33.205 Accessory Dwelling Units

205

Sections:

33.205.010 Purpose
33.205.020 Where Accessory Dwelling Units are Allowed
33.205.030 General Requirements
33.205.040 Development Standards
33.205.050 Density

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 Accessory Dwelling Units are Allowed

A. RF. One accessory dwelling unit is allowed on a site with a house, attached house or manufactured home in the RF zone.

B. R20 through R2.5.

1. One accessory dwelling unit is allowed as follows:

   a. On a site with a house or manufactured home in the R20 through R2.5 zones when the lot complies with Section 33.110.202, When Primary Structures are Allowed.

   b. On a site with an attached house when the lot meets the minimum lot area stated in Table 205-1.

Table 205-1

Zone	Minimum Lot Area
R20	10,000 sq. ft.
R10	5,000 sq. ft.
R7	3,500 sq. ft.
R5	2,500 sq. ft.
R2.5	1,500 sq. ft.

   c. On a site with a duplex:

(1) When allowed. Except as prohibited by Subsubparagraph B.1.c.(2), one accessory dwelling unit is allowed on a site with a duplex when the lot meets the minimum lot area requirements stated in Table 205-2. The accessory dwelling unit must be detached from the duplex.

(2) When prohibited. An accessory dwelling unit is prohibited on lots that contain a duplex made up of two detached primary dwelling units, and on lots that do not have frontage on a maintained street, except lots that have frontage on a private street that connects to a maintained street. Payment in lieu of street improvements does not satisfy this requirement.

Table 205-2
Minimum Lot Area

Zone	Minimum Lot Area
R20	12,000 sq. ft.
R10	6,000 sq. ft.
R7	4,200 sq. ft.
R5	3,000 sq. ft.
R2.5	1,500 sq. ft

2. Two accessory dwelling units are allowed as follows:

a. When allowed. Except as prohibited by Subparagraph B.2.b., two accessory dwelling units are allowed on a site with a house, attached house or manufactured home in the R20 through R2.5 zones when the lot meets the minimum lot area requirement stated in Table 205-2. If there are two accessory dwelling units on the site, at least one must be detached from the primary structure.

b. When prohibited. Two accessory dwelling units are prohibited on lots that do not have frontage on a maintained street, except lots that have frontage on a private street that connects to a maintained street, and lots that have frontage on a self-contained pedestrian connection created solely for pedestrians and bicycles that connects to a maintained street. Payment in lieu of street improvements does not satisfy this requirement.

C. Multi-dwelling, C, CI1, and EX.

1. Up to two accessory dwelling units are allowed on a site with a house, attached house or manufactured home in the multi-dwelling, C, CI1, and EX zones. If there are two accessory dwelling units on the lot, at least one must be detached from the primary structure.

2. One accessory dwelling unit is allowed on a site with a duplex in the multi-dwelling, C, CI1, and EX zones. The accessory dwelling unit must be detached from the duplex.

33.205.030 General Requirements

A. Type A accessory short-term rental. An accessory dwelling unit is allowed on a site with a Type A accessory short-term rental.

B. 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 primary dwelling units; 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 accessory dwelling units. Accessory dwelling units must meet the following:

1. Maximum size. The living area 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. This maximum size standard does not apply when the basement of a primary dwelling unit is converted to an accessory dwelling unit and the primary dwelling unit has been on the site for at least 5 years. The size 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. When the primary dwelling unit is a duplex, the size of the accessory dwelling unit may be no more than 75 percent of the living area of the larger of the two primary units or 800 square feet of living area, whichever is less.

2. Setbacks. Detached and connected accessory dwelling units must be:

   a. Set back 40 feet from the front lot line; or

   b. Located behind the rear building wall of the primary dwelling. For the purpose of this regulation, the rear wall of the primary dwelling unit is the wall furthest from the wall with the main entrance to the street.

3. Detached and connected accessory dwelling units must meet the development standards for covered accessory structures in the base zone.

