

# ADU & Parking LUC Code Changes

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## House Bill HB24-1152

- Requires municipalities to allow Accessory Dwelling Units on the same lot with all single-unit dwellings
- Eliminate all restrictive standards that would prohibit and ADU
- May not require additional parking for an ADU
- ADU applications are reviewed by government staff and shall not be deferred to elected or appointed public body including a hearing officer.
- May restrict Short Term Rental use
- May require recommendation from Historic Preservation
- May require Water service provide to provide a letter stating capacity





## Building Type Section 3.1.9 Accessory Dwelling Unit (ADU)

**ARTICLE 3 - BUILDING TYPES**

SECTION 3.1.9  
BUILDING TYPE:  
**Accessory Dwelling Unit, Detached**

**BUILDING STANDARDS:**  
Accessory Dwelling Unit (ADU), detached **A**

- Free-standing structure
- Unattached to proposed or existing primary dwelling
- Does not share a common wall or roof with primary dwelling
- Behind front wall of primary dwelling
- May include garage, shed or other accessory space

**Detached ADU SEPARATION and SETBACKS**

Separation from Primary Dwelling	5' min. <b>B</b>
Setback from Front Wall of Primary Dwelling	10' min.
Side & Rear Setback	Per Zone District standards

**Detached ADU HEIGHT (Maximum)**

ADU Height	1.5 stories /28' max. or per Zone District standard <b>C</b>
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**ARTICLE 3 - BUILDING TYPES**

SECTION 3.1.9  
BUILDING TYPE:  
**Accessory Dwelling Unit, Attached**

**BUILDING STANDARDS:**  
Accessory Dwelling Unit (ADU), attached

- A** Attached to the existing primary dwelling
- B** Shares at minimum one (1) common wall with primary dwelling

**Attached ADU SETBACKS**

Side & Rear Setback	Per Zone District standards
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**Attached ADU HEIGHT (Maximum)**

ADU Height	No taller than the Primary Dwelling
Bulk Plane	Per Zone District standards

## Building Type Section 3.1.9 Accessory Dwelling Unit (ADU)

### DESCRIPTION

- Full living amenities
- Accessory to a Duplex or Detached House
- New construction or built within an existing detached accessory building
- Min & Max. square footage
- Subordinate to and complements the primary dwelling (architecture, building materials)
- ADUs may come in one of two varieties:
  - Detached
  - Attached

EXISTING

### DESCRIPTION

- Provides complete independent living facilities including:
  - living,
  - sleeping,
  - eating,
  - cooking, and
  - sanitation.
- Per zone district Standards may be accessory to a Detached House, Mobile Home, Duplex, or triplex, located on the same lot.
- New construction or built within an existing building
- Max. square footage
- Subordinate to and complements the primary dwelling (architecture, building materials)
- ADUs may come in one of two varieties:
  - Detached
  - Attached

PROPOSED

## Building Type Section 3.1.9 Accessory Dwelling Unit (ADU)

**ZONE DISTRICTS**

~~Only Allowed where there is an existing:~~

- ~~detached house;~~
- ~~duplex; triplex; or~~
- ~~non-residential use operating in a detached house.~~

<del>• OT</del>	<del>• CS</del>	<del>• D</del>
<del>• CC</del>	<del>• CL</del>	<del>• HC</del>
<del>• CCN</del>	<del>• LMN</del>	<del>• E</del>
<del>• CCR</del>	<del>• MMN</del>	<del>• I</del>
<del>• CG</del>	<del>• HMN</del>	<del>• RC</del>
	<del>• NC</del>	<del>• LMN</del>

~~Only when part of a Residential Cluster:~~

- ~~• RUL~~
- ~~• RF~~

EXISTING

**ZONE DISTRICTS**

All zone districts where single unit dwelling is permitted or exists.

PROPOSED

## Building Type Section 4.2. Table of Primary Uses

	RESIDENTIAL DISTRICTS						MIXED-USE DISTRICTS					COMMERCIAL DISTRICTS									DOWNTOWN DISTRICTS					EMPLOYMENT, INDUSTRIAL, OTHER													
	RUL	UE	RF	RL	OT-A	MH	LMN	MMN	HMN	OT-B	OT-C	CC	CCN	CCR	CG	CG-CAC	CS	NC	CL (RA)	CL (OA)	HC	H. CORE	CA/C /NM	V/R	RC	CN	EC	E	I	POL	T								
<b>RESIDENTIAL USES</b>																																							
Single Unit Dwelling	■	■	▨	■	■		■	■		■	■		■	▨			■		■	■	▨							■	▨				▨					△	
Single Unit Attached Dwelling	▨	▨	▨				■	■		▨	■	■	■	■			■	■	■	■	▨				■	■	■	▨	▨					▨					△
Two Unit Dwelling	▨	■	▨				■	■		▨	■	■	■	■			■	■	■	■	▨				■		▨	▨					▨						
Multi-Unit Dwelling							▨	▨	▨	▨	▨	■	■	■	■		■	■	■	▨	▨			▨	■	■		▨	▨				▨						
Mixed-Use Dwelling Units							■	▨	▨		▨	▨	▨	▨	▨	▨	▨	▨	▨	▨	▨			■	■	■		▨	▨				▨						
Accessory Dwelling Unit	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	△	
Short Term Primary Rentals		□					□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□			
Short Term Non-Primary Rentals												□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□				
Fraternity & Sorority Houses								▨	■		▨	▨		▨						■	■																		
Manufactured Housing Community					■		▨																								▨					△			
Shelter for victims of domestic violence	■	■	■	■	■	■	■	■	■	■	■	■	■	■						■	■	■		■	■	■		▨	▨				■					△	

Regardless of the level of review indicated in the Residential Uses table above all affordable housing developments shall be reviewed through Basic Development Review (BDR).

■ Basic Development Review	▨ Type 1 (Administrative Review)	▨ Type 2 (Planning and Zoning Commission)	△ Additional Use Standards
■ Minor Amendment	■ Building Permit	□ License	

## House Bill HB24-1304

- Eliminate all minimum parking requirements for multi-unit dwellings and residential mixed-used developments
- May continue to require design standards when a parking is being provided.



## Site Design Section 5.9.1 Minimum Parking Requirements

<i>Number of Bedrooms/Dwelling Unit</i>	<i>Parking Spaces Per Dwelling Unit<sup>*</sup>, <sup>**</sup></i>	<i>Affordable Housing (Section 5.2) Parking Spaces Per Dwelling Unit<sup>*</sup>, <sup>**</sup>, <sup>***</sup></i>
One or less	1	.75
Two	1.5	1
Three	2.0	1.25
Four and above	3.0	1.5
<p><sup>*</sup> Spaces that are located in detached residential garages (but not including parking structures) or in attached residential garages, which attached garages do not provide direct entry into an individual dwelling unit, may be credited toward the minimum requirements contained herein only if such spaces are made available to dwelling unit occupants at no additional rental or purchase cost (beyond the dwelling unit rental rate or purchase price).</p>		
<p><sup>**</sup> When public streets abutting the perimeter of the development site do not provide on-street parking then the percentage of garage parking spaces provided for the development site shall not exceed eighty (80) percent of the parking total.</p>		
<p><sup>***</sup> Only applies to developments with seven (7) or more units.</p>		



Planning and Zoning Commission recommends approval of the proposed Land Use Code changes.





**Thank You**