



Planning and Zoning Commission Planning Department Staff Report

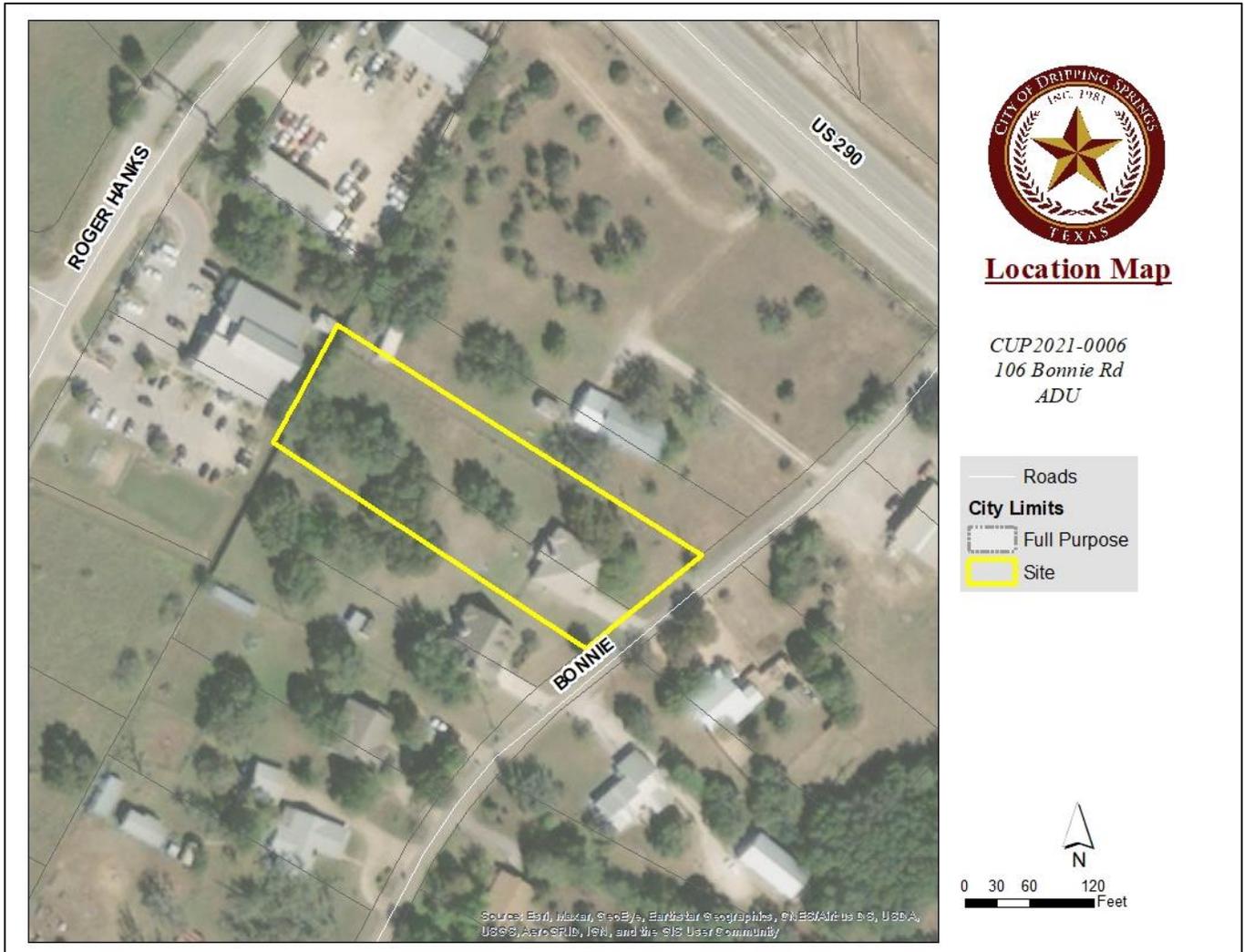
City Council: January 18, 2021
Project No: CUP2021-0006
Project Planner: Tory Carpenter, Senior Planner

