



Affordable Housing Related Land Development Proposed Revisions

Proposed Changes to Encourage Affordable Housing

- ▶ Accessory Dwelling Units
- ▶ Revising Enclosed Garage Requirements
- ▶ Reduce Minimum Building Size Requirements
- ▶ Modification of Street Design Requirements

Planning & Zoning Commission

- ▶ Recommended approval subject to addressing the following changes:
 - Revise allowable gross floor square footage maximum of the Accessory Dwelling Unit (ADU) related to the primary structure
 - Lot area requirements for ADU's
 - Language for the affordable housing exemption for the enclosed garage requirement for new residential development has been revised to allow for confirmation of funding by governmental affordable housing programs for spec home development.

Accessory Dwelling Units

What Is An ADU?



Commonly known as an in-law suite, garage apartment, or granny flat, an Accessory Dwelling Unit (ADU) is a separate living unit on the same lot as a single family home.

ADUs can be built attached or detached to your home and have independent access to give an aging relative the chance to continue living independently while remaining close to family members who can offer assistance within seconds when needed.



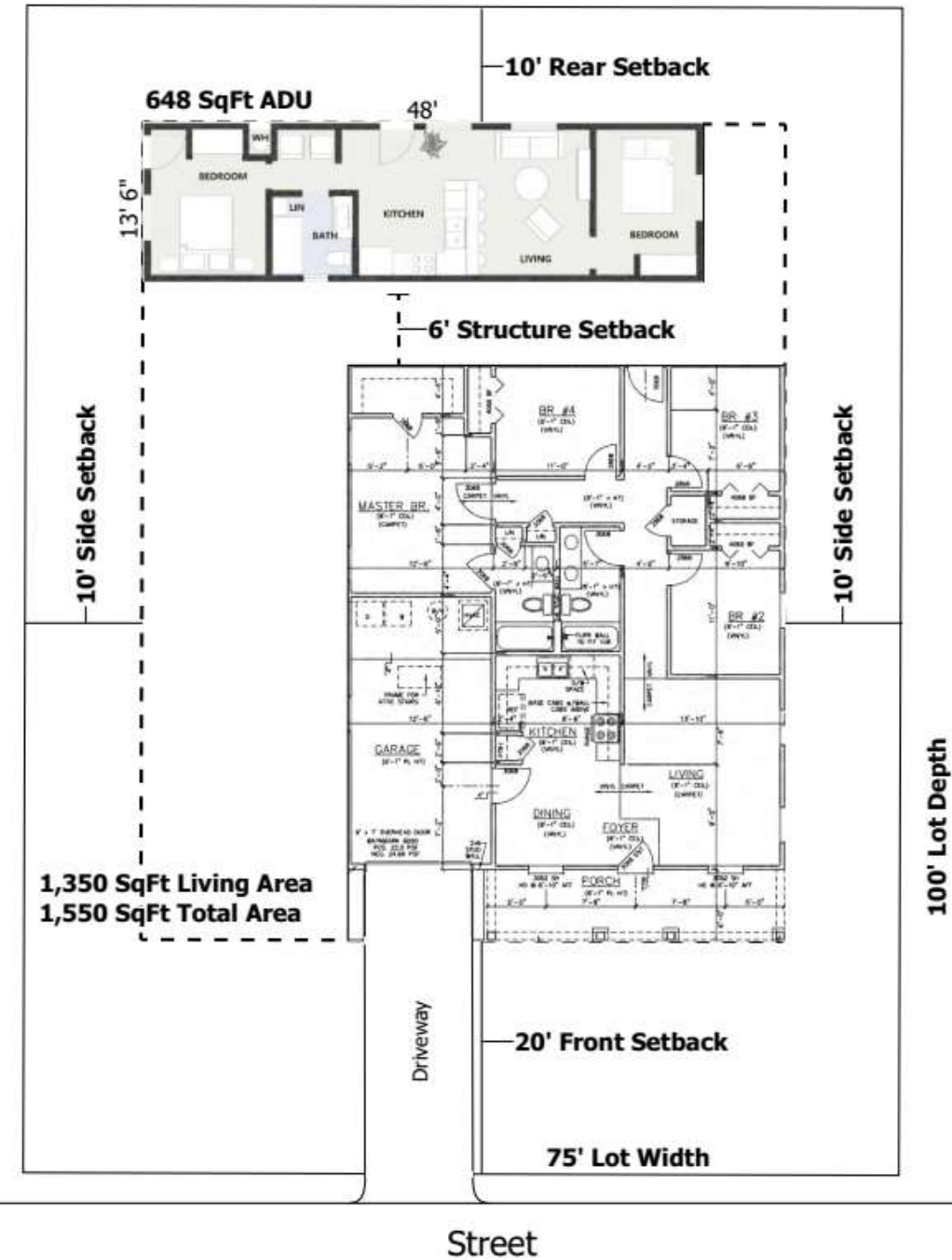
ADU Criteria

1. Accessory dwelling units may only be located on property that is subject to an existing homestead exemption or on property that meets the requirements for a homestead exemption which the property owner has applied for through the Clay County Property Appraiser's Office with the expectation that the exemption will be granted.
2. The unit shall be developed in conjunction with or after development of the principal dwelling unit and the owner of the property must reside within either the principal or the accessory dwelling unit.
3. Accessory dwelling units shall provide additional parking to the primary residence pursuant to the parking requirements for single family homes as set forth in Sec. 113-157 Off Street Parking requirements matrix in the City Land Development Code.
4. No accessory dwelling unit shall be sold separately from the principal dwelling unit.
5. The living area of the accessory dwelling unit shall not exceed 50 percent of the living area of the principal structure, The accessory dwelling unit shall be no less than 200 square feet of air-conditioned floor area.

ADU Criteria (cont)

