

# Change Justification

## Accessory Dwelling Unit (ADU) Ordinance

### Clarity of ADU Types

1. Clearly defines three types of ADUs:
  - Detached
  - Attached
  - Interior
2. Establishes objective criteria for what qualifies as an ADU:
  - Must be self-contained (kitchen, bathroom, living space)
  - Must be subordinate to the primary dwelling
  - Limited to one per lot
3. Distinguishes ADUs from additions and duplexes based on function and standards

### Justification:

1. Aligns with standard planning practice and guidance from the American Planning Association
2. Provides clearer standards than many comparable ordinances
3. Any confusion is resolved through consistent application of the standards

### ADUs in Both AR and R Districts

1. Permitted in all Residential (R) and Agricultural-Residential (AR) districts where single-family homes are allowed
2. Includes tailored standards for each district (size, height, setbacks)

### Justification:

1. Supports housing flexibility across the County
2. Prevents limiting ADUs only to large rural lots
3. Aligns with best practices & our **Comp Plan** promoting:
  - Housing diversity
  - Aging in place

- Accessory housing opportunities

### **ADUs Do Not Increase Density**

1. Ordinance explicitly states ADUs are accessory uses and do not increase allowable density

#### **Justification:**

1. Maintains integrity of zoning districts
2. Prevents overdevelopment
3. Ensures ADUs remain secondary to the primary dwelling

### **Requirement for a Primary Dwelling**

1. **ADU is defined as subordinate to a principal dwelling**

#### **Justification:**

1. Under standard zoning principles, an accessory use cannot exist without a principal use
2. Prevents establishment of ADUs prior to a primary dwelling
3. Ensures proper land use hierarchy and compliance

### **Strong Development and Infrastructure Controls**

1. Size limited to 75% of the primary dwelling
2. Maximum square footage caps in both AR and R districts
3. Must meet setbacks, height, and separation requirements
4. Septic and utility capacity must be verified
5. No additional driveway curb cuts permitted
6. Must maintain emergency access and addressing

#### **Justification:**

1. Ensures development is safe, functional, and compatible
2. Prevents overburdening infrastructure
3. Maintains rural and neighborhood character

## **Environmental and Compatibility Standards**

1. Prohibits placement in flood zones, buffers, wetlands, and easements
2. Requires architectural compatibility and residential appearance

### **Justification:**

1. Protects environmental resources
2. Ensures consistency with surrounding development patterns

## **Administrative and Objective Approval Process**

1. Requires administrative zoning permit and supporting documentation
2. Approval is based on meeting clearly defined standards

### **Justification:**

1. Aligns with Georgia Zoning Procedures Law (ZPL) principles:
  - Clear standards
  - Consistent application
  - Non-arbitrary decision-making
2. Reduces subjectivity and improves efficiency

## **Alignment with Planning Best Practices and Policy**

1. Supports Comprehensive Plan goals related to:
  - Housing flexibility
  - Efficient land use
  - Non-exclusionary development patterns
2. Consistent with national planning guidance and trends
3. Recognized as a tool to expand housing options without increasing density