



# Neighborhood Planning and Development Committee

September 14, 2022



# Ordinance No. 220698

## **Accessory Dwelling Units**

Amending Chapter 88, the Zoning and  
Development Code





# Accessory Dwelling Units

## What is an Accessory Dwelling Unit (ADU)?

- A second dwelling unit on the same lot as a principal dwelling unit which may be occupied by an independent household.

## What is a dwelling unit?

- A home where a household resides for a period of 30 or more days.

## What is a household?

- Generally, a family or 5 or fewer unrelated persons.

## How are ADUs used?

- Usually to rent out to a different household but can facilitate intergenerational or extended family living.



# Accessory Dwelling Units



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# Accessory Dwelling Units

City	How	Process	Where	Owner Occupancy Required
Greensboro	Attached and detached	By-right	Everywhere	Yes
San Antonio	Attached and detached	By-right	Everwhere	Yes
Denver	Attached and detached	By-right	Almost everywhere	Yes
Minneapolis	Attached and detached	By-right	Everywhere	Yes
Johnson County	Attached and Detached	Administrative Zoning Review	Almost everywhere	Yes
Seattle	Attached and detached	By-right	Everywhere	Yes

Source: American Planning Association







# Accessory Dwelling Units

## Purpose

- Meet the changing needs of community.
- Provide choice while preserving character of neighborhood.
- Facilitate intergenerational living and different family compositions
- Reduce costs by stimulating creation of more units.

### **88-305-15 – ACCESSORY DWELLING UNITS**

#### **88-305-15-A. PURPOSE**

Accessory dwelling units are a household living use that is accessory to and located on the same lot as the permitted principal use. The purpose of this section is to:

1. Meet the changing needs of the community;
2. Provide housing choice while preserving the character of the neighborhood in which it is located;
3. Respond to the changing economy and the necessity for many households to secure additional income; and
4. Reduce the cost of housing by increasing housing density and doing so in a manner:
  - a. that may be more compatible with neighborhoods where detached dwellings predominate; and
  - b. where the benefits of additional income are distributed throughout the community to the individual landowners and renters.

#### **88-305-15-B. WHERE PERMITTED**

Accessory dwelling units are permitted on any lot with a detached dwelling where the dwelling is the principal building, subject to certain standards.

#### **88-305-15-C. GENERAL STANDARDS**

1. Accessory dwelling units may be attached or detached from the principal dwelling unit. If attached they shall be located in the rear or side yard. If detached they shall be located in the rear yard.





# Accessory Dwelling Units

## Standards

- May be attached or detached
- Owner must reside in one of the two units
- Additional parking not required
- Must be smaller than the principal dwelling unit
- May use historic ADU's if brought up to code

### 88-305-15-C. GENERAL STANDARDS

1. Accessory dwelling units may be attached or detached from the principal dwelling unit. If attached they shall be located in the rear or side yard. If detached they shall be located in the rear yard.
2. The owner of the lot shall reside in either the principal dwelling or accessory dwelling. The owner shall record against the property a deed restriction limiting occupancy of either the principal dwelling unit or the accessory dwelling unit to the owner of the property. Proof that such a restriction has been recorded shall be provided to the Director of City Planning and Development prior to issuance of the Certificate of Occupancy for the accessory dwelling unit.
3. No additional off-street parking is required. Any proposed parking shall conform to 88-420.
4. Detached accessory dwelling units may be located in the same building as a garage.
5. When attached, the accessory dwelling unit may have its own exterior entrance or shared entrance with a common vestibule.
6. If attached to the principal dwelling, the lot and building standards for the principal building shall apply.
7. If detached from the principal dwelling, it shall be located in the rear yard, the lot and building standards shall be as follows:
  - a. Setbacks shall be five feet from all property lines including projections; except on street side yards where it shall be five feet including projections or the same as the principal building, whichever is greater.
  - b. Maximum building footprint: 60% of the footprint of the principal dwelling or 25% of the rear yard, whichever is smaller. In no case shall the footprint exceed 800 square feet.
  - c. Maximum floor area: 800 square feet or 90% of the floor area of the principal dwelling, whichever is smaller.
  - d. All other setbacks shall be those that apply to all accessory structures.
8. Exterior stairs to provide access to an upper level accessory dwelling unit are allowed only on sides of the building facing the interior of the lot.
9. If an accessory dwelling unit was legally permitted prior to the passage date of this ordinance and the owner can provide documentary evidence to the satisfaction of the director of city planning and development of such use, the use may continue upon obtaining a new certificate of occupancy.