6. The accessory dwelling unit can be attached or detached to the primary residence. Accessory dwelling units attached to the principal structure shall be physically separated from said structure so as to prevent direct, internal access between the primary structure and the accessory dwelling units. Detached accessory dwelling units shall be behind the primary structure adjacent to all roadway frontages and comply with the setback requirements for a primary residence in the underlying zoning district and shall not exceed the height of the primary structure.
7. The accessory dwelling unit combined with the primary residence and other structures shall meet the density requirements of the underlying zoning district with the exception that the minimum lot area must be 7,500 square feet.
8. Utility meters shall be provided to the ADU.
9. An accessory dwelling unit shall be treated as a townhome unit for impact fees.
10. A certification in the permit application for requests to construct an accessory dwelling units shall be provided that requires the applicant to certify whether their property is part of a deed restricted community or subject to a homeowner's, neighborhood or master association and, if answered in the affirmative, that the applicant has confirmed an accessory dwelling units are allowed under the deed restrictions and/or rules of the homeowner's, neighborhood or master association, as applicable.

ADU Example



Garage Requirements

► Sec. 117-5- Enclosed Garages

All residential dwelling units within the city in any land use district or zoning category shall have an attached or detached enclosed garage of at least ten feet by 20 feet.

Proposed Language:

(8) New and redevelopment of a residential dwelling for Affordable Housing for Low and Very Low Income persons as defined in Section 105-7 shall be exempt from this requirement. In order to apply for this exemption, an applicant shall submit an application meeting the requirements set forth in Section 105-17 (b) or provide confirmation that the residential new construction shall be funded pursuant to a governmental affordable housing program for low and very low income persons.

Building Size Requirements

Building Size R-1/R-1A:

Minimum living area: 1,250 square feet, together with an attached or detached enclosed garage of at least ten feet by 20 feet.

R-2: Minimum living area is 1,000 square, together with an attached or detached enclosed garage of at least ten feet by 20 feet.

