



Planning and Zoning Commission Planning Department Staff Report

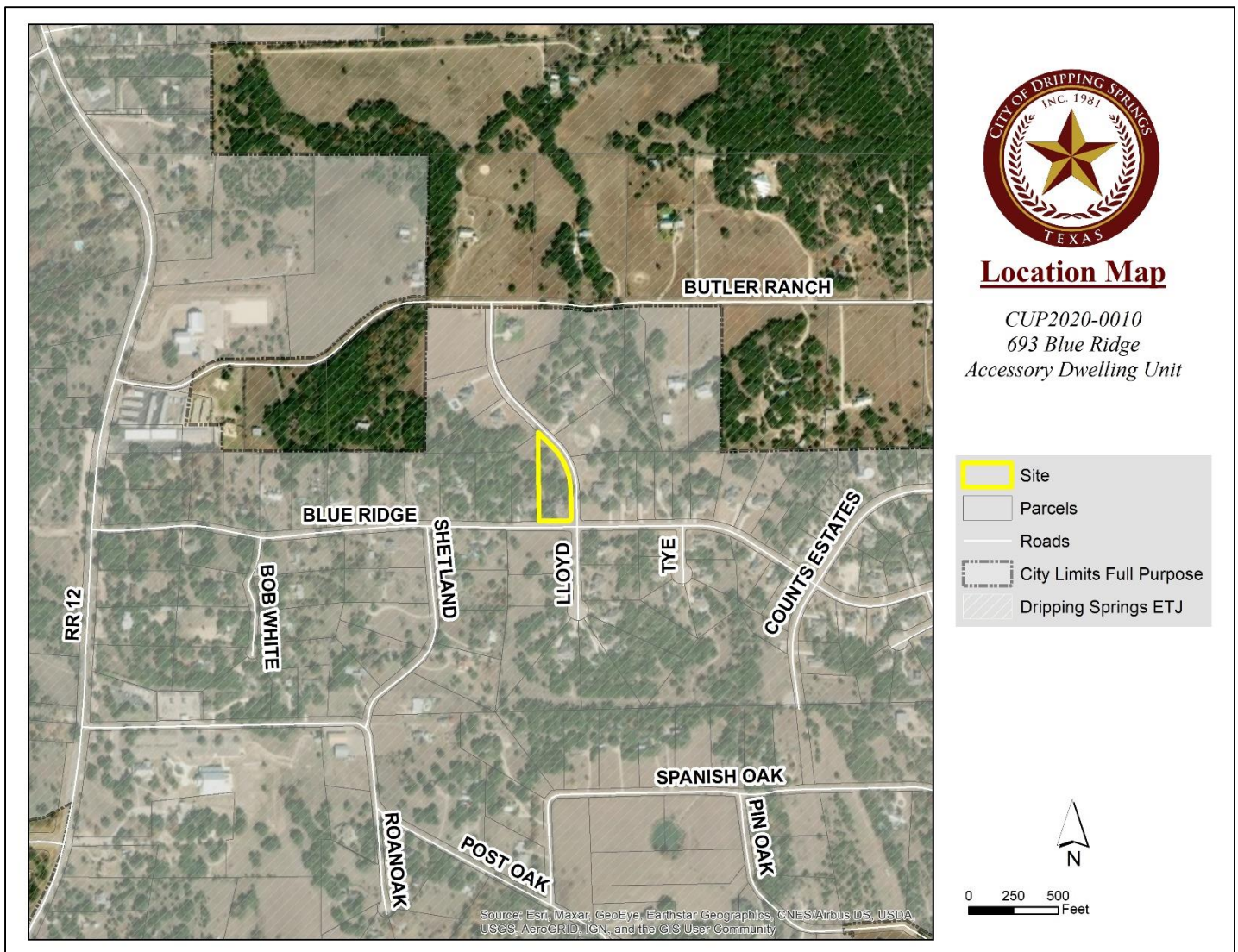
Planning and Zoning Commission Meeting: November 18, 2020
Project No: CUP2020-0010
Project Planner: Amanda Padilla, Senior Planner

Item Details

Project Name: 693 Blue Ridge Accessory Dwelling Unit
Property Location: 693 Blue Ridge, Dripping Springs, Texas 78619
Legal Description: COUNTS ESTATES PHASE TWO (AKA BUTLER RANCH ESTATES), BLOCK C, Lot 4, ACRES 1.6452
Applicant: Josh Haro, Haro Homes, LLC
Property Owner: Adrienne Golias and Karleen Watson
Request: Conditional use permit for an accessory dwelling structure

Staff Recommendation

Staff recommends approval of the requested CUP with the conditions outlined in the staff report



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Overview

The applicant is requesting a Conditional Use Permit (CUP) to allow an 1059 square foot accessory dwelling to be located at 693 Blue Ridge, Dripping Springs, Texas 78620. The Property is located within the Single-Family Residential District-Low Density (SF-1) zoning district. Accessory dwellings are permitted in SF-1 zoning districts with an approved Conditional Use Permit. A conditional use is a land use that is compatible with the permitted land uses in a given zoning district only under certain conditions. Such conditions include a determination that the external effects of the conditional use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of additional standards and conditions

Accessory Dwelling is defined as 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

Single- Family Residential– Low Density (SF-1) zoning district is intended to provide for development of low density, detached, single- family residences on lots of at least one (1) acres in size. This accessory dwelling unit would be placed in Counts Estates Phase 2 Subdivision where the lots vary in size. Counts Estates Phase 2 subdivision was established in 2014. The subdivision is east of Ranch Road 12 and south of US Highway 290.

