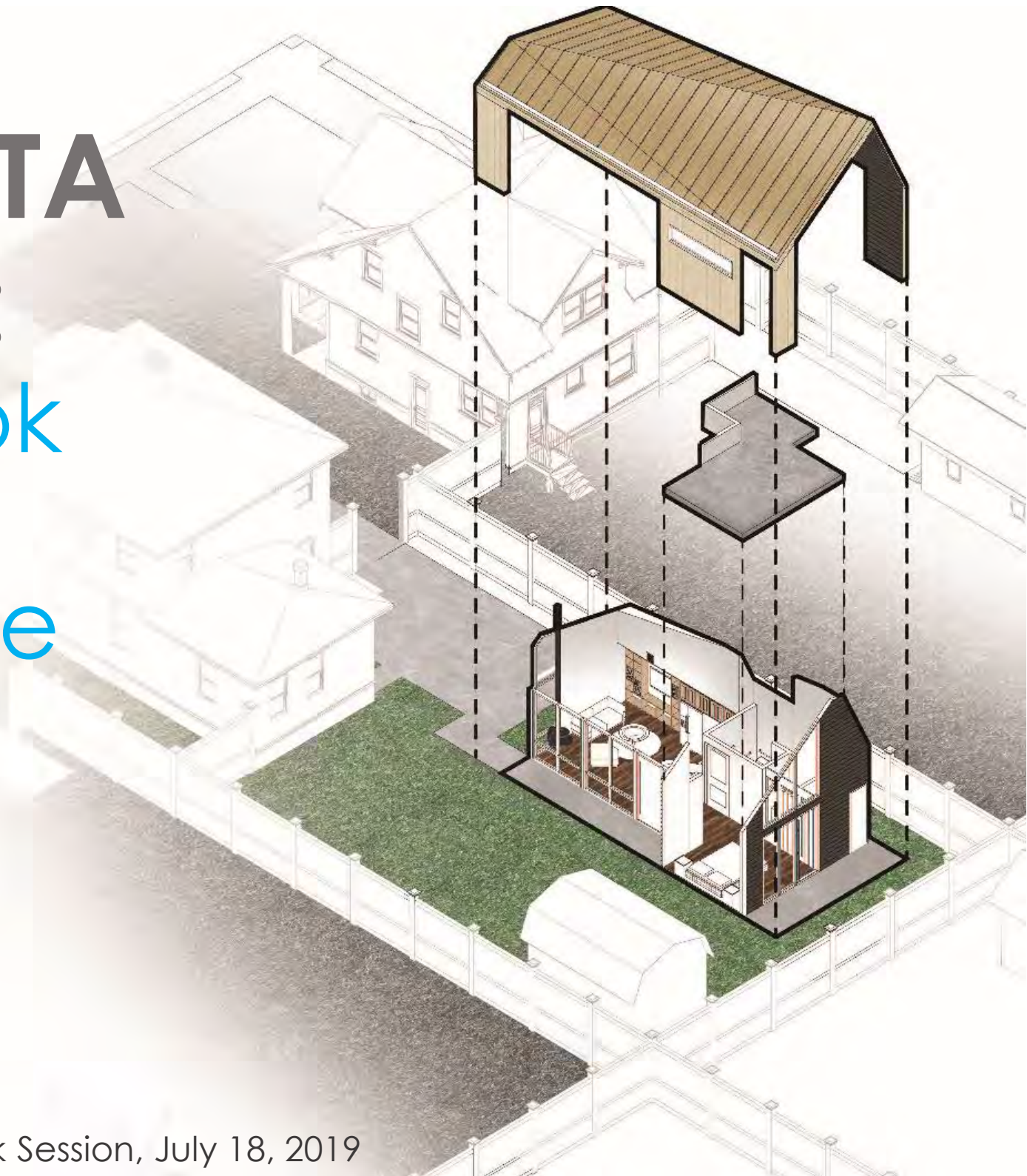


# ADU ZOTA Update: A First Look at the Ordinance

Chris Taylor,  
Long Range Planning



# OVERVIEW

---

- **Articles of the Zoning Ordinance where you will see changes:**

- Article 1
- Article 3
- Article 8
- Article 15
- Article 23

These will be cross-referenced throughout the presentation.

