

— PERMITTING GUIDELINES FOR —

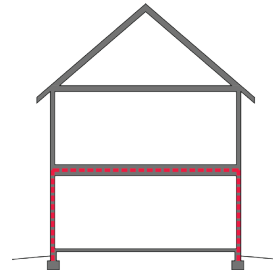
# ACCESSORY DWELLING UNITS

**DEVELOPMENT SERVICES DEPARTMENT**

161 South Charlotte Street, Asheville, NC 28801  
[www.ashevillenc.gov/departments/development](http://www.ashevillenc.gov/departments/development)

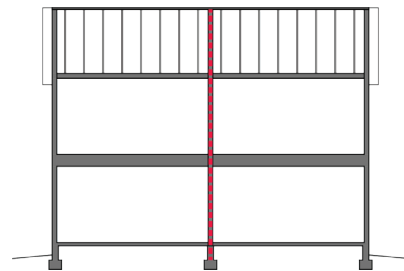


# TYPES OF ADUs



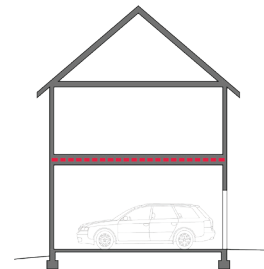
## ADU WITHIN SINGLE-FAMILY HOUSE – Requires 1-hour fire resistance construction separating unit

- 1 hour floor/ceiling construction separating units
- 1-hour vertical wall construction separating units
- 1 hour construction for supporting structure of rated floor/ceiling and wall assemblies



## SIDE-BY-SIDE – Requires 1-hour fire resistance construction separating unit

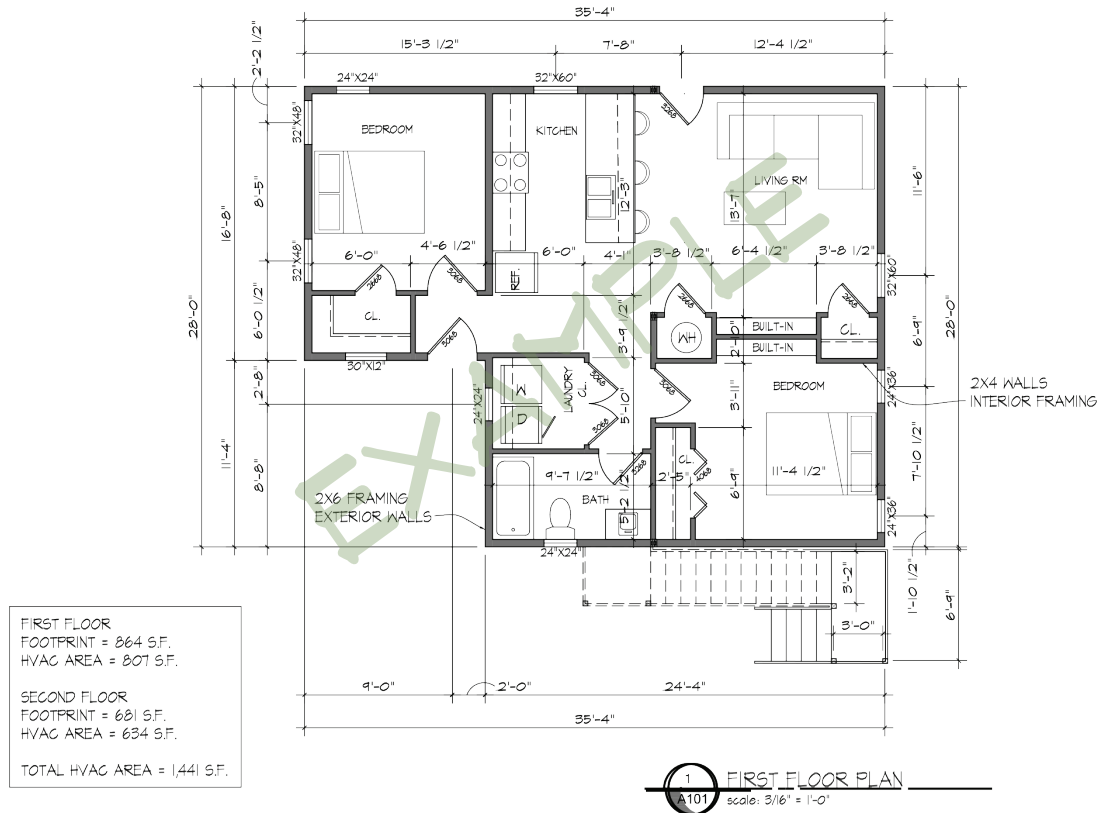
- 1-hour vertical fire separation
- Fire rating extends through crawl space and attic separating units



