

1 **40.260.022 Accessory Dwelling Units – RURAL (RADU)**
2

3 A. Purpose. The purpose of this section is to provide an additional smaller, subordinate dwelling unit attached to
4 or in an existing or new house. RADUs are intended to provide for a greater range of choices of housing types in
5 Rural and Resource lands while maintaining rural community character and ensuring the conservation,
6 enhancement and protection of resource lands.
7

8 B. Applicability.
9

- 10 1. Rural accessory dwelling units may be allowed in the RC-1, RC2.5, R-5, R-10, R-20, AG-20, FR-40, FR-80 and
11 AG-WL zones, on lots of record that are either already developed with a single-family dwelling, or that will
12 be developed with a dwelling that includes the primary dwelling unit and the RADU, subject to the
13 requirements of this section.
14
15 2. A lot of record lawfully occupied by two (2) or more single-family residences per Section 40.200.050 does
16 not qualify for a RADU.
17
18 3. A RADU shall not be located in a dwelling or on a lot where a Type II home business is operating.
19

20 C. Development Standards.
21

- 22 1. No more than one (1) RADU per legal lot is permitted and it must be accessory to a single-family
23 residence.
24
25 2. RADUs shall comply with applicable fire, health, and safety codes.
26
27 3. A RADU may be created through:
28
29 a. Internal conversion of space within an existing dwelling;
30 b. The addition of new square footage to the existing house, subject to the requirements of the Clark
31 County Code;
32 c. Conversion of an existing garage that is attached to a single-family dwelling; or
33 d. Inclusion in the development plans for, or as part of, the construction of a new single-family detached
34 dwelling unit.
35
36 4. The dwelling unit that includes the primary unit and the RADU together shall conform to the standards of
37 the zone, including, but not limited to lot coverage and setbacks.
38
39 5. Building height shall meet the height requirements of the zone.
40
41 6. Allowable Size.
42
43 a. Subject to Section 40.260.022(6)(c) below, the total gross floor area of a RADU excluding basements,
44 shall not exceed fifteen hundred (1,500) square feet or forty percent (40%) of the area of the primary
45 dwelling's living area, whichever is less.
46
47 b. The total floor area of the dwelling's basement may be used as the RADU, provided there is a
48 separate exterior entrance, and the basement area does not exceed the size of the primary dwelling
49 unit.
50
51 c. The living area of the primary dwelling unit excludes uninhabitable floor area, garage, and outbuilding
52 square footage, whether attached or detached. If the primary dwelling unit is smaller than seven
53 hundred and fifty (750) square feet gross floor area, the RADU may be up to three hundred (300)

1 square feet even though this exceeds forty percent (40%) of the primary dwelling unit's living area.
2 The minimum area of a RADU shall not be less than one hundred and fifty (150) square feet.
3

4 7. Parking.

5
6 One parking space shall be provided on-site for the RADU.
7

- 8 8. RADUs shall be subject to development a seventy-five percent (75%) reduction in school and
9 transportation impact fees from the rate under Chapter 40.630.
10

11
12 D. Design Standards.

- 13
14 1. New entrances for a RADU created by internal conversion or by an addition to an existing primary
15 dwelling shall be located on the side or rear of the primary dwelling unless it can be demonstrated that no
16 feasible alternative exists.
17

- 18 2. Historic Structures. If a RADU is within a historic structure which has been designated on the national,
19 state or local historic register, the following design guidelines are applicable:
20

- 21 a. Exterior materials should be of the same type, size and placement as those of the primary dwelling
22 structure.
23 b. Trim on edges of elements of accessory structures and additions should be the same as those of the
24 primary structure in type, size and placement.
25 c. Windows in any elevation which faces a street should match those in the primary structure in
26 proportion, i.e., same height, width and orientation (horizontal or vertical).
27 d. Pediments and Dormers. Each accessory dwelling unit should have either a roof pediment or dormer
28 if either one of these architectural features are present on the primary dwelling.

- 29 6. Accessibility. To encourage the development of ADA-accessible housing units, the responsible official may
30 allow reasonable deviation from the requirements of this section for features that facilitate accessibility.