Proposed Language:

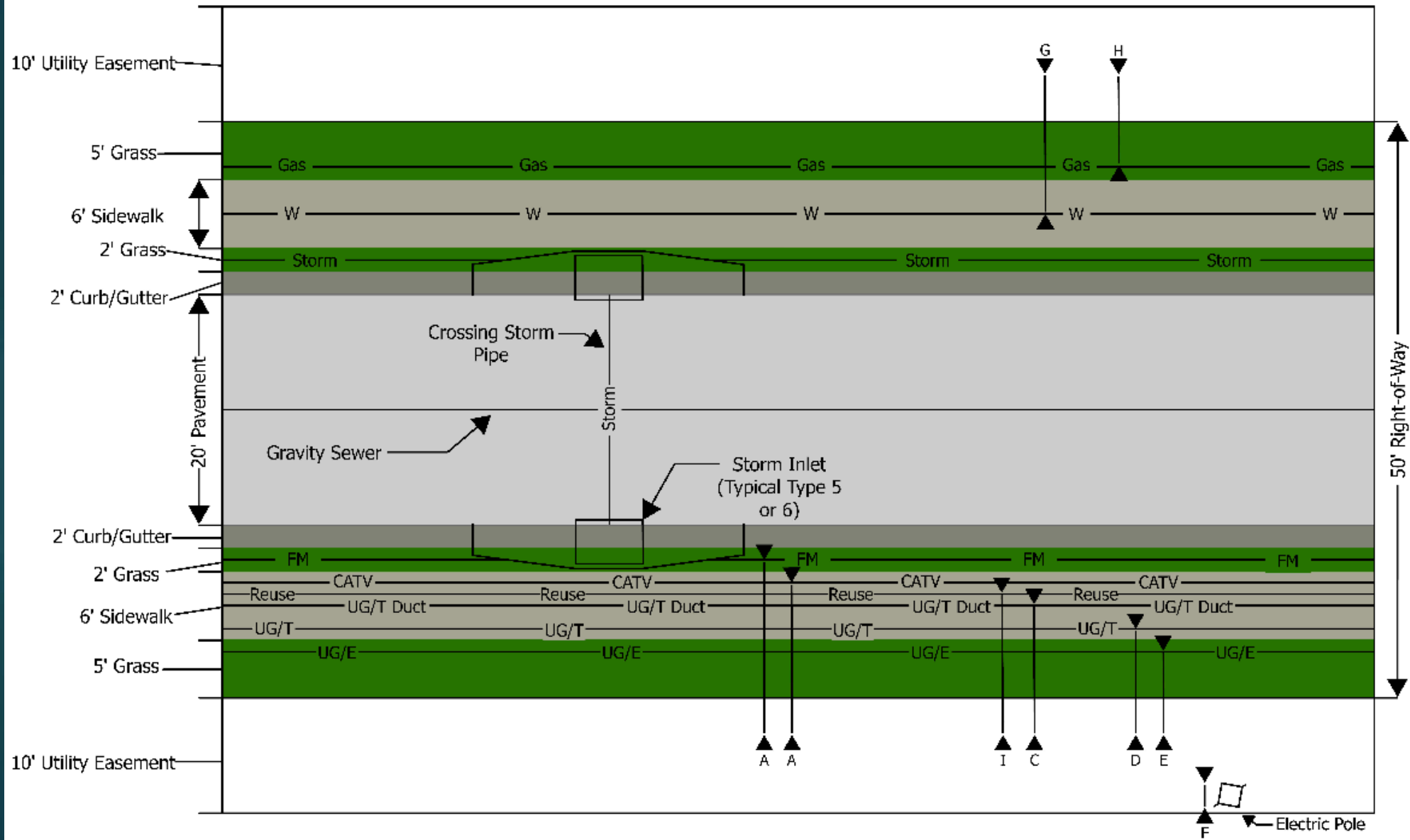
Residential Building Size will be a minimum of 900 square feet, together with an attached or detached enclosed garage of at least ten feet by 20 feet.

Street Design Standards

Street Type	Number of Lanes	Pavement Widths	Right-of-Way Widths
Local streets	2—10' moving	22'	50'
Collector streets	2—10' moving	22'	50'
Minor arterial streets	Normal road configuration	26'	100'
Principal arterial streets	Normal road configuration	50'	200'

- Pavement widths include 1' of curb & gutter on each side
- On street parking shall only be allowed subject to an agreement between the City and the subdivision homeowner's association (or similar) addressing on-street parking management.

