

SECTION 10.0100

ACCESSORY DWELLINGS

General

10.0101 Purpose and Applicability

Standards

10.0110 Standards

Process

10.0120 Review Procedures for an Accessory Dwelling

GENERAL

10.0101 PURPOSE AND APPLICABILITY

The purpose of this section is to allow for establishment of an Accessory Dwelling in conjunction with a single detached dwelling. An Accessory Dwelling may be permitted as a means of providing more housing opportunities.

- A.** Accessory Dwellings need not comply with **Appendix 5.000** of the Community Development Code, except as required to serve the site of the proposed Accessory Dwelling.
- B.** Accessory Dwellings are not subject to the standards of **Section 10.0200** and its square footage is not included as part of the size limitations of residential structures.
- C.** Accessory Dwellings do not count toward minimum or maximum density requirements in LDR-5, LDR-7, TR, TLDR, LDR-PV, VLDR-SW and LDR-SW. Dwellings count toward minimum density but not maximum density requirements in all other districts.

STANDARDS

10.0110 STANDARDS

The Manager shall approve an application for not more than one Accessory Dwelling per existing primary single detached dwelling if the applicant shows compliance with the following standards:

- A.** Accessory Dwellings shall be located on the same lot as the primary dwelling and shall be occupied no sooner than the primary dwelling.
- B.** Accessory Dwellings may be freestanding or attached to the primary dwelling.
- C.** Accessory Dwellings shall be consistent with the applicable lot coverage standards of the land use district.
- D.** Accessory Dwellings shall be consistent with the applicable height standards of the land use district, and freestanding Accessory Dwellings shall not exceed the height of the primary dwelling.

E. Setbacks.

1. Accessory Dwellings shall comply with the setback standards in **Table 10.0100**.

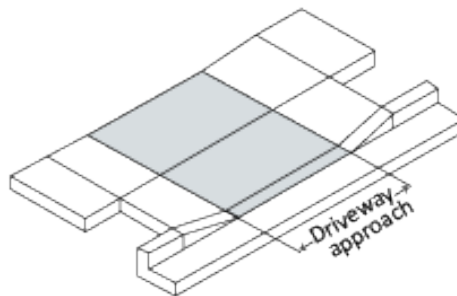
Table 10.0110: Setback Standards for Accessory Dwellings

	STREET	INTERIOR SIDE	REAR	
			REAR NO ALLEY	REAR WITH ALLEY
A. Attached Accessory Dwellings				
All Zones	Applicable setback standard of the land use district for a single detached dwelling			
B. Freestanding Accessory Dwellings				
All Zones	No closer than the primary dwelling	5 ft.	10 ft.	5 ft.

2. Notwithstanding **Section 10.0110(E)(1)**, existing legal residency accessory structures built prior to June 4, 2026, that are non-conforming with respect to setbacks may be converted to Accessory Dwellings, provided such Accessory Dwellings conform with the other standards in **Section 10.0100**.

- F. Accessory Dwellings shall have a maximum floor area of 900 square feet or 75 percent of the floor area of the primary dwelling, whichever is less.
- G. The primary entry of a freestanding Accessory Dwelling shall not be oriented toward an interior lot line when located within 10 feet of that lot line.
- H. Vehicle Access and Parking.
1. For lots abutting an alley, vehicle access shall be taken from the alley.
 2. Driveway Approaches.
 - a. Driveway approached (as shown in **Figure 10.0110(H)(2)**) may be shared by multiple units.

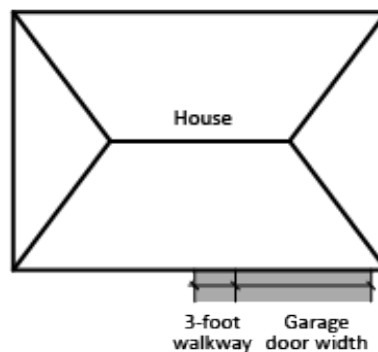
Figure 10.0100(H)(2): Driveway Approach



- b. Shared driveways shall include shared driveway approaches.
 - c. The total width of all driveway approaches on an individual frontage may occupy no greater than 34 percent of that lot frontage, or 28 feet, whichever is less.
 - d. Driveway approaches shall meet all the requirements contained in **Section A5.000**.
3. Attached and detached garages, carports, and off-street parking areas shall not be located between a building and a public street (other than an alley), unless:
- a. Such areas are separated from the street property line by a building; or

- b. The total combined width of all such areas (excluding any portions separated from the street by a building) do not exceed 20 feet or 50 percent of the street frontage, whichever is greater.
- 4. Garages and carports that face the street shall be set back at least 4 feet behind the street-facing wall closest to the street.
- 5. Off-Street Parking.
 - a. Off-street parking spaces for residential uses shall be at least 8.5 feet wide by 18 feet deep, or 8 feet wide by 24 feet long for parallel parking spaces.
 - b. Tandem (end-to-end) parking is allowed only for individual units.
- 6. See **Section 9.0851** for additional parking standards for single detached dwellings.
- I. Pedestrian Connections.
 - 1. A continuous pedestrian circulation system shall be provided which connects primary entries, parking areas, shared amenities, and the public right-of-way (including alleys) or sidewalk. It shall be hard-surfaced and a minimum of 4 feet wide.
 - 2. Where an internal walkway is combined with an individual driveway, the internal walkway width shall extend at least 3 feet beyond the edge of the garage door (see **Figure 10.0110(I)(1)**).

