



## Legislation Text

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**File #:** PC M2018-008, **Version:** 1

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**Date:** November 15, 2018

**To:** Members of the Planning Commission

**From:** Scott Tempel, City Planner

Ordinance Zoning Text Amendment - Accessory Dwelling Units (ADUs)

**Action Requested:**

Staff requests the Planning Commission hold a public hearing on recommended changes to Accessory Dwelling Unit regulations and forward a recommendation of approval to City Council.

**Summary Report:**

At its October 18, 2018, meeting, the Planning Commission reviewed and commented on the existing Accessory Dwelling Unit language in the Land Development Code (LDC). The attached draft ordinance encapsulates that discussion as recommended changes to the LDC.

**Background:**

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 is looking at the regulations regarding ADUs in an effort to grow and maintain affordable housing. Northfield's popularity and high quality of life makes it an attractive place to live, thereby increasing demand for all housing types. The limited availability of vacant developable land within city limits places upward pressure on both home prices and rental rates. One result of this has been an increased interest by home owners in building accessory units. ADUs have the potential to increase housing affordability (both for homeowners and tenants), create a wider range of affordable housing options within the community, provide additional income for homeowners, enable seniors to stay near family as they age, and facilitate better use of the existing housing fabric in established neighborhoods.

The Planning Commission discussed the issue at its meeting on July 19, 2018. At the meeting, the Commission concurred that expansion of the use of ADUs is desirable in Northfield and posed a series of questions for staff to research. Answers to these questions were provided at the August 23, 2018, meeting where the Commission helped to formulate the ordinance revisions. Final revisions to the ordinance were made at the October 18, 2018, meeting.

Where should ADUs be permitted?

ADU's are currently a permitted accessory use in all residential zone districts. No residential uses are allowed in the Industrial zone, so expansion of ADUs to this zone is not possible as they are accessory to a primary residential use. Both the C1 and C2 commercial zones currently allow for multi-family residential and mixed use development. The addition of small, free-standing residential units to apartment buildings or large mixed use commercial buildings would most likely be out of character with the district and mixed-use housing is preferred.

Attached units contained within a single-family home are the most common types of accessory dwelling units. These units, commonly referred to as "mother in-law apartments," usually involve the renovation of a garage, basement, attic, or similar space within a family home. These types of conversions are currently allowed by City codes. A homeowner can add an additional unit to the home for a family member without a rental license.

#### What Code obstacles exist?

There are several common complaints about the current ordinance from applicants. The first is the LDC requirement that ADUs must be part of an attached garage. This limits design aesthetics, floor plans and the ability to give the building that "cottage charm." It also severely limits where on the lot an ADU can be placed (or if it can be placed at all) due to the fact that most properties have an existing garage.

The second issue is closely related to the first in that, when adding an ADU to a garage, the size of both the garage and the ADU are limited to 864 sq. ft. As a garage door and driveway must be present to qualify as a garage, this almost always results in the ADU being located above the garage. This is the carriage house model that was intended to increase neighborhood compatibility and follow the 'Old Northfield' aesthetic. However, it also creates problems. Some of the most common problems and resident complaints are as follows:

- The carriage house model with an upstairs unit is unfriendly and unsafe for seniors.
- Many 'Old Northfield' properties do not have a detached garage or have limited lot width to provide access for a detached garage (narrow side setback)
- Residents who do not live in old town have expressed concerns that a carriage house doesn't fit with the neighborhood. Many properties outside of old town have attached garages.

A final limiting factor is the City's rental ordinance. Currently, the owner of the principal building on the property must reside on the property to create an ADU. Possible rationale for this are that homeowners will be more likely to maintain the property if they also live there. Owner-occupancy requirements are also thought to have the added benefit of ensuring better tenant management, since resident owners will be more likely to enforce appropriate behavior standards, however, these are not guarantees. If we were to allow ADUs on rental properties, not only would it increase affordable housing opportunities, these ADUs would be regularly inspected by the City.

#### Other Considerations?

Allowing free-standing ADUs, separate from a garage triggers different provisions for size limitations. An ADU should be subordinate in size to the primary residence or it would not be considered accessory. Northfield has a 30% Building Area Ratio limit, which is the area of a lot covered by the footprint of a principal building, detached garage, and covered porches, expressed as a percentage of the total lot area. Excluding ADUs from this limit, combined with a unit size limit of 50% of the size of the primary residence or 1,000 square feet (whichever is less) should allow ADUs to be placed on most residential lots and increase overall community density.

Allowing another ADU on a lot as a free-standing structure could potentially open the door for Tiny Houses. Per previous discussions, this may not be a bad idea. To summarize this issue, it is the recommendation from the Building Official and City Planner that allowance of Tiny Houses be mitigated by requiring permanent building stands and utility hookups, plus minimum insulation standards to ensure safety and compliance with the new Energy Code.

Owners are now required to provide one off-street parking space for an ADU. Generally, the garage itself or the driveway leading up to it accomplishes this. Allowing an additional ADU would trigger an additional parking space. On larger lots this can be accommodated easily. For smaller lots it can be problematic. Technically, parking is not allowed in rear yards per the LDC parking standards, but occurs naturally when the garage is in the rear of the property. The recommendation from the Planning Commission is to remove the requirement for an additional parking space.

**Tentative Timelines:**

Public Hearing and recommendation to City Council November 15, 2018.

City Council 1<sup>st</sup> reading December 4, 2018

City Council 2<sup>nd</sup> Reading December 11, 2018