## UNIT OVER GARAGE

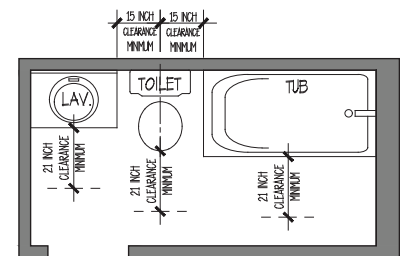
- Breaker panel accessible to unit tenant, typical for all units
- 5/8" gypsum board at garage ceiling

# PROVIDE DRAWINGS OF NEW WORK



## EXAMPLE FLOOR PLAN

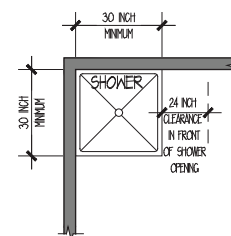
- Minimum Room Areas: Habitable rooms shall have a floor area of not less than 70 square feet.
- Minimum dimensions: Habitable rooms shall be not less than 7 feet in any dimension.
- Toilet facility: Every dwelling unit shall be provided with a water closet, lavatory, and tub or shower. Dimensions required illustrated below. Minimum ceiling 6'-8".
- Shower: Inside dimension encompassing a 30" circle and finished 6' above the shower floor with a non-absorbent material.
- Kitchen: Each dwelling unit shall be provided with a kitchen area with a sink.
- Kitchen is not considered a habitable room.
- Bathrooms, toilet rooms, closets, halls, storage and utility spaces are not considered habitable rooms.
- Height effect on room area: Portions of a room with a sloping ceiling measuring less than 5 feet or a furred ceiling measuring less than 7 feet from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required habitable area for that room.



MINIMUM CLEARANCE REQUIRED AT FIXTURES

FIGURE 1 (ABOVE) CRITICAL DIMENSIONS - LAVATORY, TUB & TOILET/WATER CLOSET

FIGURE 2 (BELOW) CRITICAL DIMENSIONS - SHOWER





## GENERAL CONTRACTOR?

If the construction cost is \$30,000 or greater, a General Contractor will be required to perform the work.

## HOMEOWNER EXEMPTION?

The exemption is only available if the work performed is for the homeowner's use and is not leased or rented for a 1 year period after certificate of occupancy.

