



FENCES & WALLS FOR RESIDENCES

What is an Accessory Dwelling Unit (ADU)?

An ADU is a new dwelling unit (which typically provides sleeping, bathing, and cooking facilities) on a lot that already has a single-family home.

Where are ADUs allowed in Lake Oswego?

Every residentially zoned lot with an existing detached single-family home is also allowed one ADU with the exception of lots in the R-W zone. You can create an ADU by either:

- Converting part of the existing home (like a basement or attic)
- Converting an accessory structure (like a shed or detached garage)
- Constructing a new ADU as either a detached structure or an addition on the home

Can an ADU be used as a Short-Term Rental?

If the ADU will be rented for 30 days or less, a short term rental business license will be required. Additional fees and standards for short term rentals can be found [here](#).

Building Requirements for an ADU

We require a building permit if you want to convert an attic, basement, or garage to a living or habitable space. You'll also need a building permit to build a new ADU (as an addition or separate).

Your ADU project will also require trade (electrical, plumbing, and mechanical) permits. You can apply for trade permits at the same time as your building permit, or you can apply and pay for trade permits later in the process.

Different types of projects will have different construction standards. These standards help your new structure stay safe and durable for the people who will live in it. All types of ADUs must meet [Oregon Residential Specialty Code](#).

Types of ADUs

Existing Space Conversion

Constructing an ADU within your existing home may be an option, but you should be aware that some areas in your home might not meet requirements for a living space.

Common issues can include:

- Ceiling height
- Emergency exit windows (also known as "egress windows")
- Insulation and ventilation
- Stairs

- Fire wall construction
- HVAC separation from existing house.
- Exterior entrance to ADU needed - you cannot use the existing home's entrance

These issues could make it expensive, difficult, or even impossible for you to convert a space into an ADU. Use the information in Step 1, below, to start researching your property.

Detached ADUs or Additions

If you have the space on your property, you may prefer to construct a detached ADU or build an addition. Please be aware that your property may have specific challenges that make this type of ADU more difficult.

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Pre-Fab ADUs

Pre fab ADUs are permitted for the foundation and documentation that the structure has been inspected at the factory by the State of Oregon Building codes division Prefabricated Structures program. The City would permit the foundation and placement of the structure and confirm that it has been licensed and inspected by the program at the State. The foundation design would need to be engineered by a structural engineer.

“Illegal” accessory units

Property owners need to get a permit for ADUs that were built without permits. It's up to the building inspector to verify any elements that are hidden by the finished ADU. Verification might involve demolishing or removing elements of the structure. This is to verify that the work was performed correctly and safely.

Who can do the work?

Contractors must have a license to work in Oregon. The [Oregon Construction Contractors Board \(CCB\)](#) issues licenses to contractors. The permit application needs to list the contractor's CCB number before we can issue the permit.

Need help finding a contractor? The CCB website has good tips on how to search for one. Plumbing and Electrical contractors have additional license requirements.

If you are a homeowner doing the work yourself, then you can sign the building and trade permit applications. You cannot do the electrical work yourself for an ADU. You must hire a licensed electrical contractor to do the electrical work on an ADU. The State of Oregon has some helpful information for homeowners:

[Owner Doing Work Form - Notice to homeowners about construction responsibilities](#)

Step 1: Research your property before you build an ADU

Check the permit history for your house


It's important that you verify the permit history of your property. If there's been construction that didn't have a permit, you'll need to get a permit for that work as if it were a new project.

Depending on the age of your home, we may have plans that show its permit history. Visit our [public records web page](#) to request permit records for your home. You should verify work with actual permits, and not rely on tax information from the county.

Find out about the zoning standards for an ADU

There are a variety of use and design standards in the zoning code that apply to the creation of an ADU. Which ADU requirements apply depends on your property's zone and environmental overlays.

Find your zoning here: <https://maps.ci.oswego.or.us/pub/Index.html?layerTheme=0>

- Use the “Drill Down” tool to find all applicable layers 
OR
- Manually choose layers on the left column to find zoning, planned developments, overlays, environmental constraints like floodplains, soils, or sensitive lands. Most of these will be under “Planning” or “Environmental” groups in the layers

Common issues can include:

- Zoning requirements (lot coverage, setbacks, height, etc.)
- Floodplains or soil concerns (slide hazards or weak foundation soils)
- Stormwater management
- Tree and natural resource protection
- Presence of utilities or utility easements

A new structure or expansion of the existing structure will need a site plan showing compliance with all site requirements at the time of building permit application.