- **Main topics to be discussed:**

- Definition of an ADU
- General regulations for ADU eligibility & construction
- Location, height, & size of ADUs
- Owner-occupancy requirement
- Short-term rentals
- Parking requirements
- Design standards
- Alterations of existing structures
- Neighborhood context





# DEFINITION OF AN ADU

# DWELLING UNIT, ACCESSORY (ADU)

---

– A smaller, secondary independent housekeeping establishment on the same lot as a principal dwelling. ADUs are independently habitable and provide the basic requirements of shelter, heating, cooking, and sanitation. There are two types of ADUs:

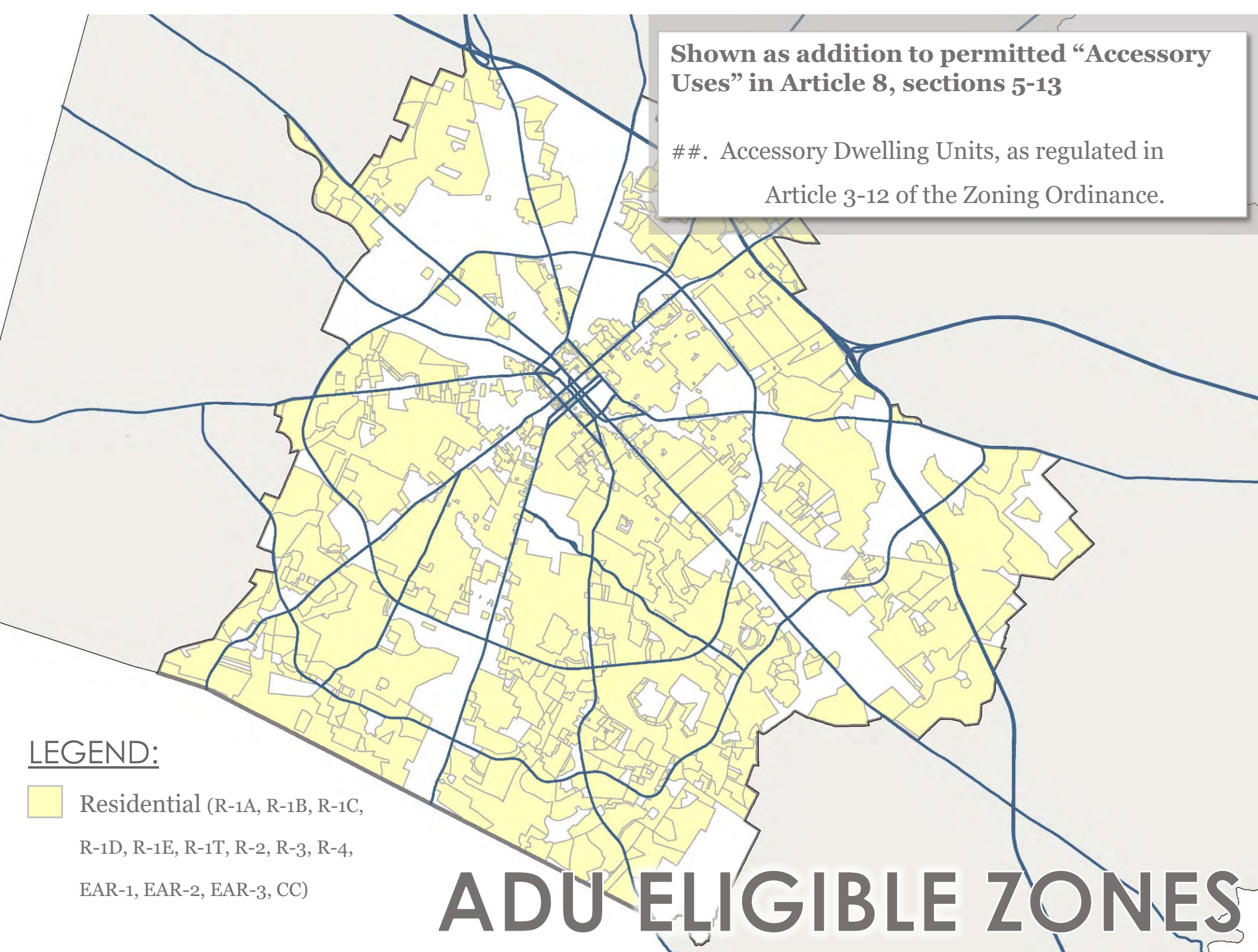
(a.) **Detached structures.** Examples include converted garages or new construction.