## CHECK TO MAKE SURE ...

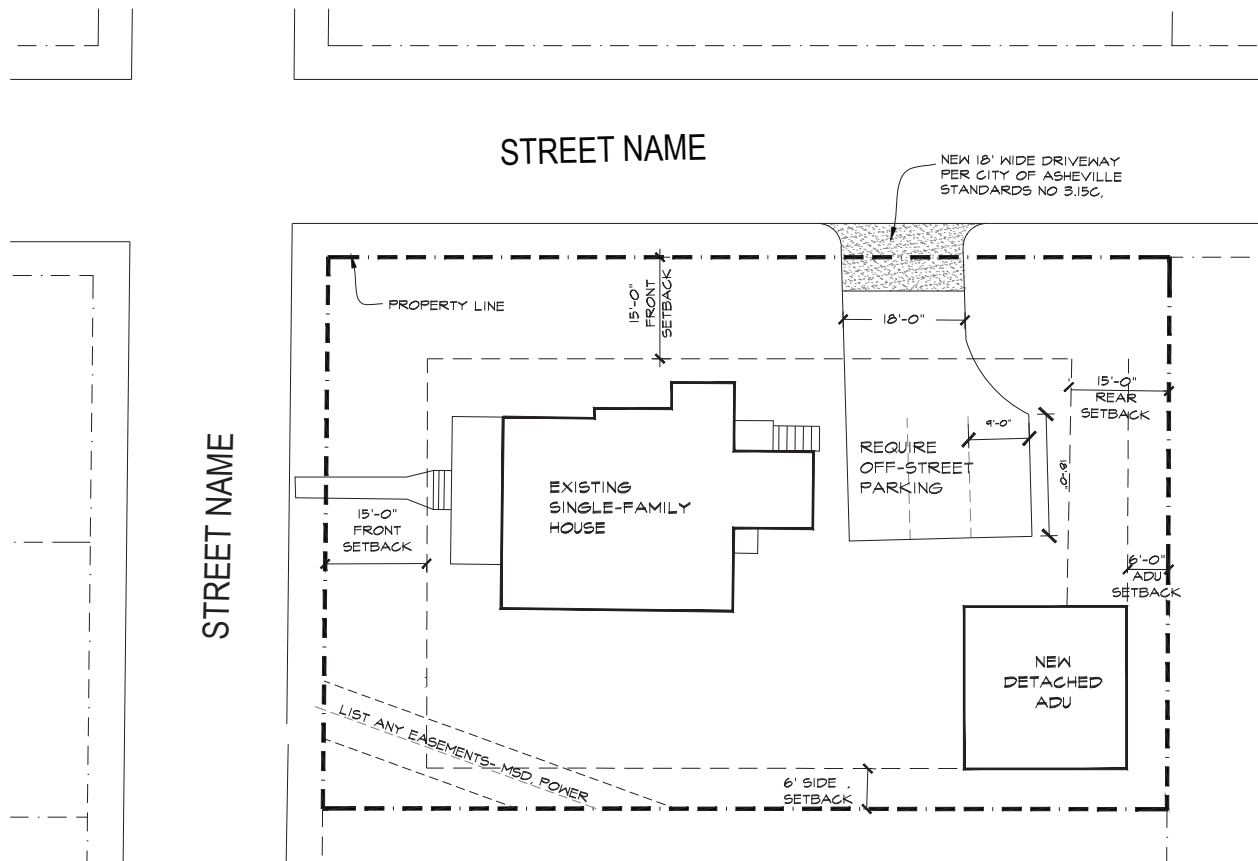
- ☐ Meet with or have your General Contractor meet with an Electrician, Gas Contractor, Mechanical (HVAC) and Utility Company about separate meters and separate electric panels. This is critical, especially in an existing structure.
- ☐ Each tenant (unit) shall have access to the equipment that serves that unit. This includes, but is not limited to, the circuit breaker panel, heating and cooling equipment, and water heater. If these items are not located within this unit, they shall be in a space that has a 1 hour fire resistance rating.
- ☐ Electric panel shall be accessed from each separate unit. Occupant's circuit panel can not be accessed through the other unit. If panels are in a common area, like a shared closet, this closet must be separated from unit in a 1 hour fire resistance rated enclosure. In addition, stairs separating units may be required to be fire resistance rated depending on their location.
- ☐ Electrical Circuits, wiring from panel to light fixtures, outlets, etc. must be located within each individual unit. Circuits (wiring), can not cross between units.
- ☐ Mechanical systems (heating and cooling) shall be provided to each unit separately. Any part of the system that passes through separation walls, floors, ceilings, etc., shall be properly protected within the framing by firestopping or dampers, whichever may be appropriate. See page 5 for examples.
- ☐ Discuss penetrations in the rated assemblies with contractor, including Mechanical, Electrical, Plumbing, and Gas. Anything that goes through a fire resistance rated wall or floor assembly requires additional fire protection.
- ☐ Discuss firestopping and draftstopping with the framer and the contractor.
- ☐ Identify emergency and escape openings for each bedroom. This is a requirement even if a window is existing and does not meet standards.
- ☐ Locate smoke detectors and carbon monoxide detectors.
- ☐ Review available ceiling heights, including intrusion of beams, pipes, and structural elements.
- ☐ Design spaces to comply with the minimum room dimensions.
- ☐ Include fire-resistant-rated wall and floor/ceiling assembly drawings and details.
- ☐ Engage a design professional if there is uncertainty of requirements



# PROVIDE A SITE PLAN

## ZONING ADU REQUIREMENTS

[https://docs.google.com/presentation/d/e/2PACX-1vRouzelj\\_kpmsis52-vVJ-knildO4Xr4Arb-GzpsVuOO8vK\\_Fataco5l4-Z8ORIRVWZVJdCW-zXYec35/pub?start=false&loop=false&delayms=3000&slide=id.g63e0b0e987\\_1\\_0](https://docs.google.com/presentation/d/e/2PACX-1vRouzelj_kpmsis52-vVJ-knildO4Xr4Arb-GzpsVuOO8vK_Fataco5l4-Z8ORIRVWZVJdCW-zXYec35/pub?start=false&loop=false&delayms=3000&slide=id.g63e0b0e987_1_0)



## SAMPLE ONE AND TWO FAMILY SITE PLAN

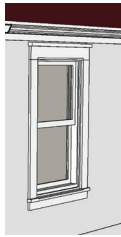
- Show existing and proposed structures, location and size.
- Show driveway location, width, material and parking locations. Speak with a zoning POD to determine parking requirements.
- Review Residential Checklist for additional site plan requirements.

