

SDCI

Director's Rule 5-2019

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| Subject: Features counted towards gross floor area limits for attached and detached accessory dwelling units | Code and Section Reference: Land Use Code, Section 23.44.041 | |
| | Type of Rule: Code Interpretation | |
| | Ordinance Authority: SMC 3.06.040 | |
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| _____ Nathan Torgelson, Director, SDCI | | |

PURPOSE:

This Rule provides guidance as to what features and areas are counted towards the size limits for accessory dwelling units (“ADUs”) in Single Family zones and also what exterior features may be provided on detached accessory dwelling units (“DADUs”) within required yards.

BACKGROUND:

Table A for SMC 23.44.041 provides development standards for all accessory dwelling units (attached and detached). Line a of that table provides the maximum gross floor area:

Attached accessory dwelling units are limited to 1,000 square feet including garage and storage area. Detached accessory dwelling units are limited to 800 square feet, including any garage and storage area provided in the same structure as the accessory dwelling unit, but excluding areas below grade, measured as set forth in Section 23.86.007.

Table B for SMC 23.44.041 provides standards specific to detached accessory dwelling units (DADUs). Line f of that table provides a maximum gross floor area:

800 square feet including garage and storage area but excluding covered porches and covered decks that are less than 25 square feet in area, and underground areas measured as set forth in Section 23.86.007.

The size limits for DADUs in SMC 23.44.041 help to preserve the single-family character of an area by preventing a DADU from appearing as a second, full-sized house on the lot and restricting it to dimensions more typical of an accessory structure in the zone.

RULE:

Covered, unenclosed, spaces for DADUs

- A covered porch or deck of up to 25 square feet is not counted towards the size limit, but any additional area of a covered deck or porch is counted. If a DADU has multiple, separate covered porches at different entrances, each one is separately eligible for the 25-square-foot allowance.
- Covered at-grade areas are counted towards the size limit if and only if more than 60 percent of the perimeter is enclosed by solid walls, lattices, screens, or similar features.

Partial-height spaces

- Enclosed partial-height spaces that are accessible from within the structure are presumed to be intended as storage areas, and should be counted towards the size limit, regardless of ceiling height.
- Areas that are truly inaccessible, even for storage use, and have a ceiling height of less than 7 feet, may be excluded, except as provided below for areas under stairs located within the DADU structure.

Stairs

- Exterior stairs, outside of exterior walls, do not count towards gross floor area, unless located in a covered, unenclosed area that would be counted according to the standards above.

Garages and storage areas

- The 1,000-square-foot limit for attached ADUs includes associated garages and storage areas, whether they are provided in the principal structure or a detached accessory structure. If a garage or storage area is shared by the principal dwelling unit and the attached ADU, half of the area is counted towards the limit for the ADU.
- The 800-square-foot limit for DADUs includes garage and storage areas provided in the same structure as the DADU.

Gross floor area below grade

- All gross floor area in an accessory dwelling unit provided within the principal structure is counted towards the applicable size limit, including areas below grade.

- Gross floor area in a DADU is not counted towards the size limit if it is on a floor or portion of a floor that is underground, as determined under SMC 23.86.007.

DADU features in required yards

- Uncovered porches or steps may project up to six feet from a DADU into any required yard, provided they are no higher than 4 feet above existing grade, no wider than 6 feet, and no closer than 3 feet to any side lot line. Such porches or steps are not counted towards the size limit for DADUs.
- A covered area of up to 25 square feet may be provided at any entrance to a DADU and must comply with the setback requirements for the DADU structure. Additional covered areas must be outside of the required yards for the lot and may contribute to the size limit for the DADU.
- Exterior architectural details with no living area, such as chimneys, eaves, cornices and columns, may project no more than 18 inches from the DADU structure into any required yard. Such features are not counted towards the size limit for DADUs.
- Uncovered decks no higher than 18 inches above existing or finished grade, whichever is lower, and extending from a DADU structure, are allowed subject to the general development standards, and are not counted towards the size limit.
- Rooftop decks over DADUs are not permitted in any required yard. Rooftop decks over DADUs within the principal building area are allowed and are not counted towards the size limit.