



**TOPIC: Accessory Dwelling Units (ADU)**

**CODE: Oregon Residential Specialty Code, 2019 Edition**

**REVISED: July 18, 2021, *Rebecca Esau* Director**

**REFERENCE: Chapter 3 and Appendix K**

**SUBJECT: Construction allowance for detached ADU and ADUs within a detached or attached structure.**

**QUESTION:** What building code modifications are allowed for accessory dwelling units?

**RESPONSE:** ADUs must comply with the requirements of the Oregon Residential Specialty Code (ORSC) for two-family dwellings as modified by the alternative standards listed in this Code Guide. The ORSC and the alternative standards listed in this guide also apply when an ADU is created within an existing detached or attached structure. However, if the building containing the ADU is subject to the Oregon Structural Specialty Code (OSSC), the ADU must comply with the requirements of the OSSC; this guide does not apply.

## **CONSTRUCTION STANDARDS**

### **A. Electrical System**

- 1. Electrical panels.** ADUs must have electrical circuits completely independent of the main dwelling unit. It is recommended that the ADU be served by a separate service or panel. If this is not feasible, the electrical panel serving the main dwelling unit may be approved for this use. This panel must be in a common area with direct access from both units or the ADU occupants shall have ready access via a building manager. In this case, the building management's contact information should be provided to the ADU

occupant and management must be available 24 hours a day to provide access.

2. **Electrical license.** All new electrical work shall be conducted by a licensed electrical contractor. Exemptions allowing homeowners to perform electrical work on their own homes do not apply to work for the creation or alteration of an ADU. If a new electrical service is installed for the ADU, or for both the ADU and the primary dwelling, a licensed electrical contractor must perform such installation work.

**B. Heating System.** The ADU and the primary dwelling unit shall have separate, independent heating systems and air conditioning systems (where air conditioning is provided), including direct access to their own system for service and repair, except as allowed as follows.

1. **Mechanical Closets.** For conversions or additions, the furnace which supplies heat to the primary dwelling unit may remain in its original location, provided the primary dwelling unit's access to the furnace is either direct (without entering the ADU), or through a common space. If access to the furnace is provided through a common space, the furnace shall be in a closet with adequate combustion air supply. The closet shall be considered part of the primary dwelling and therefore it shall be separated per section C.2 below.
2. **Ductwork.** For conversions and additions, existing ductwork serving the primary dwelling, but located within the ADU, may be left in place provided it is:
  - a. Permanently sealed and terminated at the point where the ductwork enters the ADU; and
  - b. All exposed ductwork for the primary dwelling unit located below the ceiling line of the ADU is wrapped with one layer of 5/8" type "X" gypsum board.
3. **Radiant Systems.** For conversions and additions, existing radiant systems may be used or extended to the ADU provided both the ADU and the primary dwelling have separate climate controls. In such cases, a single boiler may serve both the primary dwelling and the ADU.

**Note Regarding Combustion Air:** When existing area(s) are converted to an ADU all existing fuel fired equipment, including but not limited to a furnace or

water heater, within that area(s) must be supplied with adequate combustion air per code.

### **C. Fire and Life Safety**

**1. Occupant Designation.** Submittal drawings used to permit ADUs shall have clearly labeled rooms which indicate the occupant of the space. For example;

- ADU Tenant
- Primary Dwelling
- Common (shared)

These labels are the basis for reviewing submittals for compliant Fire, sound transmission (STC), and impact isolation (IIC) separations.

**2. Separation Between Dwellings and between a Dwelling and Common Space.** Except as modified within this code guide, dwellings shall be separated from each other and from common space by wall and floor assemblies having not less than one-hour fire-resistance rating, 45-STC, and a 45-IIC rating for floor / ceiling assemblies.

**a. New Construction.** Where a new wall or floor/ceiling is constructed, such new wall or floor/ceiling shall be constructed to comply with the Oregon Residential Specialty Code (ORSC) requirements for two-family dwellings.

**1)** A door between dwelling units in newly constructed buildings shall be allowed provided that door is:

- Minimum sixty-minute fire-resistance rated; and
- Self-closing; and
- Smoke gasketed.

**2)** A door between a dwelling unit and common space must be a minimum of 1-3/8- inch-thick solid wood, honeycomb core steel, or 20-minute fire-resistance rated.