<https://www.ashevollenc.gov/departement/development-services/>

## ZONING CONTACT

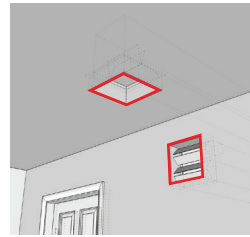
Zoning Questions? Contact our Planner of the Day at [POD@ashevollenc.gov](mailto:POD@ashevollenc.gov) or (828) 259-5450.

# ADU REQUIREMENTS



## All basements and sleeping rooms must have an **EMERGENCY AND ESCAPE WINDOW** or exterior door.

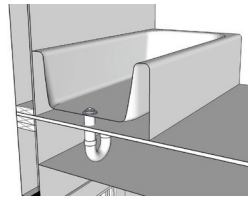
- Sill not to exceed 44" above finished floor
- Minimum net clear openable area of 4 s.f.
- Minimum clear opening height of 22"
- Minimum clear opening width of 20"
- Minimum total glazing area of not less than 5 s.f. for ground floor and 5.7 s.f. for upper story
- Shall operate from inside the room without the use of keys, tools, or special knowledge



## Heating and Cooling duct penetrations into or through a 1-hour fire rated wall or floor/ceiling assembly require

- Ceiling radiation damper or
- Wall vent with damper

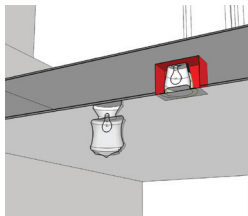
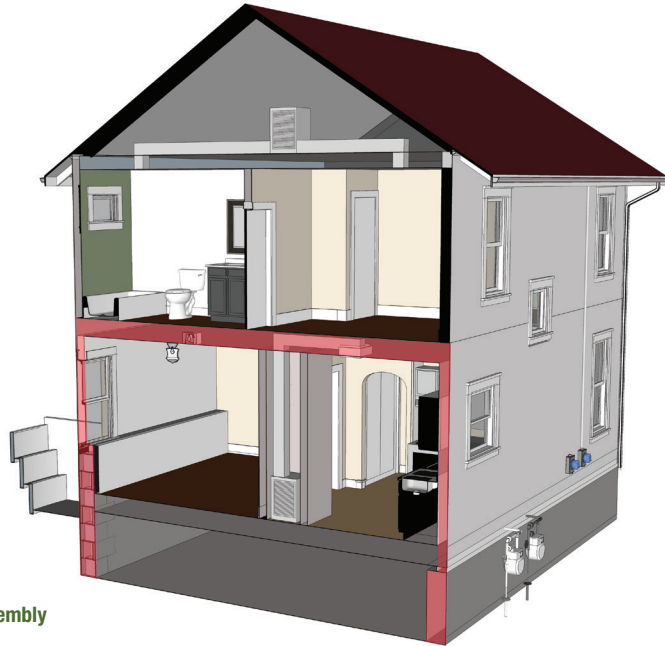
Note: dampers must bear UL 555C for ceilings, UL 555 for walls



## Fixtures installed on top of 1 hour rated floor or floor/ceiling assembly

When a fixture, such as a tub or shower is installed on a fire resistance rated floor/ceiling assembly, the construction is required to be continuous under new and existing fixtures.