(b.) **Attached units** are connected to or part of the principal dwelling. Examples include converted living space, attached garages, basements or attics; additions; or a combination thereof.



**Shown as addition to permitted “Accessory Uses” in Article 8, sections 5-13**

##. Accessory Dwelling Units, as regulated in Article 3-12 of the Zoning Ordinance.





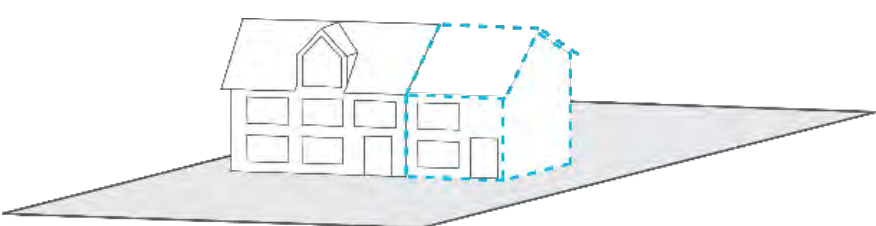
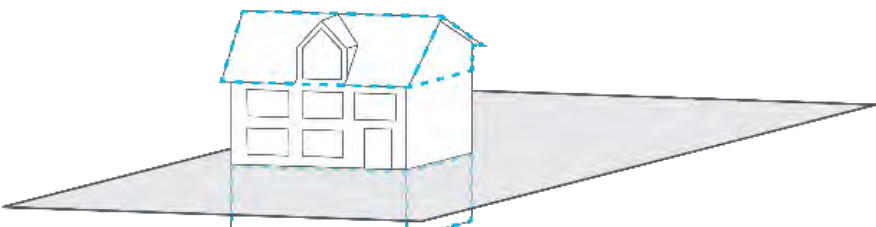
LEGEND:

- Residential (R-1A, R-1B, R-1C, R-1D, R-1E, R-1T, R-2, R-3, R-4, EAR-1, EAR-2, EAR-3, CC)

# ADU ELIGIBLE ZONES

# TYPES OF ADUs PERMITTED (Article 3-12(a))

---

New construction	 A diagram showing a solid house with a gabled roof and a separate, smaller dashed house with a gabled roof, representing new construction of an ADU.
Alteration of existing structure	 A diagram showing a solid house with a gabled roof and a dashed structure attached to its side, representing an alteration of an existing structure to create an ADU.
Addition to an existing structure	 A diagram showing a solid house with a gabled roof and a dashed addition attached to its side, representing an addition to an existing structure to create an ADU.
Conversion of an existing structure	 A diagram showing a solid house with a gabled roof and a dashed outline around its base, representing the conversion of an existing structure into an ADU.

All types may be constructed simultaneously with a new primary dwelling unit.

## **As drafted within the ordinance:**

### **Article 3-12 ....**

#### **(a) Construction:**

An ADU may be created through new construction, alteration of an existing structure, addition to an existing structure, or conversion of an existing structure to an ADU while simultaneously constructing a new primary dwelling unit on the site.

# MINIMUMS & MAXIMUMS

---

Article	Description	Proposed standard	Reasons behind standard
3-12 (b)	<b>Maximum</b> number of units per lot	One (1)	<ul style="list-style-type: none"><li>• To ensure ADUs remain subordinate to the primary residence.</li><li>• To minimize potential change to neighborhood character.</li></ul>
3-12 (c)	<b>Minimum</b> lot size	None	<ul style="list-style-type: none"><li>• Imposing a minimum lot size would be exclusionary of lots that may still be well suited for an ADU.</li><li>• Small lots are generally located in areas with higher expectations for added density.</li><li>• Development standards like lot coverage, yards, &amp; setbacks may make some smaller lots ineligible, but not all.</li></ul>



# MINIMUMS & MAXIMUMS (cont.)

---

Article	Description	Proposed Standard for attached	Proposed Standard for detached	Reasons behind standard:
3-12 (d)	<b>Maximum</b> ADU size	800 sq. ft.	800 sq. ft. <b>AND</b> Article 15-6 (c)	<ul style="list-style-type: none"> <li>• 800 sq. ft. is consistent with many other cities' regulations for ADU size.</li> <li>• Prevents the possibility for large ADUs on large lots.</li> </ul>
3-12 (e)	<b>Maximum</b> Floor Area & lot coverage	Same as underlying zone	Article 15-6 (c)	<ul style="list-style-type: none"> <li>• Consistent with the treatment of other structures.</li> </ul>
3-12 (g)	<b>Maximum</b> height	Same as underlying zone	Article 15-6 (c)	<ul style="list-style-type: none"> <li>• Consistent with the treatment of other structures.</li> </ul>

# YARD REQUIREMENTS

---

- **3-12 (f)**

- For an attached ADU, the yard requirements shall be those required for a principal structure in the underlying zone.
- For a detached ADU, the ADU shall be located behind the rear wall of the principal residence. Article 15-6 shall also apply.

