



To: Mayor Bill Folds, Jr. and City Council
From: Tory Carpenter, AICP – Senior Planner
Date: February 25, 2022
RE: Regulation of Accessory Dwelling Units

I. Overview

At the City Council meeting on February 1, 2022, staff presented several options for regulations related to Accessory Dwelling Units (ADUs) and Council directed staff to update the zoning ordinance. This direction came after several City Council members showed concerns regarding the lack of regulations related to accessory dwelling units, particularly the relative size of the structures relative to the primary structure on the site. At the same meeting, two council members volunteered to work with staff on the details of the ordinance, including regulations on size, height, location, and parking.

At their February 22 meeting, the Planning & Zoning Commission recommended approval of a draft ADU ordinance. This recommendation includes minor changes to the ordinance as outlined below. Recommended changes by the Planning & Zoning Commission are highlighted in **green** in the attached ordinance.

II. Summary of Proposed Regulations

1. Height

Attached ADUs must meet the minimum building height for the primary structure. Note that the ordinance defines “attached accessory dwelling units” to ensure that the ADU is, in fact, fully within or significantly attached to the primary dwelling.

Except for garage apartments, detached ADUs cannot exceed the height of the existing home. Garage apartments may exceed the height of the primary structure but cannot be taller than 30 feet.

2. Area

The livable area of the ADU cannot exceed either:

- 1,200 square feet; or
- 50% of the livable area of the primary dwelling unit.

The Planning & Zoning commission recommended language to clarify that the area calculation will include the lesser of these two options.

3. Parking

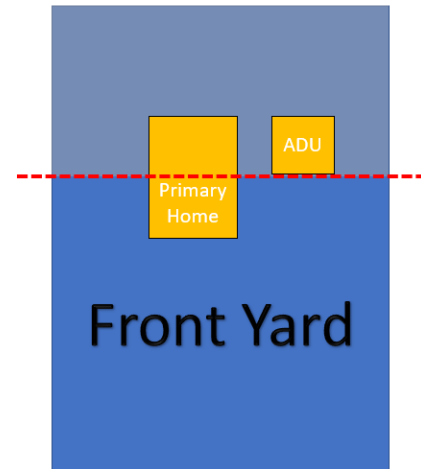
Each ADU is required to provide one off-street parking space in addition to any other parking requirements for the remainder of the property. In most cases, a home with an accessory dwelling unit will be required to provide a total of 3 off-street parking spaces.

4. Location

The ordinance as presented by staff includes the following location requirements for detached ADUs.

1. Must be 10 feet from the primary structure
2. Must be located behind the halfway point of the depth of the primary structure (as indicated by the red line in the illustration)

The Planning & Zoning Commission raised concerns with the location requirements for ADUs attached only by a roof. Their recommendation includes additional language which would allow an ADU that shares a roof with the primary structure to be located in front of the primary structure.



ADU Location Illustration

5. Zoning Districts / Conditional Use Permits

Staff believes that the new standards for ADUs reduce potential negative impacts to surrounding properties. If the ordinance is adopted as drafted, ADUs will be a permitted use in AG, SF-1, SF-2, HO, and GUI zoning districts without the need for a Conditional Use Permit. ADUs would be prohibited in all other zoning districts.

6. Relief Procedure

Any request to vary from the standards outlined above would be considered as a waiver request by the Planning & Zoning Commission.

III. Short Term Rentals

The City does not currently regulate short term rentals (STRs) and staff is not considering STRs as part of this zoning ordinance.