- 1-hour rated floor assembly
- Penetration required to be protected per code

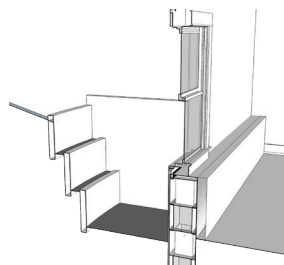
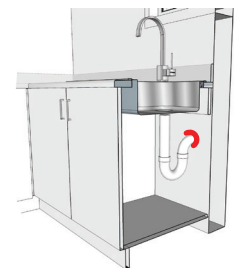


## Items penetrating rated assembly

- 1 hour rated floor assembly
- Light fixtures recessed in a rated floor assembly are required to be in a rated box or a rated fixture
- Surface mounted is acceptable

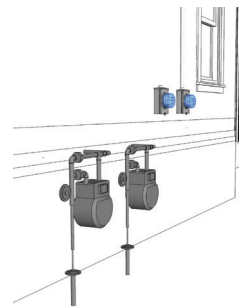
## Fixtures installed adjacent to rated wall assemblies

- Wall assembly required to be continuous behind cabinets and fixtures
- Penetrations into assembly required to be protected per code
- 1 hour rated wall assembly



## Egress Window Well

- Max sill height from the sleeping room finish floor shall not exceed 44.
- Window well horizontal area shall be 9 sq ft with a minimum width of 36" min.
- Casement windows and the requirement for steps or ladder may require larger well
- 6" minimum required from window sill to grade.
- Ensure drainage is provided in well
- If wall depth greater than 44", provide steps or ladder



## Separate gas and electric meters required for each dwelling unit

- Electric services must be grouped together to safely shut down the building from one location
- Tenants must have access to utilities and electric panels

Water meter shall be one meter per parcel or lot.

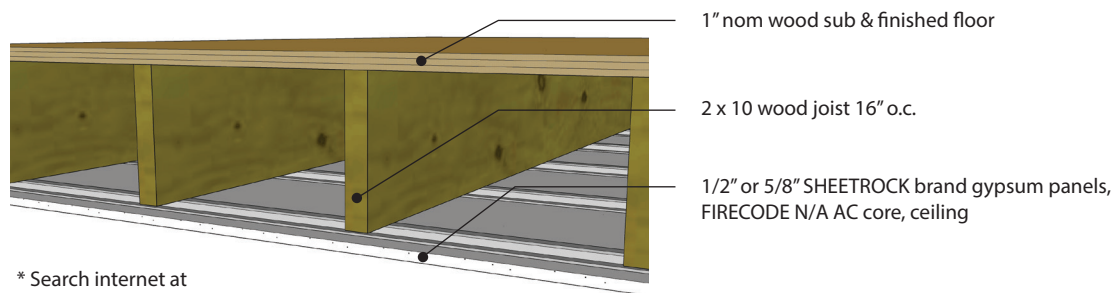
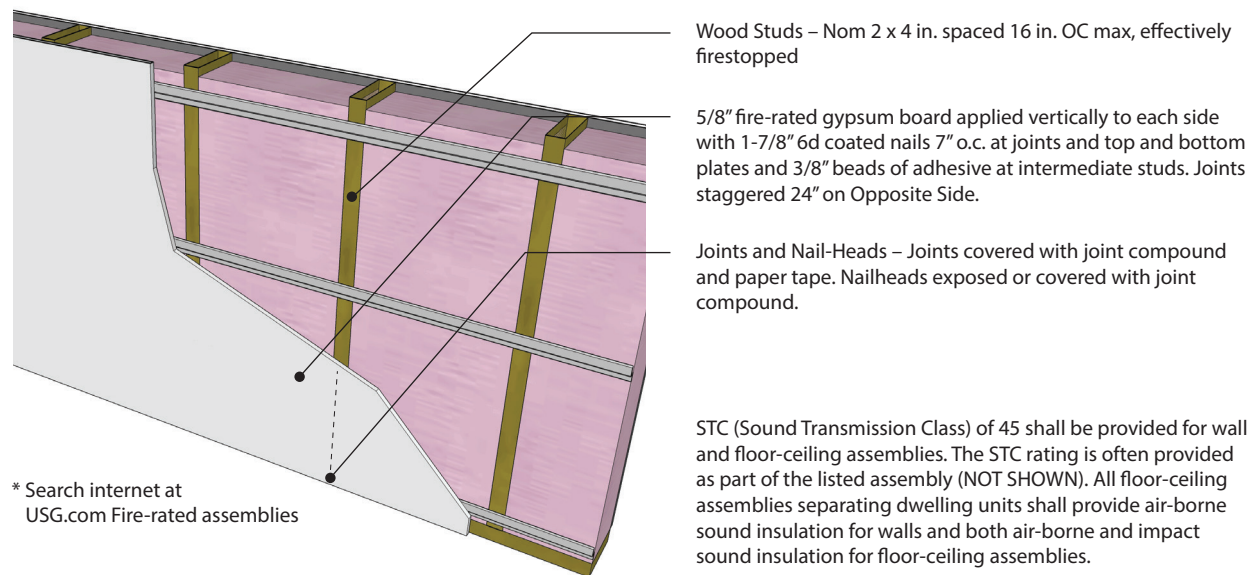
# FIRE PROTECTION REQUIRED