# LET'S REVIEW ARTICLE 15-6(c)

---

- 15-6(c) MAXIMUM HEIGHT AND SIZE IN RESIDENTIAL ZONES

- Accessory buildings in residential zones shall not exceed the lot coverage (building footprint) of the building(s) to which they are accessory, nor shall the maximum height of accessory buildings in residential zones exceed the requirements of Section 15-

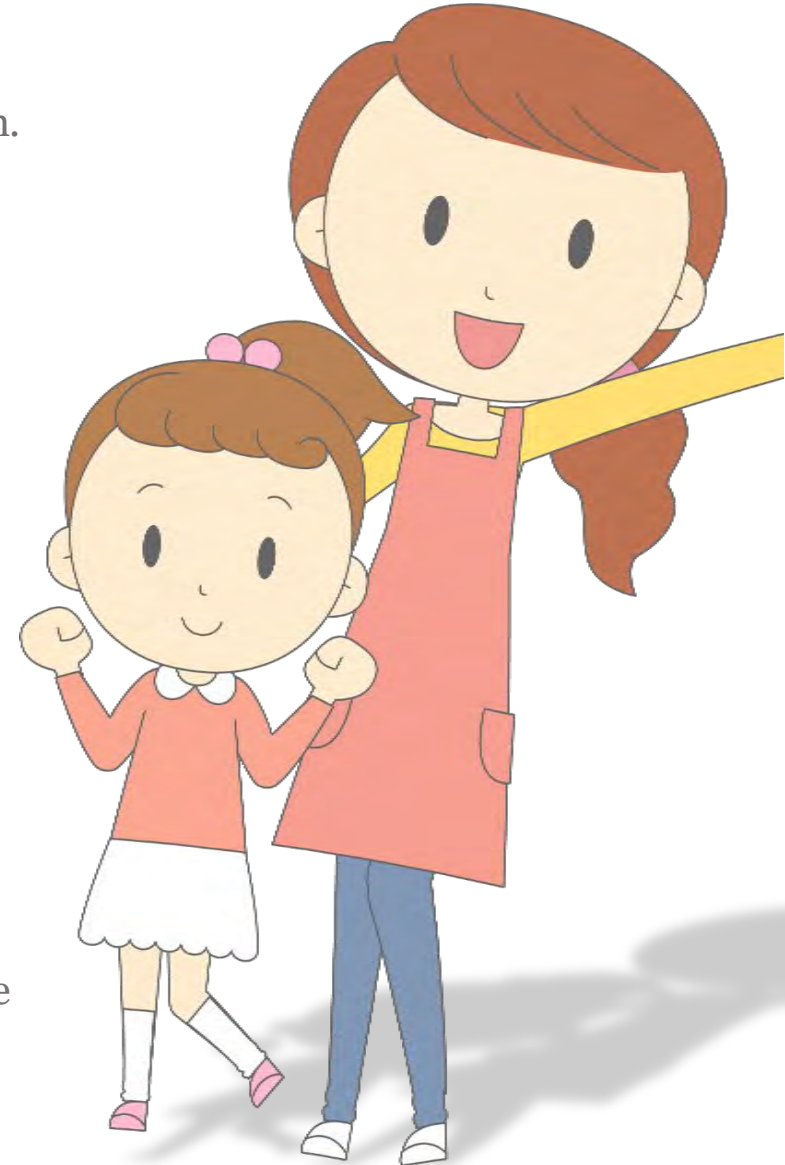
6(a)(4). The total size of all buildings accessory to dwelling units shall not exceed fifty percent (50%) of the total square footage of the building(s) to which they are accessory, or six hundred twenty-five (625) square feet, whichever is greater.