Item Details

Project Name: 106 Bonnie Drive Accessory Dwelling Unit
Property Location: 106 Bonnie Drive, Dripping Springs, Texas 78620
Legal Description: Lot 31 Block A Dripping Springs Heights
Applicant: Todd Larsen / Bruce Wallace
Property Owner: Meadow Oaks Ranch LLC
Request: Conditional use permit for an accessory dwelling unit

Staff Recommendation:

Staff recommends approval of the CUP, subject to conditions as outlined in the staff report.



Background

Ch. 30 Exhibit A § 1.6 of the Development Code defines the following:

- **Accessory dwelling:** A secondary living space that is on-site with a primary living space and that may be contained within the space structure as the primary, or may be contained in a separate structure. Occupants of secondary living spaces typically include a caretaker, servant, or farm worker employed by the owner/occupant, or a guest or family member of the owner/occupant.
- **SF-1 Single-Family Residential District:** A zoning district intended to provide for development on low-density, detached, single-family residences on lots of at least one (1) acre in size.

Planning & Zoning Commission

At their December 28, 2021 meeting, the Planning & Zoning Commission voted unanimously to recommend approval of this request.

Overview

There is an existing ≈ 2,000 square foot, 4 bedroom home on the property. This home is served by an existing on-site septic system.

The applicant is proposing the construction of a ≈ 1,600 square foot, 3 bedroom accessory dwelling unit on the property. The applicant intends to install a separate septic system for the accessory dwelling unit.

SF-1 Code Requirements

	Code requirement
Front Setback	Twenty-five feet (25')
Rear Setback	Twenty-five feet (25')
Side Setback	Total of forty (40) feet combining both side yards with a minimum of fifteen feet (15') on either side.
Setback for Garage	Side-Entry Garages: Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering.
Height	Accessory Building(s): Maximum twenty-five feet (25') for other accessory buildings, including a detached garage or accessory dwelling units.
Impervious Cover	Thirty Percent (30%)

Table 1 Code Requirements

The applicant will need to provide two off-street parking spaces for the ADU, in addition to the two off-street parking spaces required for the primary structure, as written in the Code per:

Chapter 30 Exhibit A: §5.6 - Parking based on use

5.6.1 Residential

- (a) Single-family residential including SF-1, SF-2, SF-3 and SF-4: Two per dwelling unit

