



To: Mayor Bill Foulds, Jr., and the City Council
From: Tory Carpenter, AICP – Senior Planner
Date: January 18, 2022
RE: Regulation of Accessory Dwelling Units

I. Overview

At the City Council meeting on January 18, 2022, the Council directed staff to examine and, where appropriate, update Dripping Springs' Accessory Dwelling Unit (ADU) regulations. 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.

II. Possible Regulations

Before drafting an ordinance, staff seeks direction regarding specific metrics of regulations for ADUs, including but not limited to size, parking, utilities, and ownership. These regulations are meant to ensure that ADUs serve their intended purpose.

1. Size & Location

Most municipalities that regulate ADUs restrict the square footage of the structures. These restrictions can include an overall maximum square footage of ADUs, a percentage based on the square footage of the primary structure, or both. Note the importance of defining square footage of the main structure and ADU; e.g. by building footprint, livable space, or enclosed space.

Height restrictions may also be included in ADU regulations. Currently in the City's zoning regulations, most zoning districts have separate height limitations for accessory structures. For instance, in SF-1 the main structure cannot exceed either 1.5 stories or 40 feet; and accessory structures cannot exceed 25 feet. Note that if the Council decides to restrict accessory structures to below two stories, this effectively prohibits detached garage apartments.

The location of ADUs can be restricted to certain required yards (e.g. rear yard only), or certain location on a lot (e.g. beside or behind the primary structure).

2. Parking

Parking regulations can include the amount and location of parking. Currently, parking for ADUs is not differentiated from other residential uses and two spaces are required for each unit. No change to the ordinance is necessary to keep this requirement.

In an effort to limit potential negative impacts of ADUs, location of parking can be limited to a certain area of lot. For instance, ADU parking could only be allowed behind the primary building façade.

3. Utilities

Another method of ADU regulation includes prohibiting separate utility connections. This can include water, electric, sewer, and septic systems. This encourages coordination between tenants and is typical for a proper “guest house.”

4. Ownership

The City can require that only owner-occupied properties be allowed to construct accessory dwelling units. While this requirement can be effective at limiting investors from purchasing properties to build additional units, it is difficult to enforce after the unit is built.

5. Zoning Districts

Currently, ADUs are permitted in AG, HO, and GUI. They require a Conditional Use Permit in SF-1 and SF-2. The [use chart](#) can be updated to change which zoning districts allow or prohibit ADUs.

III. Staff Recommendations

Staff recommends, at minimum, that the size of ADUs be restricted to 50% of the livable square footage of the primary structure. The Council should also consider an overall restriction to address situations with relatively large homes.

IV. 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. If this is part of the ADU concern, staff can look at an overall regulatory scheme for STRs.