**Here are some examples...**

# MEET BARB & ELLEN

---

- Barb wants to have an ADU on her property for her daughter, Ellen.
- Barb has a **1500 sq. ft. house** with an **existing 750 sq. ft. detached garage**.
- Since the garage is **50% of the total square footage of the primary home**, Article 15-6(c) prevents Barb from building any additional accessory structures on her lot.
- However, Barb can adapt the existing detached garage into an ADU, or she can pursue an attached/internal ADU.
- In this scenario, Article 15-6(c) is more restrictive than Article 3-12 in determining max ADU size and supporting context-sensitivity within the neighborhood.

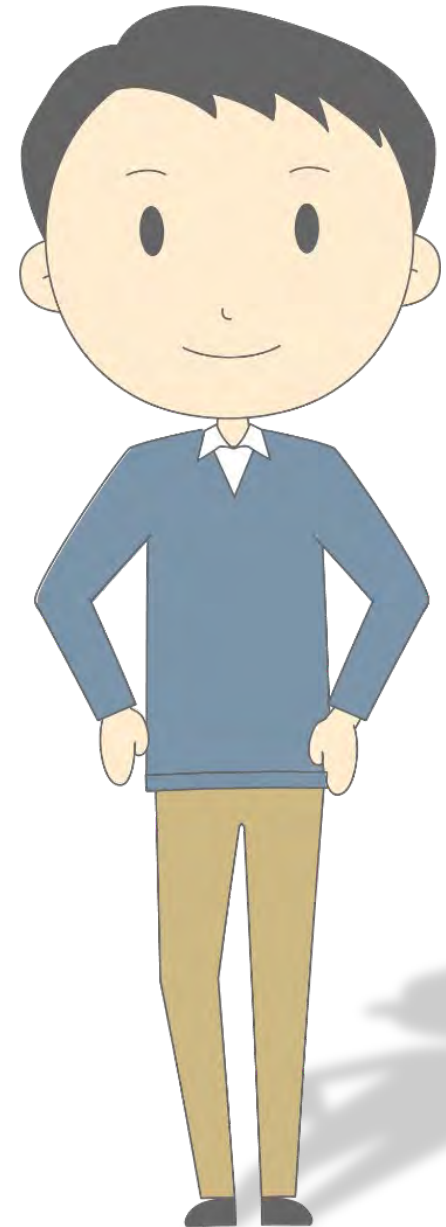




# MEET JONATHAN

---

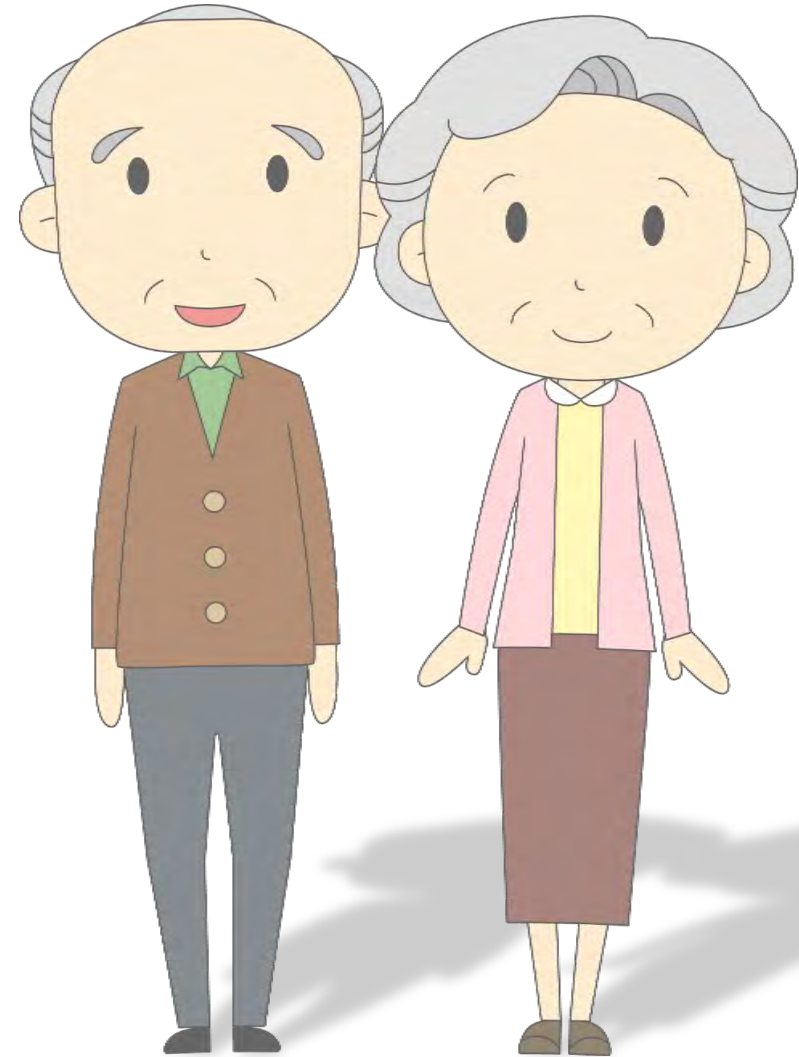
- Jonathan wants to build a detached ADU in his backyard and rent it for additional income.
- Jonathan has a **1000 sq. ft. house** and has **no** accessory structures on his lot.
- **50%** of Jonathan's primary residence is **500 ft.**, but, based on Article 15-6 (c), Jonathan can build a detached ADU that is **up to 625 sq. ft.**
- In this scenario, Article 15-6(c) is more restrictive than Article 3-12 in determining max ADU size and supporting context-sensitivity within the neighborhood.