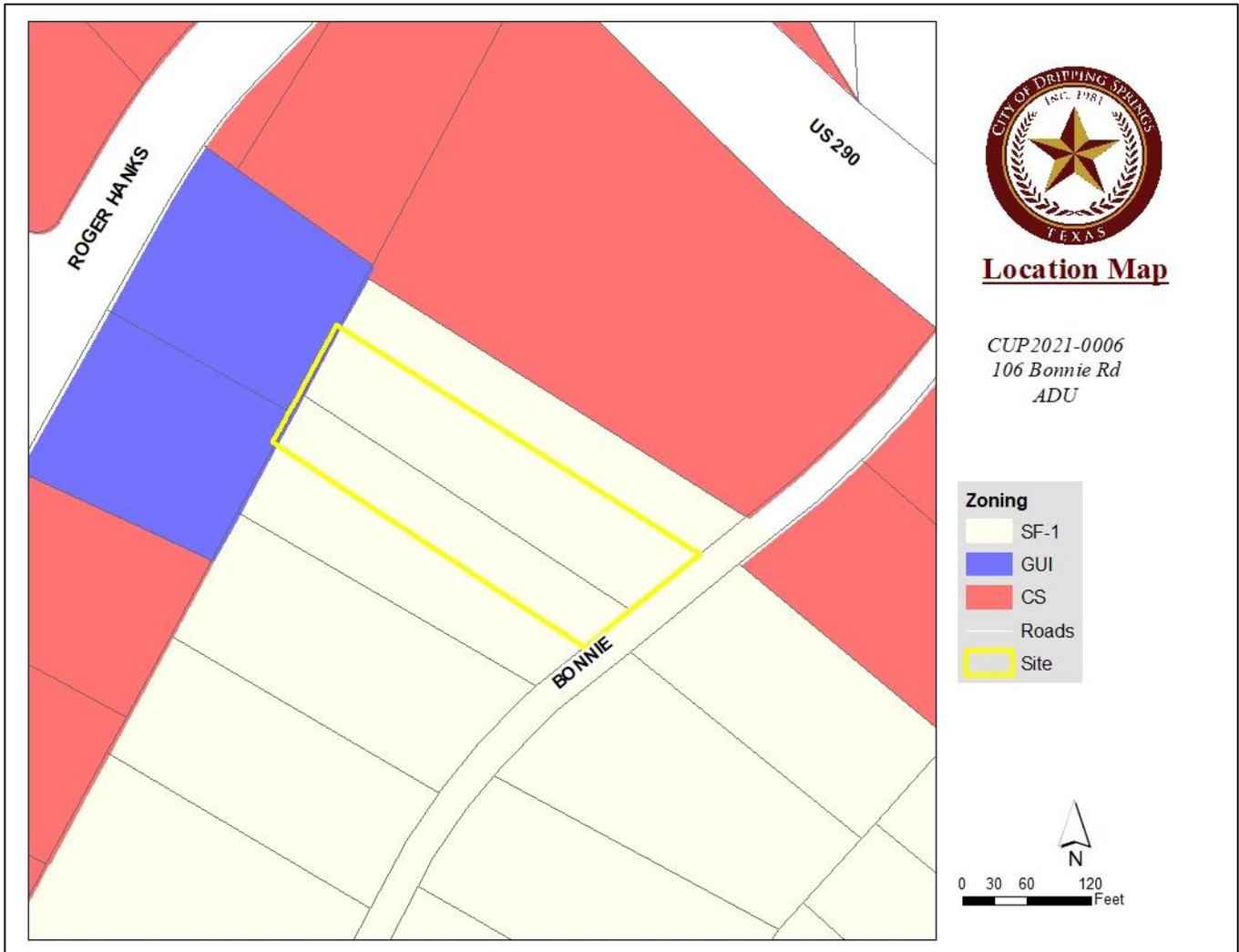
The Accessory Dwelling Unit will connect to utilities as outlined:

Water: Dripping Springs Water Supply Corp. (DSWSC). The structure would connect into existing 1” Water Line that services the primary structure.

Wastewater: Proposed ADU will install a new septic system.

Electricity: Pedernales Electric Cooperative, Inc. (PEC)

Surrounding Properties



The current zoning and existing uses of the adjacent properties to the north, south, east, and west are outlined in the table below:

Direction	Zoning District	Existing Use	Comprehensive Plan
North	Commercial Services (CS)	Single family residential	
East	Single- Family Residential – Low Density (SF-1)	Single family residential	
South	Single- Family Residential – Low Density (SF-1)	Single Family Residential	
West	Government, Utility, Institutional (GUI)	Hays County Tax Office	The property is located on the edge of a mixed-use activity center on the Future Land Use Map

Approval Criteria for Conditional Use Permit Review (3.17.6-Zoning Ordinance)