## FIRE RESISTANCE RATING

- Fire resistance rating is the period of time a building element, component or assembly maintains the ability to confine a fire, function, or both, as determined by approved test or methods accepted by the NC Building Code.

## FIRE RESISTANCE-RATED ASSEMBLIES

- A fire resistance rated wall or floor/ceiling assembly separates multiple areas of a building from the spread of fire or protects the supporting construction.
- Rated walls and floor/ceiling construction are an “assembly” that have been tested by an approved agency. For example, UL (Underwriters Laboratory).
- Proposed assemblies must be submitted with the permit application. These can be found on the internet searching the following key words: Be sure to print all text that accompanies any assembly.
  - UL Fire Rated Details
  - Gypsum.org Fire Rated Wood Framed
  - Fire Resistant Rated Assemblies, Wood

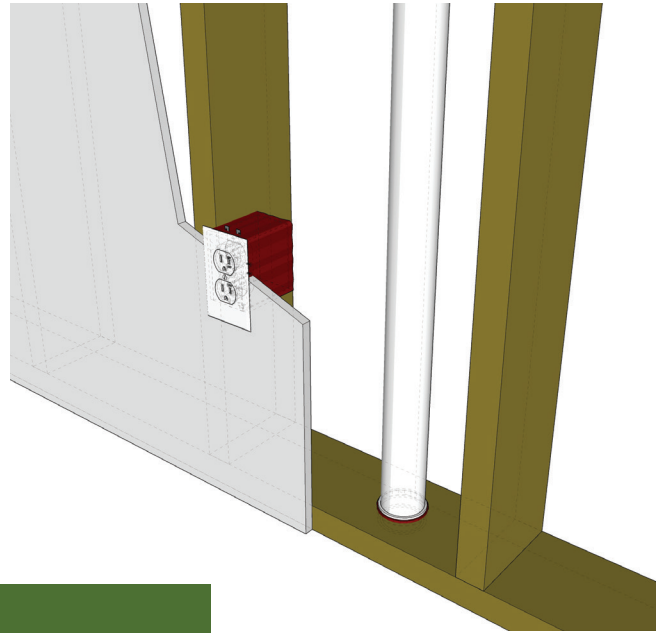


\* Illustrations shown here shall not be used for permit application.



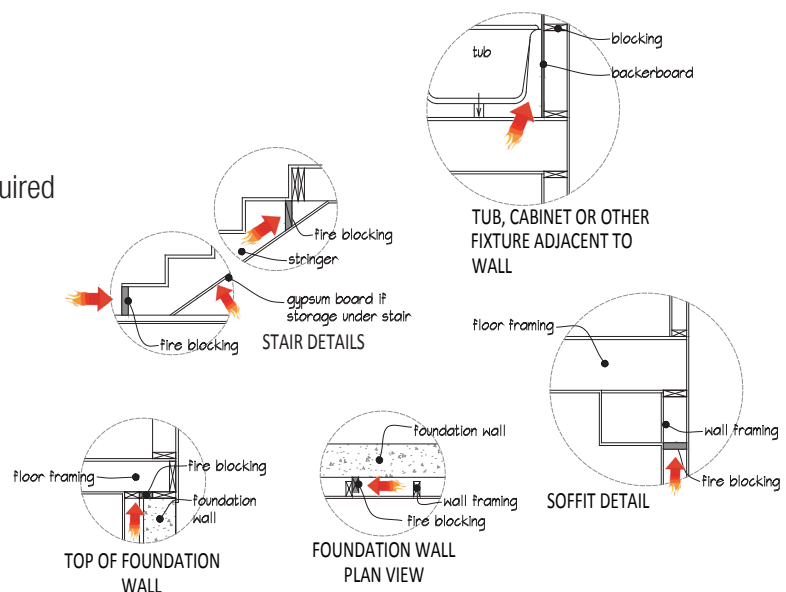
## PENETRATIONS IN FIRE-RESISTANT RATED CONSTRUCTION

- Electrical boxes: fire-rated, steel, protected or separated by insulation
- Electrical Panels
- Pipe penetrations fire caulked
- Washer boxes
- Dryer boxes
- Ice maker boxes
- Recessed ceiling lighting
- Supply & return air vents