Figure 10.0100(I)(1): Combined Walkway Width Extending Beyond Garage Door



- J. An Accessory Dwelling shall not reduce the outdoor open space requirements of the lot on which it is located below the minimum standards identified in **Section 7.0420(D)**.
- K. Sustainable Design.
 - 1. All flat roofs (slopes 2:12 or less) shall utilize a “white roof” with a Solar Reflectance Index (SRI) of 78 or greater, exclusive of space dedicated to mechanical systems, vegetated roof surfaces, solar panels, sky lights, or other sustainable roof design treatments.
 - 2. Freestanding Accessory Dwellings and Accessory Dwellings attached to the primary dwelling by a roof, breezeway, or deck shall incorporate one or more of the following sustainable design options:
 - a. Solar Orientation. Orient the long axis of the building within 15 degrees of true east and west and provide a minimum 17 percent transparency on the south building façade. Provide exterior, architectural sunshades or eaves for all windows 3 square feet or greater on the south building façade. Sunshades shall be permanent features on the south building façade and shall meet one of the following options:

- i. The lowest shadow-casting edge of the Architectural sunshades or eaves shall be between 6 and 12 inches higher than the top of the window and horizontally project 5 inches out from the wall plane for every 12 inches in total window height for the window it shades (see **Figure 10.0110(K)(2)(i)**); or
- ii. Architectural sunshades or eaves shall effectively block summer sun penetration at noon on the summer solstice and allow for winter sun penetration for the full window height at noon on the winter solstice. (Per the National Oceanic and Atmospheric Administration Solar Position Calculator, solar elevation at noon on the winter solstice is 21.05 degrees and on the summer solstice is 67.78 degrees.) (see **Figure 10.0110(K)(2)(ii)**.)
- b. Building envelopes shall utilize the following insulation values conditioned spaces:
 - i. Wall insulation – above grade: R-23 or greater
 - ii. Wall insulation - below grade: R-19 or greater
 - iii. Flat ceilings: R-40 or greater
 - iv. Vaulted ceilings: R-31 or greater
- c. Comply with the Oregon Residential Reach Code.
- d. Incorporate renewable energy systems (site or building mounted) with a system size of at least 6kW. (Where multiple structures exist the generation system shall count as one sustainable design strategy for all occupiable structures but is not required to be tied to all buildings on site.)
- e. Provide a Level 2 or better electric vehicle charging unit that is accessible to all units on site. Alternatively, this provision may be met by providing one 240 volt outlet (or better) for each unit that is accessible from at least one parking space per unit.
- f. Provide pervious paving for all new uncovered hardscape areas on site proposed in conjunction with the development of the Accessory Dwelling (such as driveways, walkways, and patios not covered by a roof) and provide one canopy tree per 4,000 square feet of gross lot area.
 - i. Canopy tree(s) shall be selected from the approved Parking Lot Trees list and must be capable of a mature height and width of at least 25 feet.
 - ii. Deciduous canopy trees shall be a minimum of 2.5 inches caliper size and shall be balled and burlapped or container stock. Evergreen canopy trees shall be a minimum of 6 feet in height at the time of planting.
 - iii. Existing, healthy canopy trees meeting the size requirements of (i-ii) above shall count towards this requirement when maintained on site.
 - iv. Canopy tree(s) may count towards the open space tree requirement (per **Section 7.0420(D)**), as referenced in **Section 10.0110(J)**.
- g. Solar-Ready Zone Area. A solar-ready zone shall be located on building roof planes that are oriented between 110 degrees and 270 degrees of true north, and on low slope roofs (roof slopes 2:12 or less). The total solar-ready zone shall be not less than 40 percent of the roof area calculated as the horizontally projected gross roof area less the area covered by skylights, mandatory access or setback area as required by Fire Code. Solar-ready zones shall be free from obstructions, including pipes, vents, ducts, HVAC equipment, skylights, and roof-mounted equipment.

L. Rear Roof Height Limit Reductions.

- 1.** In the VLDR-SW, LDR-SW, LDR-PV, LDR-7, LDR-5, and TR districts, the maximum allowed building height is limited at the rear of the lot. The maximum roof height at the rear setback line is 21 feet and increases at a rate of one foot in height for every one foot of distance further from the rear property line, up to the maximum height limit for the district.
 - a.** The maximum roof height shall be measured from the final finished grade to the top of the roof.
 - b.** This rear roof height limit standard does not apply if any portion of the lot is located within the HGRO or Resource Area (RA).
 - c.** Projections allowed above the maximum building height shall also be allowed above the maximum rear roof height. Solar energy collection equipment may project beyond maximum rear roof height no greater than 18 inches.
- 2.** An Accessory Dwelling that qualifies as affordable housing per **Section 10.1700** and is located on a property subject to the rear roof height limit reductions in **Section 7.0420(F)** may add the applicable building height allowance in **Table 10.1711(B)** to the maximum roof height in **Section 10.0110(D)**.

M. Clear glass in windows and/or doors shall occupy a minimum of 5 percent of the combined area of all facades of the Accessory Dwelling.

N. Accessory Dwellings shall not be used as short-term rentals (see Gresham Revised Code Article 9.56).

PROCESS

10.0120 REVIEW PROCEDURES FOR AN ACCESSORY DWELLING

- A.** An application for an accessory dwelling shall be reviewed by the Manager under a Type I procedure.
- B.** Accessory Dwellings are subject to the standards in **Section 10.0110**. If these criteria cannot be met, the application will also be subject to the Variance criteria outlined in **Section 10.1500**.