Use the information below, to start researching your property zoning requirements.

Development / Zoning Requirements

The zoning code determines how close detached ADUs can be to property lines and how much structure you can build on a lot. Depending on your property's zoning and whether you are doing an addition to your existing home or an accessory structure, your ADU will have a number of standards. For most structural building permits, you will need to show that you comply with these requirements usually through site plan and elevation drawings:

Development Requirements

The zoning site dimensional standards (setbacks, lot coverage, and floor area maximums for a site) code are [here](#). (Note: If you are in a Planned Development, those standards supersede your zoning dimensional standards). Additions to primary structures are subject to primary structure standards, while accessory structures usually have different, smaller setbacks.

Adjustments

Certain standards may be able to receive an adjustment through a variance process. Find out more about the adjustments for housing developments [here](#).

Design Standards

The building itself will have to meet specific design standards for [ADUs](#) and [General Residential Buildings](#). Additionally, certain areas of the city have design or environmental overlays that can have more restrictive standards. You can find out if your property is located in a design overlay ([Overlays \(Environmental and Design Districts\)](#)) by checking your zoning in [LO Maps](#). Contact [Planning](#) or call us at 503-635-0270.

Utility Connections

Your ADU might share water systems with the main dwelling, or it might have its own connections. This depends on factors like the number of fixtures you'll have in the ADU.

Get more information on [water](#) and [sewer](#) requirements here.

Environmental Constraints

If you have sensitive lands, soil hazards, or floodplains, contact the Planning or Engineering departments to understand what additional considerations for development in that land would require.

Pre-Application Conference

A [pre-application conference](#) is required before the ADU structural building permit is issued. If you have questions about your site before finishing your construction drawings for the permit application, you can hold a pre-application up to one year prior to applying for your building permit.

Fees and System Development Charges

The development of an ADU requires building permit fees, water service fees, and System Development Charges (SDCs). In some instances, fees or SDCs can be substantial. Fees and SDCs are based on the information below.

Building permit fees

[Permit fees](#) are based on the type of permit, the work proposed, the valuation of the work, and the staff that needs to review the work. When you create a new dwelling unit, system development charges are usually charged.

System Development Charges (SDCs)

New and conversion ADUs can sometimes lead to System Development Charges. These are charges that help offset the impact a new project has on City systems, like roads and sewers. SDCs can add significant cost to your ADU project.

SDC Waiver Program for ADUs

The City can waive SDCs for ADUs if you promise not to use the ADU as short-term rental. This promise is called a covenant that is recorded with your deed. A short-term rental is a property that can be rented out for less than 30 days. You may be eligible to apply for an SDC waiver.

Step 2: Prepare an ADU building permit application package

- Completed building permit application (either for a [new structure](#) or [structure alteration](#))
- Site plan
- Architectural plans
- Structural Calculations
- Structural plans (if you're proposing structural changes)
- Tree Protection Inspection
- Erosion Control Permit

Step 3: Apply for an ADU permit online or in person

Submit your ADU building and trades permit applications online using Accela ([e-Permitting](#)).

[Read step-by-step instructions](#) for submitting a permit application request online.

Step 4: Apply for ancillary permits and reviews

Some construction might disturb the ground or trees. If that's true for your project, you'll need to install [erosion control](#) and [tree protection](#) at the site. All building permits are reviewed for tree protection, removal, and erosion control. **The City will need to inspect and approve tree protection and erosion control before you can receive your ADU building permit.** On-site and surrounding trees need to either be protected or permitted for removal before the building permits can be issued.

Note: A [pre-application conference](#) is required by development code prior to permit issuance. The Planning, Engineering, and Fire Departments will provide comments and planning staff will meet with you to discuss the specific requirements for your site. Pre-applications are held on Thursday afternoons and usually scheduled two weeks after the application, site plan, and fee for fire review is received. If you have not held your pre-application at this time, someone from the Planning Department will contact you to submit before the permit is issued.

Step 5: Check plan review status and make corrections to an application

You can [check the status of a permit review](#) in the permit search function of e-Permitting. Multiple permit technicians and plan reviewers will review your permit, including staff from Engineering, Planning, and Building.

