

CITY OF SENECA

ORDINANCE NO. 2024-32

AN ORDINANCE TO AMEND THE
OFFICIAL ZONING ORDINANCE OF THE CITY OF SENECA

BE IT ENACTED BY THE governing Body of the City of Seneca and Council duly assembled, and by the authority of the same that the Official Zoning Ordinance of the City of Seneca,

ARTICLE 7 SECTION 711 ACCESSORY USES in herein amended as follows:

711.6 Accessory Dwelling Unit (ADU) - provided the building is intended, designed and constructed for use as a secondary single-family residential dwelling unit, constructed on the same parcel as a larger primary single family detached dwelling unit, and subject to the following standards:

a. Accessory Dwellings must comply with all applicable local, State and Federal Housing Codes.

b. An ADU must be accompanied by a primary residential structure on the same lot. An ADU will only be permitted on a lot wherein one single-family residential detached structure exists prior to the construction of the ADU. Only one ADU may be permitted per lot.

c. ADUs may be attached to the primary structure or built as a separate detached structure; Detached ADUs may be placed within a larger accessory structure (such as a garage or barn). If detached, the ADU shall meet the International Building Code requirements for separation.

d. No ADU may exceed 1,000 square feet in size.

e. In the case of an ADU being located on the ground level and attached to or located within a detached garage or similar building, neither the building footprint nor the total conditioned floor area of the entire building shall exceed 1,000 square feet. If neighborhood covenants and restrictions permit the property owner to construct an accessory structure with a building footprint larger than 1,000 square feet, they may proceed according to the covenants and restrictions. However, the ADU may not exceed 1,000 square feet, as a standalone structure or within a larger structure with an additional accessory use.

f. The ADU must be placed in the side or rear of the primary dwelling and must meet the setback and building height requirements for the district.

g. The ADU shall be clearly subordinate to the existing primary single-family dwelling.

h. The architectural design, color and materials of the ADU shall be compatible with the neighborhood in which it is established and should complement the primary structure. The appearance of the ADU should not exhibit unpainted, bright metal or garish, contrasting surfaces.

i. Either the primary structure or the ADU must be the permanent, full-time residence of the property owner. The ADU may not be subdivided or otherwise segregated in ownership from the principal dwelling unit and main parcel and may not be transferred or sold separately from the primary residence. Under no circumstances shall the property be converted to a horizontal ownership regime.

j. The ADU shall not be rented for a period of less than 30 consecutive days.

k. Accessory dwelling units shall not be allowed in established neighborhoods with covenants and restrictions prohibiting such use.

l. A manufactured home or recreational vehicle, travel trailer, camper, or similar vehicle shall not be used as an ADU.

m. Only one kitchen is allowed per ADU.

n. Any new water, sanitary sewer, gas and electric utility connections or services needed for the ADU must be established with the same provider as the principal dwelling. Fees associated with new service connections may apply.

o. Accessory dwelling units shall have the same street address and mailbox as the principal dwelling unit.

p. Accessory dwelling units shall use the same driveway as the principal dwelling, unless it is accessed from a right of-way not used by the principal dwelling (e.g., a rear alley or separate street access on a corner or through lot).

q. At least one (1) off-street parking space shall be provided in addition to those required for the primary dwelling.

r. Occupancy of an ADU shall be limited to no more than three persons.

s. Home occupations are not allowed in ADUs.

**ARTICLE 11 SECTION 1100 INTERPRETATION OF CERTAIN WORDS in
herein amended as follows:**

Dwelling Unit, Accessory. A subordinate structure that is intended, designed and constructed for the use as a single-family residential dwelling unit, constructed on the same parcel as a larger primary single family dwelling unit.

APPENDIX A in herein amended as follows:

PERMITTED USES

ZONING CLASSIFICATIONS

Residential Uses:

Accessory uses to residential dwellings	R-20, R-15, R-10, R-6, RG, RM-8, RM-16, PD-MU, PD-R
<u>Accessory Dwelling Units</u>	<u>R-20, R-15, R-10, R-6, RG, PD-MU, PD-R</u>
Customary Home Occupation	R-20, R-15, R-10, R-6, RG, RM-8, RM-16, PD-MU
Mobile Homes	RG, MHP
Multi-family dwellings, town homes, condominiums	RM-8, RM-16, PD-R
Single family dwelling units	R-20, R-15, R-10, R-6, RG, PD-MU, PD-R
Two-family dwelling units	RM-8, RM-16, PD-R

PROPOSED ORDINANCE APPROVED AS TO FORM this 14th day of January 2025.

R. BOATNER BOWMAN, City Attorney

APPROVED AND RATIFIED on First Reading this 14th day of January 2025 by a vote of

_____ YES _____ NO _____ ABSTAIN

APPROVED, RATIFIED and ADOPTED on Second and Final Reading this 11th day of February 2025 by a vote of

_____ YES _____ NO _____ ABSTAIN

_____, Clerk

Attest:

_____, Mayor