

- (1) *Applicability.* The provisions of this section apply exclusively to the unit lot subdivision of land for townhouse, mixed townhouse, **Accessory Dwelling units, Detached Accessory Dwellings units** or cottage housing developments in zones where such uses are allowed.
- (2) Townhouse, mixed townhouse, **Accessory Dwelling units, Detached Accessory Dwellings units** and cottage housing developments may be subdivided into individual unit lots. The development as a whole shall meet the development standards applicable to the underlying site development plan (**ADU/DADU approved Site plan**). As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards of this title based on analysis of the individual unit lot, except that any private open space for each dwelling unit shall be provided on the same lot as the dwelling unit.
- (3) Unit lot area and width per unit for purposes of subdivision may be as small as the coverage of the individual unit.
- (4) Portions of the parent site not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners association comprised of the owners of the individual unit lots located within the parent site pursuant to SCC [30.41B.650](#).
- (5) Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions identifying the rights and responsibilities of property owners and/or the homeowners association shall be executed for use and maintenance of common garage, parking, and vehicle access areas; on-site recreation areas; landscaping; underground utilities; common open space; exterior building facades and roofs; and other similar features, which shall be recorded with the county auditor's office.
- (6) A unit lot short subdivision shall make adequate provisions for ingress, egress, and utilities access to and from each unit lot created by reserving such common areas or other easements over, under, and across the parent site as deemed necessary to comply with all other design and development standards generally applicable to the underlying site development plan, and such easements shall be recorded with the county auditor's office.
- (7) Notes shall be placed on the plat recorded with the county auditor's office to acknowledge the following:
 - (a) Approval of the design and layout of the development was granted by the review of the development, as a whole, on the parent site by the site development plan approval (stating the subject project file number);
 - (b) Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent site as a whole, and shall conform to the approved site development plan;

(c) If a structure or portion of a structure has been damaged or destroyed, any repair, reconstruction, or replacement of the structure(s) shall conform to the approved site development plan; and

(d) The individual unit lots are not separate buildable lots and additional development of the individual unit lots may be limited as a result of the application of development standards to the parent site.

(e) Any future remodel, construction or development of an ADU/DADU will be subject to the underlying parent parcel and construction and development standards in place at the time of future request.

(8) Site development and building construction may commence upon approval of a site development plan but prior to final subdivision approval and recording when all applicable permits and approvals have been obtained by the applicant. No unit lot may be sold, transferred, or conveyed prior to final subdivision approval and recording. (Added by Amended Ord. 12-115, Jan. 30, 2013, Eff date Mar. 1, 2013; Amended by Amended Ord. 16-073, Dec. 21, 2016, Eff date Feb. 19, 2017; Amended by Ord. 17-062, Oct. 18, 2017, Eff date Dec. 17, 2017).