**b. Existing conditions.** For the purpose of this sub-section, a condition shall be considered existing if it was permitted, installed, and received a final inspection approval more than two-years prior to the ADU permit application date. Finishes that do not meet these criteria must be removed and brought up to current code, per Section D.2.a, above. This code guide allows the following reductions in the Fire, STC, and IIC separations, when existing elements and / or assemblies are used to achieve dwelling separation;

- 1) **Separation walls.** Existing stud framed walls which serve as separation walls shall be covered on both sides with;
  - a) Existing lath and plaster in sound condition; or
  - b) Existing half-inch (minimum) gypsum wallboard in sound condition

If the existing finishes remain in place, no additional improvements for Fire or STC separation are required for the existing separation walls. Minor patching shall be permitted at the discretion of the building inspector.

- 2) **Floor / Ceiling Separations.** Existing floor joists with existing subfloor and covering material (e.g. carpet, tile, hardwood) which serve as part of the floor / ceiling separation shall be permitted to remain in place without any improvements.

Existing ceiling finish material attached to existing floor framing shall be permitted to remain as part of the proposed floor / ceiling separation if it meets the following criteria:

- a) Existing lath and plaster in sound condition; or
- b) Existing half-inch (minimum) gypsum wallboard in sound condition

If the existing finishes remain in place, no additional improvements for Fire, STC, or IIC separation are required for the existing floor / ceiling separation. Minor patching shall be permitted at the discretion of the building inspector.

3. **Ceiling height, stairs, light, ventilation, emergency egress, and energy conservation.** New buildings or additions which create an ADU, and new elements in existing buildings shall comply with the ORSC. Existing conditions and elements in existing buildings may use the Habitable Space Standards Code Guide (ORSC/3/#1) with the following revisions:

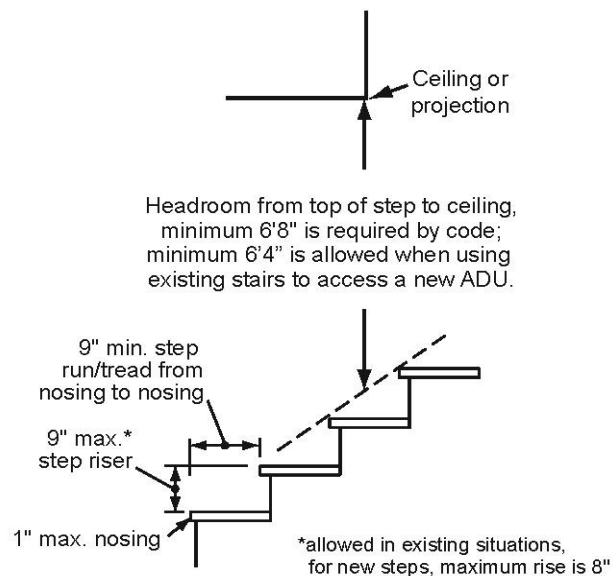
- a. **Hallways.** Existing hallways shall be at least 2 feet 6 inches wide. The ceiling height shall be at least 6 feet 8 inches, except that hallways with a sloping ceiling may have a ceiling height of 6 feet 2 inches at the lowest side when the ceiling height at the center of the required hallway is at least 6 feet 8 inches.

**b. Doors**

- 1) **Dwelling Entrance Doors.** All interior and exterior doors serving as or leading to the primary entrance to an ADU shall be at least 6 feet 8 inches high and at least 30 inches wide.
- 2) **Other doors.** Doors within the dwelling shall be at least 6 feet 4 inches high and shall be at least 30 inches wide.

- c. Stairs.** The stairway has at least 6 feet 4 inches of headroom measured vertically from the sloped line of the tread nosings or from the landing or platform on that portion of the stairway, measured to the lowest overhead projection or ceiling. See Figure 1.

**Figure 1**



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**CONTACT INFORMATION:**

**Bureau of Development Services**

Development Services Center:

503-823-7310

Residential Inspections:

503-823-7388

Planning and Zoning:

503-823-7526

Hours and General Questions:

503-823-7300

<https://www.portlandoregon.gov/bds>

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Updates March 15, 2019 edition, formerly within the rescinded ADU Program Guide.

Updates January 10, 2019 edition

Updates December 21, 2018 edition

Updates June 22, 2016 edition

Updates January 4, 2016 edition

Updates February 20, 2013 edition

Updates April 15, 2010 edition

Updates September 1, 2007 edition

Updates February 1, 2006 edition

Updates March 1, 2004 edition

Updates July 1, 2000 edition, which superseded and replaced BDS (formerly Office of Planning and Development Review and Bureau of Buildings) Policy and Procedure D-81.