# MEET HERBERT & DEANNA

---

- Herbert and Deanna would like to build a detached ADU on their property to facilitate aging-in-place.
- Herbert & Deanna have a **3500 sq. ft.** house and have **no** accessory structures.
- Though Article 15-6 (c) would allow them up to **1750 sq. ft.** for accessory structures, **Article 3-12 (b) & (d)** would only allow them to build **one (1) ADU** at a maximum of **800 sq. ft.**
- In this scenario, Article 3-12 is more restrictive than Article 15-6 (c) in determining max ADU size and supporting context-sensitivity within the neighborhood.





**A CLOSER LOOK AT WHAT IS (& WHAT ISN'T) IN THE ORDINANCE & WHY**

# Will there be an owner-occupancy requirement for lots with ADUs?

---

For short-term rentals – **YES.**

- **Why owner-occupancy for short-term rentals?**

- The goal of the ADU ordinance is to provide additional long-term housing.
- In this instance, short-term rentals are treated similarly to bed and breakfasts, for which the purpose is largely dependent on the owner being on site to cater to guests.
- This standard will provide additional oversight for temporary visitors, who may not be as familiar with local rules.
- Single-family homes within residential neighborhoods should largely remain for residential use rather than commercial businesses.



**As drafted within the ordinance:**

**Article 3-12 ....**

(i) Short Term Rentals

If either dwelling unit is used as a short-term rental, the property owner is required to occupy one of the dwelling units.

# Will there be an owner-occupancy requirement for lots with ADUs?

---

For all other ADUs – **NO.**

- **Why not require owner-occupancy for all ADUs?**
  - Consistency. LFUCG zoning ordinance does not contain an owner occupancy requirement for any other housing type.
  - Owner occupancy requirements are a significant barrier to financing.
  - Other cities that permit ADUs report having an owner-occupancy requirement significantly limited the number of ADUs being built per year and have amended their ordinances accordingly.

# Will ADUs be required to have their own off-street parking space?

---

- **No.** However, areas with maximum parking requirements (such as the Infill and Redevelopment Area) can add one (1) more space if desired.
  - This ADU ordinance is intended to provide housing for people and not cars.
  - Requiring a space for each ADU mandates that it be provided whether its needed or not.
  - A mandatory off-street parking space would increase the amount of impervious surface added to the lot.
  - Requiring an added space would likely result in exclusion of many smaller lots that would otherwise be well suited for ADUs, often in areas where density would be most beneficial.

**As drafted within the ordinance:**

**Article 3-12 ....**

(h) Off Street Parking:

For ADUs located in a zone with a maximum parking requirement, one (1) additional space may be permitted.

