

Legislation Details (With Text)

File #: Ord. 1000 **Version:** 1 **Name:**

Type: Ordinance **Status:** Passed

File created: 11/9/2018 **In control:** City Council

On agenda: 6/4/2019 **Final action:** 6/4/2019

Title: Consider Ordinance revising Accessory Dwelling Unit regulations in Chapter 34 - Land Development Code

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1 - Ordinance (v.10 final incorporating changes), 2. 2 - Measuring Basement Floor Area

Date	Ver.	Action By	Action	Result
6/4/2019	1	City Council	approve the second reading	Pass
2/12/2019	1	City Council	postpone indefinitely	Pass
1/8/2019	1	City Council	approve the first reading	Pass

City Council Meeting Date: June 4, 2019

To: Mayor and City Council

From: Scott Tempel, City Planner
Mitzi Baker, Community Development Director
Ben Martig, City Administrator

Consider Ordinance revising Accessory Dwelling Unit regulations in Chapter 34 - Land Development Code

Action Requested:

The Northfield City Council considers the second reading of an ordinance amending Accessory Dwelling Unit regulations in Chapter 34 - Land Development Code.

Summary Report:

As part of the Planning Commission work plan and the City Council Strategic Plan, which also coincides with the HRA's goals, the Planning Commission started working on potential modifications to the Accessory Dwelling Unit (ADU) policies in July 2018.

ADUs could contribute to increased housing options within the community and have some potential to increase affordability (both for homeowners and tenants). The City currently allows ADUs as carriage houses. The proposed amendments create more flexibility in the regulations.

Background

The Planning Commission began work on considering changes to the ADU policies in July 2018 and developed language over several months. A public hearing was held on the draft ordinance at the November 15 Planning Commission meeting. Recommendations from the Planning Commission were forwarded to the City Council

for consideration. Since January 2019, the Council discussed Ordinance language on several occasions, which resulted in several iterations of language changes and the version under consideration.

At the May 21, 2019 City Council meeting, this version of the Ordinance was reviewed and discussed. Some questions arose regarding the measurement of “gross square feet” and how that measurement is arrived at in relation to the finished grade or established grade of the curb. Images available from the internet were used to develop a short document intended to assist in conveying the means for arriving at these measurements. This document is attached for informational purposes only, not for adoption.

Approval Criteria

The planning commission and city council shall review the necessary submittal requirements, facts, and circumstances of the proposed amendment and make a recommendation and decision on the application based on, but not limited to, consideration of the following criteria:

- (1) The specific policies, goals, objectives, and recommendations of the comprehensive plan and other city plans, including public facilities and the capital improvement plans.

Criterion met:

Strategic Plan (2018-2020) Affordable Housing, *A Community Where Everyone Can Afford to Live*

- Review Best Practices for items such as opportunities for alternative housing types and styles, including mixed-use neighborhoods, accessory or mother-in-law apartments, modular homes, manufactured home parks and other innovative approaches to housing

Comprehensive Plan:

- HS1 Housing will strengthen the unique physical character of the community.
 - HS1.2 - Revise zoning and subdivision ordinances to ensure opportunities for development of alternative housing types and styles, including mixed-use neighborhoods, accessory or mother-in-law apartments, modular homes, manufactured home parks and other innovative approaches to housing.
 - HS1.6 - Establish standards for compact residential development and intensified land uses.
 - HS3 The City should assist in providing affordable housing.
 - LU4 Facilitate the creation of residential areas with strong neighborhood qualities.
 - LU4.6 - Permit accessory structures as residential housing units (granny flats or mother-in-law apartments) within existing neighborhoods, especially near downtown.
- (2) The purpose and intent of the Land Development Code (LDC), or in the case of a map amendment, whether it meets the purpose and intent of the individual district.

The City of Northfield carries out the policies of the comprehensive plan by classifying and regulating the uses of land and structures within the city. This Land Development Code is adopted to protect and promote the public health, safety, morals, and general welfare of the city. ***The LDC lists sixteen purposes***

for these regulations. All of the proposed ordinance alternatives recommended (A-C) meets eight of them:

- Maintain and enhance the community's distinct small town character.
 - Encourage growth in infill locations as the desired location of development with expansion on the edge of the city a secondary priority.
 - Create residential community areas with strong neighborhood qualities including pedestrian-friendly streets, community gathering spaces, and basic commercial needs within walking distance.
 - Encourage the development of neighborhoods that incorporate a variety of housing types to serve the needs of a diverse population.
 - Allow for places with a mixture of uses that are distinctive and contribute to the city's overall vitality.
 - Promote an ethic of sustainability in all activities to ensure that proposed development and redevelopment will, at a minimum, conserve energy and natural resources.
 - Minimize vehicle traffic by providing for a mixture of land uses, pedestrian-oriented development, compact community form, safe and effective multi-modal traffic circulation (e.g., pedestrian, bicycle, and vehicular), and adequate on- and off-street parking facilities.
 - Encourage vibrancy in the downtown core and fringe areas.
- (3) The adequacy of infrastructure available to serve the proposed action.
- Criterion met:** Accessory Dwelling Units are by definition infill projects which are already served by municipal infrastructure. The system has sufficient capacity for growth.
- (4) The adequacy of a buffer or transition provided between potentially incompatible districts.
- Criterion met:** No buffer or transition required between residential uses.

Recommendation:

Staff recommends approval of the second reading of this Ordinance. This Ordinance was developed through a series of meetings including recent worksessions and regular meetings of the City Council.

Due to State law changes on notice requirements, there may not be any modifications made to the second reading of the ordinance and voted on the same evening. Alternatively, staff would need to have the changes and post them 10-days in advance of any proposed revision to be considered by Council.

Timeline:

Planning Commission Public Hearing and recommendation to City Council November 15, 2018
City Council 1st Reading January 8, 2019
City Council 2nd Reading February 5, 2019 - postponed
ADU Open House - Engagement Event March 10, 2019
City Council Work Session April 15, 2019
City Council discussion May 7, 2019
City Council discussion May 21, 2019
City Council 2nd Reading June 4, 2019

Ordinance becomes effective 30 days after publication.