Roadway Design-Collector



Questions/Discussions from first reading

- ▶ ADU Permitted Use or Special Exception
- ▶ Garage Requirement

Special Exception Requirements

When deciding requests for special exceptions, the planning and zoning board shall make written findings that the special exception satisfied the following criteria:

- (1) Compliance with all elements of the comprehensive plan.
- (2) The establishment, maintenance or operation of the special exception will not be detrimental to or endanger the public health, safety or general welfare, and is not contrary to established standards, regulations or ordinances of other governmental agencies.
- (3) Each structure or improvement is so designed and constructed that it is not unsightly, undesirable or obnoxious in appearance to the extent that it will hinder the orderly and harmonious development of the city and the zoning district in which it is proposed.
- (4) The special exception will not adversely impact the permitted uses in the zoning district nor unduly restrict the enjoyment of other property in the immediate vicinity nor substantially diminish or impair property values within the area.
- (5) The establishment of the special exception will not impede the orderly development and improvement of the surrounding property for uses permitted in the zoning district.
- (6) Adequate water supply and sewage disposal facilities will be provided in accordance with state and county health departments.

Special Exception Requirements (cont)

- (7) Adequate access roads, onsite parking, onsite loading and unloading berths, and drainage have been or will be provided where required.
- (8) Adequate measures have been taken to provide ingress and egress to the property, which is designed in a manner to minimize traffic congestion on local roads.
- (9) Adequate screening and buffering of the special exception will be provided, if needed.
- (10) The special exception will not require signs or exterior lighting which will cause glare, adversely impact area traffic safety or have a negative economic effect on the area. Any signs or exterior lighting required by the special exception shall be compatible with development in the zoning district.
- (11) The special exception will conform to all applicable regulations of the zoning district in which it is proposed.
- (12) Appeal to city council per sections 101-247 and 101-250.

Residential Enclosed Residential Garage Requirements Elimination Option

Sec. 117-5. Enclosed garages required for all residential dwelling units.

All residential dwelling units within the city in any land use district or zoning category shall have an attached or detached enclosed garage of at least ten feet by 20 feet unless otherwise provided in this Code. Additional conditions and exceptions are as follows:

- (1) The requirement for garages may be eliminated in multifamily dwelling units with a special exception or by rezoning the property to a PUD. This requirement shall apply to all new construction.
- (2) All existing carports as of the date of adoption of the ordinance from which this chapter is derived in any residential zoning district shall be allowed. This shall not require construction of a garage at these properties. The size of a carport cannot be increased or another carport constructed on the site. A carport of the same size can be rebuilt on the site if it is destroyed by a calamity, such as fire or wind.
- (3) Remodeling of an existing dwelling unit, including enclosing a carport to living space, without a garage would not trigger constructing a garage. This would also include remodeling of an existing dwelling unit without a garage that increases the square footage.
- (4) Converting an existing garage into living space is not permitted, unless a garage is added to site.
- (5) Adding a carport to an existing residential site that has a garage is not permitted.
- (6) New carports except as set forth in subsection (2) of this section, cannot be constructed in the city.
- (7) Existing carports are permitted to be converted to a garage or living space.
- (8) New and redevelopment of a residential dwelling for Affordable Housing for Low and Very Low Income persons as defined in Section 105-7 shall be exempt from this requirement. In order to apply for this exemption, an applicant shall submit an application meeting the requirements set forth in Section 105-17 (b) or confirmation that the residential new construction shall be funded pursuant to a governmental affordable housing program for low and very low income persons.

Staff Recommendation

- ▶ Recommend approval of the final reading of Ordinance No. O-5-2025, amending City Code Chapter 113 Article II, Chapter 117 Article I, II, and establishing Chapter 117, Article XI, Section 117-798 Accessory Dwelling Units.