The City’s 2016 Comprehensive Plan outlines Livability/ Quality of Life as a topic of the comprehensive plan. A Goal of the Comprehensive plan that falls under that topic is for the City to support housing options within the City. Below is the section of the Comprehensive Plan that clearly outlines how Accessory Dwelling Units can be another opportunity for housing diversity.

“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.”

The accessory dwelling will be located north on the lot, adjacent to Lloyd Lane [See Exhibit 2]. The structure would be visible from Lloyd Ln. The accessory dwelling unit is a two (2) bedroom, one (1) bath, and one (1) car garage. The accessory structures habitable area is 863 sf. This is intended to be a mother-in-law suite that has been approved through the community’s homeowner’s association (HOA). The structure will have its own mailing address (Unit B) for 911 purposes, this was a requirement through the HOA. The accessory dwelling will need to comply with the setbacks required in SF-1 zoning district, see below table 1.

| | Code requirement | Code Met? |
|--------------------|---|---|
| Front | Twenty-five feet (25') | Yes, 209.7 feet |
| Rear | Twenty-five feet (25') | Yes |
| Side | Total of forty (40) feet combining both side yards with a minimum of fifteen feet (15') on either side. | Yes, setback 106 feet from side facing Lloyd Ln and 25 feet from other 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. | N/A, Garage is not side entry |
| Height | Accessory Building(s): Maximum | Height is 13 feet 10 inches. |

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table below:

| Direction | Zoning District | Existing Use | Comprehensive Plan |
|-----------|--|---------------------------|---|
| North | Single- Family Residential – Low Density (SF-1) /ETJ | Single family residential | Not Applicable, Outside of Comprehensive Plan |
| East | Single- Family Residential – Low Density (SF-1) /Single-Family Residential – Moderate Density (SF-2) | Single family residential | |
| South | Single- Family Residential – Low Density (SF-1) | Single Family Residential | |
| West | Single- Family Residential – Low Density (SF-1) | Single Family Residential | |

The feel of the subdivision is a low to moderate dense rural neighborhood with open yards. The neighborhood has very little fencing. The applicant does not intend to place a fence.

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 Comprehensive 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; | Based on the concept plan the proposed use meets all the development standards established in the section 5. The structure will be reevaluated at the building permit stage. |
| 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; | The applicant will be utilizing the existing driveway already in place for main structure and extending the driveway with crushed granite. |
| b. Off-street parking areas, loading areas, and pavement type; | The accessory dwelling unit will have adequate parking. One space in the garage and the other in the driveway. |
| c. Refuse and service areas; | The City's solid waste service will need to be alerted. |
| d. Utilities with reference to location, availability, and compatibility; | See staff report |
| e. Screening and buffering, features to | There will be no new permanent fencing with this |

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| minimize visual impacts, and/or setbacks from adjacent uses; | additional structure and there is no current permanent fencing – it is all open space. |
| 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; | |
| j. Hours of operation; | N/A |
| k. Exterior construction material, building design, and building facade treatment; | The new structure is required and has already been approved by the HOA to match all existing exterior materials to the main house. |
| 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

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

- 1. No driveway permitted off Lloyd Drive**
- 2. The ADU shall be connected to a City approved on-site septic system prior to occupancy.**

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

Chapter 30 Exhibit A Zoning Ordinance Sec 3.17.5 Procedures for CUPS:

- (a) P&Z Recommendation: Following the public hearing, the P&Z shall recommend approval, approval subject to modification, or denial of the proposal to the City Council. If the appropriateness of the use cannot be assured at the location, the P&Z shall recommend denial of the application as being incompatible with existing uses or with other uses permitted by right in the district.

Public Notification

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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.

Meetings Schedule

November 18, 2020 – Planning and Zoning Commission

December 8, 2020 - City Council Meeting

Attachments

Exhibit 1- Conditional Use Permit Application

Exhibit 2- Concept Plan, Elevations, Plans

Exhibit 3- Project Summary (Submitted by Applicant)

Exhibit 4- Notice of Violation

Exhibit 5- Draft Conditional Use Permit Ordinance

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| 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: | Livability / Quality of Life Support housing options in Dripping Springs |