If a reviewer sees an issue with your plans or needs more information, they'll send you a correction using Accela, the e-permitting system. Please make sure whoever is listed as the contact in your applications is able to respond to these communications promptly. After you get the requested information or make corrections, you'll send a response. Reviewers will get a notification that you responded, and the review can continue.

Conditions may be included on your permit. Some of these are notices to you and other departments about requirements that must be completed either before the permit is issued, such as special inspections, or before the final inspection after construction is complete, such as mitigation tree planting for tree removals.

Step 6: Receive your ADU permit

You will be contacted when your permit is ready and notified of your final fee total. Instructions will be given on how to get your approved permit and pay your fees. Your permit is not issued until [all fees are paid](#).

Step 7: Start building an ADU and get ready for inspections

The inspection card lists all the inspections you'll likely need during construction. This will help you determine what work to do first.

All permits need a final approval inspection to be complete.

Step 8: Schedule an inspection and get inspection results

Inspections can be scheduled online, by phone, or new texting option:

Scheduling Inspections Online

You can now schedule inspections online go to <https://aca-oregon.accela.com/oregon/>(link is external)

Step by step instructions on how to schedule inspections for [Residential Projects](#) online.

Scheduling Inspections Using a Touch-Tone Phone

If you need to schedule inspections using a touch-tone phone, please call **1-888-299-2821**. Please note you must know your IVR reference # associated with your specific permit you are scheduling inspections for and the 4-digit IVR code.

- To find IVR reference # please refer to the print out that you received from the Building Department when your permit was issued. Each specific permit obtained from the City of Lake Oswego will have a different IVR reference # associated with it.
- [Reference Sheet for IVR Residential 4-digit codes](#)

Scheduling Inspections and Check Results via Text Message

Please text **1-888-299-2821**

- [Brochure for scheduling inspections via text message](#)
- [Web page for information on scheduling inspections via text message](#)

Other Permits

Erosion Control

Lake Oswego is committed to protecting the environment of the city and the surrounding area through its Stormwater Management Utility. In an effort to further protect our water sources, [Erosion Control Permits](#) are required for construction projects under any of the following circumstances:

- Any construction that exceeds 500 square feet of land disturbance.
- Any construction activity within 50 feet of a water body.

Lake Oswego has adopted the Clackamas Water Environment Services' "[Erosion Prevention and Sediment Control Planning and Design Manual](#)" as the standard reference for erosion control best management practices (BMP's).

Even when an erosion control permit is not required, property owners and other responsible parties need to ensure that soils, sediments, and other materials do not leave the job site and enter the surface water management system or nearby lakes, streams, or other waterways. This is especially important when soil disturbing activities are occurring within 50 feet of a natural resource area or waterway.

If you are not sure whether your project will require an Erosion Control Permit, please call the City at 503-635-0270.

Tree Protection and/or Removal

Prior to conducting any development activities on a property, including but not limited to, clearing, grading, construction, excavation or demolition work, tree protection measures are required to be in place to protect trees potentially affected by development work. The applicant must submit a Tree Protection Permit Application, have protection measures in place and have the site inspected and approved by Staff prior to the building permit being issued. Please note: Tree Protection may also be required prior to the issuance of a plumbing permit.

Tree Protection inspections are available Monday – Friday, 12:30 p.m. to 2:30 p.m. and can be requested by contacting codeenforcement@lakeoswego.city.

Sometimes for a project, tree removal is necessary. If you are not able to protect a tree, removal permits may be necessary before protection can be approved. The [Reference Table of Permit Types](#) summarizes the types of tree removal permits, submittal requirements and fees. If your project requires tree removal of a healthy, noninvasive tree >15 inches, you will want to submit your Type 2 application with the building permit.

The Permit Center is open to walk-in customers Monday through Friday, from 8 a.m. to noon, or applications can be submitted via email to trees@lakeoswego.city.

New Driveways or Street Opening

While parking is not required for an ADU, it is sometimes helpful to have a parking space directly serving the dwelling. A [street opening permit](#) is required for any construction activities in the public right-of-way, including a new driveway or connection to a utility line in the street.

Temporary Street Use Permits

Some construction projects will need to make use of public streets and sidewalks. Contact the [Traffic Control Plan](#) if you need any of these for your project:

- Reserved on-street parking
- Closed travel or bike lanes
- Closed sidewalks
- Closed streets

Floodplains

All development in areas depicted in the Flood Management Area Maps need to complete [this permit application](#).

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