



Accessory Dwelling Units and In-Family Suites

ADUs are a great option for households that are looking to create an extra stream of income or create space for a family member to live nearby. They are an important part of addressing the housing shortage in our community. If you're considering building an ADU on your property, here are the answers to some frequently asked questions about Middleton's ordinances:

What are ADUs?

An "Accessory Dwelling Unit" (ADU) is an independently habitable residential dwelling unit that provides the basic requirements of shelter, heating, cooking, and sanitation. They are sometimes referred to as "mother-in-law suites."

An ADU be located in either of the following:

- 1) A residential dwelling located directly above the ground floor of a building used for an office, commercial, or institutional land use
- 2) A residential dwelling unit located on the same lot as a single-family dwelling unit, either in the same building as the single-family dwelling unit or in a detached building.

How are ADUs different from In-Family Suites?

ADUs are intended to serve as an entirely separate unit with external entrances that can be occupied by non-family members. ADUs are often used as rental units to provide an additional stream of income for a property owner. In-Family Suites are intended as a separate living facility for a family member. In-Family suites cannot have an external entrance as the primary access point for the unit.

Where are they allowed?

ADUs are a permitted use in the SR-L, SR-M, SR-H, MH-D, TR-D, TR-F, and MU-N zoning districts. They are a conditional use in the MR-L, MR-M, MR-U, MR-H, and AGR zoning districts.

What regulations apply to ADUs?

The following regulations apply to ADUs in Middleton.

- 1) The number of occupants of the Accessory Dwelling Unit shall not exceed one family.
- 2) Additional entrances shall not be added to the front elevation of an existing building but may be added to side, rear, or street side elevations.
- 3) Accessory Dwelling Unit entryways within a rear, side, or street side yard shall be connected to a street frontage by a paved walkway or driveway.
- 4) Accessory Dwelling Units shall adhere to the principal setback requirements and other regulations for the underlying zoning district.
- 5) For Accessory Dwelling Units located on the same lot as a single-family dwelling unit, the following additional regulations shall apply:

- a) The principal building or Accessory Dwelling Unit must be occupied by the owner of the property as their primary residence for a period of at least ten months in a calendar year. A restrictive agreement between the property owner and the City shall be recorded prior to issuance of a zoning permit and occupancy being granted.
 - b) The Accessory Dwelling Unit shall not be owned separately from the principal dwelling.
 - c) The maximum size of an Accessory Dwelling Unit shall not exceed the size of the principal dwelling's floor area.
 - d) The appearance or character of the principal building must not be significantly altered so that its appearance is no longer that of a single-family dwelling.
- 6) A Zoning Permit shall be required pursuant to Section 10.10.41 prior to establishing any Accessory Dwelling Unit.

Additional questions?

Contact City of Middleton Planning & Community Development Department at (608) 821-8370 or planning@cityofmiddleton.us.

In-Family Suite

In-Family suites are a great option for households that are looking to create space for an aging family member to live in the home. They are an important part of addressing the housing shortage in our community and promoting “aging-in-place”. Before building an In-Family Suite on your property, here is what you need to know about Middleton’s ordinances.

What are they?

An area within a dwelling unit that may contain separate kitchen, dining, bathroom, laundry, living, and sleeping areas, including exterior porches, patios, and decks. In addition to the required internal physical connection, separate outdoor access or separate access to the garage may be provided. However, external entries serving as the primary or only access to the In-Family Suite are prohibited.

How are In-Family Suites different from ADUs?

ADUs are intended to serve as an entirely separate unit with external entrances that can be occupied by non-family members. ADUs are often used as rental units to provide an additional stream of income for a property owner. In-Family Suites are intended as a separate living facility for a family member. In-Family suites cannot have an external entrance as the primary access point for the unit.

Where are they permitted?

In-family suites are permitted in all residential zoning districts (SR-L, SR-M, SR-H, MH-D, TR-D, TR-F, MR-L, MR-M, MR-U, and MR-H), and in the I, MU-N, and AGR zoning districts.

What regulations apply to In-Family Suites?

The following regulations apply to In-Family Suites in Middleton.

- 1) In-Family Suites may not be occupied by a non-family member.
- 2) The maximum floor area cannot exceed 20% of the existing dwelling unit’s finished habitable area.
- 3) In-Family Suites shall be considered and regulated as part of a single-family dwelling unit.
- 4) The principal dwelling unit and the In-Family Suite shall together appear as a single-family dwelling.
- 5) A separate walled garage area or driveway is not permitted.
- 6) A separate address for the In-Family Suite is not permitted.
- 7) A separate utility connection or meters are not permitted.
- 8) A physical all-weather connection between the main living area and the In-Family Suite must be present. This required connection may not occur through an attic, basement, garage, porch, or other non-living area. A door may be used to separate the In-Family Suite from the principal dwelling, but may not be locking, except that a locking door may be used for the bedroom and bathroom doors of the In-Family Suite.
- 9) When an application is submitted for a building permit to accommodate what is explicitly listed as, or could possibly serve as, an In-Family Suite, the building plan shall be marked as “not a separate dwelling unit or apartment,” and a signed letter from the applicant stating agreement with this condition shall be filed.

Still have questions?

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