Approval Criteria	Staff Comments
1. The proposed use at the specified location is consistent with the policies embodied in the Comprehensive Plan;	The Compressive Plan addresses accessory dwelling units in the Comprehensive Plan Goal 3.1. ADUs are an option for supporting housing options in Dripping Springs.
2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;	The subject property is zoned Single-family Residential District – Low Density (SF-1). Accessory dwelling units are a listed conditional use in this zoning district.
3. The proposed use meets all supplemental standards specifically applicable to the use, as established in the Development Standards, Section 5;	The ADU will be required to meet all development standards.
4. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods, and (as required by the particular circumstances) includes improvements or modifications (either on-site or within the public rights-of-way) to mitigate development-related adverse impacts, including but not limited to the following:	
a. Adequate ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, and access in case of fire;	Yes.
b. Off-street parking areas, loading areas, and pavement type;	The accessory dwelling unit will have adequate parking. Open air off-street parking will be provided.
c. Refuse and service areas;	Adequate
d. Utilities with reference to location, availability, and compatibility;	Adequate
e. Screening and buffering, features to minimize visual impacts, and/or setbacks from adjacent uses;	There will be no new permanent fencing with this additional structure. Any existing fencing will remain.
f. Control of signs, if any;	N/A
g. Control of exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;	Lighting for the new structure will match the current house structure in accordance with city codes.
h. Required yards and open space;	The ADU will have access to the open space and yard of the main dwelling per the attached survey
i. Height and bulk of structures;	The ADU will match the proposed elevations

j. Hours of operation;	N/A
k. Exterior construction material, building design, and building facade treatment;	The structure uses a variety of building materials.
l. Roadway adjustments, traffic-control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets; and	N/A
m. Provision for pedestrian access/amenities/areas;	N/A
5. The proposed use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity; and,	The use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.
6. Noise;	N/A
7. Odors; and	N/A
8. Dust.	N/A

Summary

Staff finds that the inclusion of an ADU is compliant with the vision of the *Comprehensive Plan 2016* which was adopted by the City Council on November 15, 2016. The *Comprehensive Plan 2016* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The proposed ADU request meets the below goals and objectives of the Comprehensive Plan.

Chapter 3: Livability / Quality of Life

§ 3.1: Support housing options in Dripping Springs

“Accessory dwelling units (ADUs) are another opportunity to incorporate lower cost housing options into the existing fabric of the community. These units provide an option for older residents who want to downsize but remain in Dripping Springs or young couples just starting out. They also provide an option for homeowners who may want or need extra income, allowing them to remain in their homes by providing supplemental income. It will be important to explore best practices from other communities and establish a policy that reflects the values of Dripping Springs and protects neighborhood integrity for existing residents.”

Staff recommends **approval of the CUP, subject to the following conditions:**

Based on the proposed land use, compatibility with surrounding properties, and the Comprehensive Plan, **staff recommends the following conditions:**

1. **Time Limit: The CUP does not expire.**
2. **A minimum of two off-street parking spaces for the Accessory Dwelling Unit must be provided in addition to any other parking requirements.**
3. **The Accessory Dwelling Unit may not be sold separately from the primary structure.**

The below is an excerpt of the Code for the procedures that P&Z should take for CUPs:

Chapter 30 Exhibit A: §3.17 – Conditional Use Permit (CUP)

3.17.5 Procedures for CUPs

(b) City council action: The city council shall be the final decision-maker on applications for CUPs. Following a public hearing, and in consideration of the P&Z's recommendations, the city council shall approve, modify or deny the proposal for a CUP. If the appropriateness of the use cannot be assured at the location, the application for CUP shall be denied as being incompatible with existing uses or with other uses permitted by right in the district.

Public Notification

A legal notice advertising the public hearing was placed in the Dripping Springs Century-News, signs were posted on the site, notice was placed on the City Website, and all property owners within a 300-foot radius of the site were notified of the request.

Attachments

Attachment 1 – Conditional Use Permit Application

Attachment 2 – Proposed Site Plan, Example Elevations, Floor Plans

Recommended Action:	Recommend approval of the requested Conditional Use Permit, with staff and any additional conditions deemed necessary by the Commission.
Alternatives/Options:	Recommend denial of the Conditional Use Permit; recommend approval of the Conditional Use Permit with no, or alternate, conditions.
Budget/Financial Impact:	None calculated at this time.
Public Comments:	None at this time
Enforcement Issues:	N/A
Comprehensive Plan Element:	3.1 - Livability / Quality of Life Support housing options in Dripping Springs