



DIVISION OF
PERMITS AND INSPECTIONS

MEMORANDUM

TO: Permits and Inspections Staff

FROM: Becky Gander, Chief of Permitting

DATE: July 9, 2026

SUBJECT: Accessory Dwelling Unit (ADU) Policy

On October 14, 2025, the Board of County Commissioners approved an ordinance that permits the creation of a new housing type in the county called Accessory Dwelling Units (ADU).

Definitions

- Dwelling Unit
 - A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
- Accessory Dwelling Unit
 - A second subordinate dwelling unit that is located on the same lot, tract or parcel as the principal dwelling. The ADU shall provide complete, independent living facilities for one or more persons including sleeping, eating, cooking, and sanitation facilities.
- Dwelling, Two-Family (“Duplex”)
 - One of two buildings arranged or designed as dwelling units, located on abutting lots, separated from each other by a party wall, without openings, extending from the cellar floor to the highest point of the roof along the dividing lot line, and separated from any other building or structures by space on all sides.

What is considered an ADU vs. Two-Family Dwelling

Definitions of a dwelling unit and two-family dwelling were amended to match the building code definitions. When in doubt, zoning will follow the lead of the Building Code Official in their determination of what constitutes a dwelling unit.

- ADU’s can be attached or detached. Two-family dwellings can only be attached.
 - Attached means interior renovations, additions, finished basements or attic space, or attached to another structure (i.e. garage) by a non-conditioned breezeway.

- ADU's are limited in size whereas two-family dwellings have no size limit. There is no minimum area requirement.
- ADU's are limited to 75% of the gross floor area (GFA) of the primary residence or 1200 sq. ft. whichever is less.
 - Note: ADU size limit does not apply to finished basements or converted attic space. They may use the entire square footage of the building footprint.

Examples:

Homes that are 1600 sq. ft. or greater would be limited to 1200 sq. ft. ADU's

Formula: $1600 \text{ (GFA of dwelling)} \times .75 = 1200 \text{ sq. ft. ADU}$

Homes less than 1600 sq. ft. would be limited to 75% of the GFA of the existing dwelling

Formula: $1500 \text{ (GFA of dwelling)} \times .75 = 1125 \text{ sq. ft. ADU}$

- ADU's cannot be subdivided off or otherwise sold separately from the primary dwelling

Zoning

- ADU's are permitted in the following zoning districts: AR, EC, P, RV, RT, RS, RU, RM, RB, BL, BG and HI.
- If the lot contains an existing two-family dwelling, they are permitted to have one (1) **DETACHED** ADU. They are not permitted to have another **ATTACHED** ADU (i.e. they cannot create a 3-dwelling structure)
- ADU's are not permitted on lots containing semi-detached dwellings, townhouses or multi-family dwellings
- In commercial zoning districts (BL, BG, HI) they may have one (1) ADU per lot
- ADU's must comply with the setback, height, and building lot coverage standards for an accessory structure in the underlying zoning.
- One (1) parking space is required for an ADU
- ADU's may not be used as short-term residential rentals
- Travel Trailers may not be used as an ADU

Fees

- ADU's are exempt from excise tax fees
- All other permit fees will apply

Routing Permit

- All ADU's are to be routed for address review
- All ADU's are to be routed for zoning review
- All ADU's are to be routed for ADU Review. This task will get signed off by Planning & Zoning
- All other reviews will apply when applicable (grading, entrance, well/septic, etc.)

License Professional

- ADU's that are attached or an interior conversion, an MHIC license is required
- ADU's that are a detached, stand-alone self-contained unit, an HB registration is required as this is legally considered a new dwelling unit

Can a mobile home be used as an ADU

- Mobile homes are permitted to be used as an ADU as long as the home is placed on a permanent foundation that is in compliance with the building code
- All mobile home permit requirements apply (HUD, sprinkler, plumbing permit, etc.)

Are sprinklers required for ADU's

- Yes, a sprinkler system is required for ADU's when attached or detached
- Sprinklers are exempt for basements and attics that are converted into an ADU **if** the existing dwelling is not sprinklered
- Mobile Homes require a sprinkler system if manufactured July 1, 2015, or later. Anything prior to that date is exempt from a sprinkler system