

CHAPTER 12

ACCESSORY DWELLING UNITS

(OM 002-2006, 01/10/2006)(OM 006-2006, 06/27/2006)

(Ord. No. 003-2010 03/09/2010)

SECTION:

- 10-12-1: Purpose
- 10-12-2: Required Conditions
- 10-12-3: Permit Regulations

10-12-1: **PURPOSE:** The purpose of repealing the ability to grant a conditional use permit for an accessory dwelling unit is to maintain the integrity of single-family residential zones. Therefore, Providence City will no longer accept or grant applications for accessory dwelling units as a conditional use.

10-12-2: **REQUIRED CONDITIONS:** A conditional use permit that has been granted prior to October 2005 for a use to be known as an accessory dwelling unit in a single-family dwelling unit; shall be allowed to continue provided, that the conditions and criteria listed below are complied with.

- A. **Separate Unit:** The accessory dwelling unit shall be a separate housekeeping unit that can be isolated within the original dwelling unit and conform to all applicable building codes and standards.
- B. **Number Allowed:** Only one accessory dwelling unit shall be permitted within a single-family dwelling unit.
- C. **Occupancy:**
 - 1. The owner of the single-family dwelling unit in which the accessory dwelling unit is located shall occupy at least one of the units in the dwelling.
 - 2. The accessory dwelling unit shall be occupied by a single family or no more than two (2) individuals unrelated by blood, marriage or adoption.
- D. **Design; Size:**
 - 1. The accessory unit shall be designed so that the appearance of the residence remains as that of a single-family dwelling unit. Entrances to the accessory dwelling unit shall be located on the side or rear of the dwelling unit whenever possible. If a front entrance is required, it shall be visually screened from all public right of ways.
 - 2. The design and size of the accessory dwelling unit shall conform to all applicable

health, building and other codes.

- E. Parking: Parking shall be provided as required by Section 10-8-6 of this Zoning Title. (Ord., 2-16-1994)
 - 1. To maintain the appearance of a single-family dwelling unit, accessory dwelling units shall not have a separate driveway.

10-12-3: **PERMIT REGULATIONS:**

A. Conditional Use Permit:

1. Review: Any conditional use permit granted will be reviewed annually by the City. Said permit may be immediately revoked at any time if this Zoning Title or other ordinances or regulations of the City are not continuously complied with.

2. Sale of Single-Family Dwelling: Any conditional use permit granted for the use of an accessory dwelling unit shall continue upon the sale of the single-family dwelling unit unless the accessory dwelling unit is not occupied as an accessory dwelling unit for one year or more. If use is abandoned for a period of one year, after October 2005 owners will not be able to apply for a conditional use permit. The residence will revert to one single-family unit. (OM 006-2006 06/27/2006)

- B. Building Permit: A building permit shall be obtained by the homeowner from the City before the commencement of any new construction of an accessory dwelling unit.

- C. Occupancy Permit: Prior to anyone occupying an accessory dwelling unit, a certificate of occupancy shall be obtained by the homeowner from the City as specified by Section 10-3-4 of this Title. (Ord., 2-16-1994)