space can aid in the housing and dependent care of family members, provide rental income to offset the costs of home-ownership, and add to the supply of affordable housing options available to the citizens of Happy Valley.

B. Development Standards. In addition to the applicable standards of the underlying residential zone, ADUs shall comply with the following development standards:

1. An ADU shall meet all applicable health, fire safety and building codes, pursuant to the Oregon Residential Specialty Code.
2. ADUs shall be allowed only in conjunction with parcels containing one single-family dwelling. Only one ADU per parcel is permitted.
3. The ADU may be created by converting existing living area or adding floor area, or construction of a new structure that is either attached or detached. For example, conversion of space above a primary dwelling’s detached garage would qualify as a detached ADU. However, no detached ADU structure may include a secondary garage (one garage for the primary structure and one for the ADU) separate from the primary dwelling, unless said secondary garage existed prior to the submittal of development plans for the ADU. In addition, the building height of the ADU may not exceed fifty (50) percent of the building height of the primary structure or twenty-six (26) feet, whichever is higher.
4. The maximum gross habitable floor area (GHFA) of an ADU involving the conversion of existing space within a primary dwelling such as a basement or addition shall not exceed fifty (50) percent of the GHFA of the primary residence on the lot. Construction of a new structure that is attached by means of a breezeway or similar feature does not qualify as an attached structure. For a detached ADU, the GHFA shall not exceed fifty (50) percent of the GHFA of the primary residence on the lot, and shall not exceed a maximum of one thousand (1,000) square feet, whichever is less. The floor area of any garage in the primary dwelling shall not be included in the total calculation of GHFA.
5. Only one entrance shall be located on the front of the primary dwelling or any portion of the primary dwelling abutting a street, unless the dwelling contained additional entrances before the accessory residential unit was created.
6. In order to maintain an architectural character similar to the primary dwelling, the ADU shall have siding and roofing materials and exterior paint colors that generally match the siding and roofing materials, and exterior paint colors of the primary dwelling.
7. The development of the ADU shall provide an additional on-site parking space if the primary dwelling has less than four on-site spaces (for example, inclusive of a garage and driveway) available before construction of the accessory unit.
8. A minimum six-foot hedge or site-obscuring fence may be required by the Planning Official or designee to buffer a detached ADU from dwellings on adjacent lots, when buffering is necessary for the privacy and enjoyment of yard areas of adjacent properties.

(Ord. 545 § 1, 2019; Ord. 427 § 1, 2012; Ord. 422 § 1, 2012; Ord. 411 § 1, 2011; Ord. 398 § 1, 2010; Ord. 389 § 1(Exh. A), 2009)

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