## FIRE BLOCKING

- Blocking installed to resist the free passage of flame to other areas of the building through concealed spaces.
- Fire blocking may be constructed of 1½" lumber, 3/4" plywood, OSB, or particle board, ½" gypsum board or fiberglass insulation securely fastened.
- NC Residential Code section R302.11 (Fireblocking) identifies all locations required to have fire blocking.
- Must be installed in concealed spaces the wood furred walls at ceiling level at 10-foot intervals along the length of the wall, and at all interconnections of concealed vertical and horizontal spaces, such as intersection of stud walls and soffits or dropped ceiling.



# WHAT SIZE OF ADU IS PERMITTED?

## DETACHED ADU SIZE

Size of Home	The lesser of 800 SF... or 70% of primary home	% of primary
700 SF	490 SF	<b>70%</b>
800 SF	560 SF	<b>70%</b>
900 SF	630 SF	<b>70%</b>
1000 SF	700 SF	<b>70%</b>
1200 SF	<b>800 SF</b>	67%
1400 SF	<b>800 SF</b>	57%
1600 SF	<b>800 SF</b>	50%
1800 SF	<b>800 SF</b>	44%
2000 SF	<b>800 SF</b>	40%
2200 SF	<b>800 SF</b>	36%
2400 SF	<b>800 SF</b>	33%
2600 SF	<b>800 SF</b>	31%
2800 SF	<b>800 SF</b>	29%
3000 SF	<b>800 SF</b>	27%

## ATTACHED ADU SIZE

Size of Structure	Primary Dwelling	The lesser of 1,000 SF... or 70% of primary home	% of primary
700 SF	412 SF	288 SF	<b>70%</b>
800 SF	471 SF	329 SF	<b>70%</b>
900 SF	529 SF	371 SF	<b>70%</b>
1000 SF	588 SF	412 SF	<b>70%</b>
1200 SF	706 SF	494 SF	<b>70%</b>
1400 SF	824 SF	576 SF	<b>70%</b>
1600 SF	941 SF	659 SF	<b>70%</b>
1800 SF	1059 SF	741 SF	<b>70%</b>
2000 SF	1176 SF	824 SF	<b>70%</b>
2200 SF	1294 SF	906 SF	<b>70%</b>
2400 SF	1412 SF	988 SF	<b>70%</b>
2600 SF	<b>1600 SF</b>	<b>1000 SF</b>	63%
2800 SF	<b>1800 SF</b>	<b>1000 SF</b>	56%
3000 SF	<b>2000 SF</b>	<b>1000 SF</b>	50%

## DETACHED ADU (e.g. Garage Apt)

Name	Detached Accessory Dwelling Unit
Min parking required	1
Max size	Up to 70% of the Primary Dwelling
	But not larger than 800 SF
Min size	N.A.
Max height	25 Ft (top of ceiling)
Max footprint	Up to 70% of the Primary Dwelling
Use of non-conforming lot	Permitted
Setbacks	Min 6' setbacks

## ATTACHED ADU (e.g. Basement Apt)

Name	Attached Accessory Dwelling Unit
Min parking required	1
Max size	Up to 70% of the Primary Dwelling
	But not larger than 1000 SF
Min size	N.A.
Max height	40 Ft (top of ceiling)
Max footprint	1000 SF
Use of non-conforming lot	Permitted

## Accessory Dwelling Unit Types

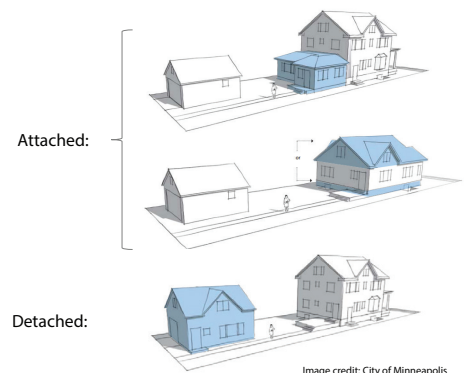


Image credit: City of Minneapolis