



To: Mayor Bill Folds Jr. and City Council
From: Tory Carpenter, AICP – Senior Planner
Date: April 5, 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.

After public hearings at Planning & Zoning Commission and City Council on February 18 and March 1 respectively, the City Council directed staff to return the ordinance for review by the Planning & Zoning Commission. Since then, staff met with an ADU working group consisting of two City Council and two Planning & Zoning Commission members.

At their meeting on March 22, the Planning & Zoning Commission voted 3-1 to recommend support of the draft ordinance.

II. Summary of Proposed Regulations and Updates

Highlights indicate update from previous draft ordinance.

	Previous Draft	Current Draft
Max Height	Detached - Cannot exceed primary residence Attached - Maximum height allowed in district Garage Apartment – 30 ft	No change
Max Area	Less of: 1. 50% of home 2. 1200 sqft	Less of: 1. 50% of home 2. 800 sqft
Location	Detached – Behind 50% depth of primary home Attached – Must meet standard setbacks	Detached – At least 25’ behind façade of primary home. Attached – Must meet standard setbacks
Parking	One space per ADU	No change
Zoning Districts	Permitted in AG, SF-1, SF-2, HO, and GUI	No change
Relief Procedure	Waiver decided by P&Z	Waiver decided by Council with public hearing and notice to neighbors.

1. Height

The height of an attached ADUs cannot exceed the 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:

- 800 square feet; or
- 50% of the livable area of the primary dwelling unit.

3. Location

Detached units, including garage apartments, must be located at least 25 feet behind the building façade of the primary home and must meet all building setbacks as determined by the zoning district. Attached units must meet building setbacks as determined by zoning district.

4. 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.

5. Relief Procedure

Any request to vary from the standards outlined above would be considered as a waiver request by the City Council. At the direction of the ADU working group, staff has updated the criteria.

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.