4. Visitability.

   a. Purpose. Visitability standards ensure that a baseline of accessible features is provided to accommodate people living in or visiting a residence regardless of age or ability. The standards:

      - Promote a diverse supply of more physically accessible housing;
      - Allow people of all ages and abilities to easily enter and visit the residence;

- Foster community interaction by reducing barriers that can lead to social isolation; and
- Enhance public safety for all residents and visitors.

b. When the visitable unit standards apply. Unless exempted by Subparagraph C.4.d, the visitable unit standards apply to the following situations:

(1) When there are two accessory dwelling units on a site with a house, attached house or manufactured home; and

(2) When there is one accessory dwelling unit on a site with a duplex.

c. Visitability standard. Unless exempted by Subparagraph C.4.d, at least one dwelling unit on the lot must meet the following visitability standards:

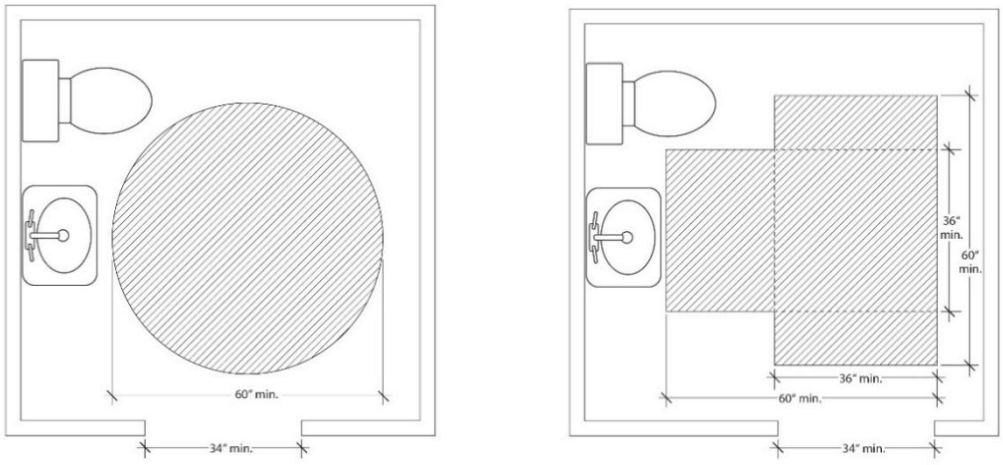
(1) Visitable entrance. At least one entrance must be accessible via a route that does not have any stairs between it and the street lot line or an on-site parking space. The slope of the route may not exceed 1:8.

(2) Visitable bathroom. At least one bathroom with a sink and toilet must be designed to accommodate an unobstructed circle that is at least 60-inches in diameter. As an alternative, the bathroom may be designed to accommodate an unobstructed area that is comprised of two rectangles that are at least 36 inches by 60 inches, and oriented at right angles to each other. See Figure 205-1. The visitable bathroom must be on the same floor as the visitable entrance or be accessible from the visitable entrance via a ramp, elevator or lift. Adjustments are prohibited;

(3) Visitable living area. There must be at least 200 square feet of living area on the same floor as the visitable entrance or 200 square feet of living area must be accessible from the visitable entrance via a ramp, elevator or lift. Adjustments are prohibited; and

(4) Visitable doors. All door openings between and including the visitable entrance, visitable living area, and the visitable bathroom must be at least 34 inches wide. Adjustments are prohibited.

Figure 205-1
Visitable Bathroom Clearances



d. Exemptions**.** The following are exempt from the visitable unit standards of this Paragraph:

(1) Lots with an average slope of 20 percent or greater;

(2) Lots where there is more than a 3-foot rise between the highest elevation along the street lot line and the lowest grade measured at the front setback.

(3) Conversion of an existing accessory structure that is at least 5 years old or converting space in a house that is at least 5 years old to an accessory dwelling unit.

33.205.050 Density
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; Ord. No. 190093, effective 8/1/21; Ord. No. 190851, effective 6/30/22; Ord. No. 191310, effective 6/30/23; Ord. No. 191779, effective 10/1/24; Ord. 192213, effective 11/1/26.)

The City of Portland is committed to providing meaningful access. To request translation, interpretation, modifications, accommodations, or other auxiliary aids or services, contact 311, Relay: 711.

503-823-4000: Traducción e Interpretación | Biên Dịch và Thông Dịch | अनुवादन तथा व्याख्या

口笔译服务 | Устный и письменный перевод | Turjumaad iyo Fasiraad

Письмовий і усний переклад | Traducere și interpretariat | Chiaku me Awewen Kapas

www.portland.gov/bps/accommodation