

ORDINANCE NO. 2526

An Ordinance of the Governing Body Amending Article XXII; by adding SECTION 4. ACCESSORY DWELLING UNITS and amending Article XXVIII; SECTION 3. DEFINITIONS by adding the definition of ACCESSORY DWELLING UNIT (ADU).

Be it ordained by the Governing Body of the City of Bonner Springs, Kansas:

SECTION I: The Zoning Ordinance, Article XXII; Section 4, Accessory Dwelling Units is added and shall read as follows: Accessory Dwelling Units shall be allowed within the following zoning districts: AG (Agricultural District – Loring Area), A-1 (Agricultural District), R (Rural Residential District – Loring Area), R-S (Rural Suburban District), R-1 (Single Family Residential District) and R-1A (Residential Special District)

1. Recreational vehicles do not constitute an Accessory Dwelling Unit
2. ADU's are limited to no more than 1,000 square feet, and
3. No Accessory Dwelling Unit shall be larger in total living area than that of the principal structure, this does not include lower level garages of detached ADU's
4. ADU's shall contain no more than two (2) bedrooms
5. All ADU's require the owner of the primary dwelling or ADU be a permanent resident of the parcel in which it was constructed (Owner/Occupancy)
6. An ADU may be constructed as a new building, created by renovating and/or adding on to an existing accessory structure currently located on the same lot, created by constructing an addition to an existing home, created by converting a portion of the existing home, an entire floor, an attic or basement
7. If said ADU is constructed by converting a portion of an existing home, said area shall be required to provide a means of emergency egress per the adopted building code
8. ADU's constructed above detached garages shall be required to provide mechanical equipment separate from the garage, and they shall be required to provide a means of emergency egress directly to the ground via an exterior stairway, no emergency egress shall exit through the garage
9. Only one ADU is allowed per lot, regardless of lot size
10. The architectural styling of the ADU shall be architecturally similar in design to the principal structure premanufactured metal clad buildings do not meet this standard
11. Setbacks shall adhere to those required of other accessory buildings within the zoning district in which they are located when constructed as an accessory building
12. An ADU shall not exceed two (2) stories in height or twenty-five feet (25')
13. Any structure to be utilized as an ADU shall conform to the current Building Code as adopted, including permit requirements
14. ADU's will be issued an address of the principal structure and given a Unit letter at the end (ex. 212 W. Kump Ave. Unit B)
15. The ADU shall provide a minimum of one off street parking space, with access to a public street system, this space may be located on the public street as allowed by law or located within the lot of said ADU
16. ADU's shall not be constructed over or upon any public or private utility, drainage or access easement
17. An ADU constructed as an addition to an existing home must meet the same setbacks as required within the zoning district in which it is located
18. A "tiny home" or similar shall be considered an ADU if it is permanently anchored to the ground per code and any wheels and tires removed

SECTION II: The Zoning Ordinance, Article XXVIII; Section 3; Definitions is amended by adding the following definition for Accessory Dwelling Units.

Accessory Dwelling Units (ADU) - An ADU is a dwelling unit that is accessory to a principal single-family dwelling unit on the same lot. ADU's shall be constructed to ensure they do not change the residential character of the principal use or

surrounding area. ADU's are buildings or part of a buildings that provide complete independent living facilities for one or more people, including a kitchen, living room, bathroom, and bedroom, and that is

- a. Attached to the principal dwelling, or
- b. A detached building on the same lot.
- c. Within an existing structure (internally, i.e. finished basement, single floor)


Section III: This ordinance shall be in full force and effect after passage and publication in the official city newspaper.

Approved by the Governing Body and signed by the Mayor on this 14th day of February, 2022.



Jeff Harrington, Mayor

ATTEST:



Christina Brake, City Clerk
(SEAL)