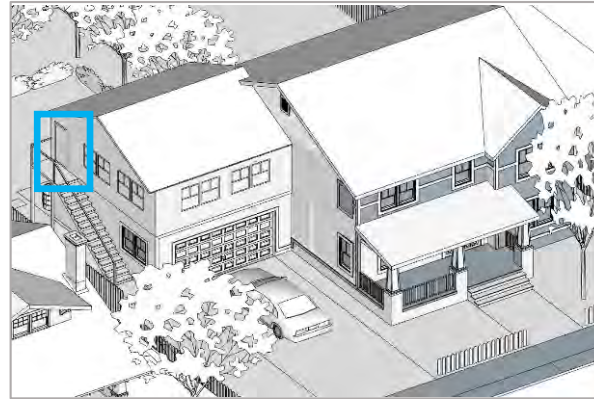


# Will there be design standards to minimize visual impact on the neighborhood?

- **Yes**, particularly those dealing with site layout:

- Location of entrances
- Front yard
- Location of exterior stairs

- Design standards are listed within **Article 3-12 (j)**



Entrances: Only one pedestrian entrance to the structure may be located on the primary wall plane of the dwelling unit.



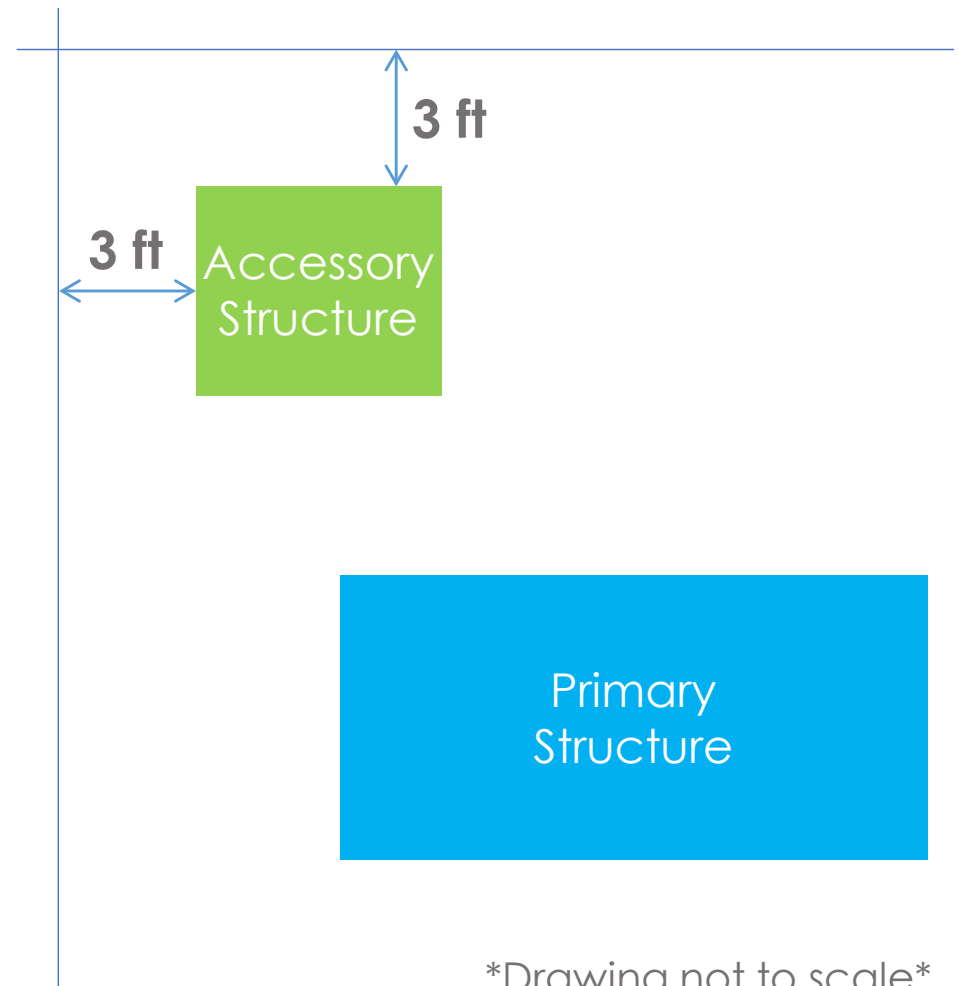
Exterior Stairs: Any exterior stairs to serve as the primary entrance to an ADU shall be located on the side or rear of the primary dwelling.



Front yard: Detached accessory dwelling units must be located behind the rear wall of the principal residence. For the purpose of this regulation, the rear wall of the house is the wall furthest from the wall with the main entrances to the street.

# What about the impact on neighbors directly adjacent to the ADU?

- Updates to Article 15-6 (a) will affect ALL accessory structures (e.g. sheds, garages, etc.) and will mitigate the potential impacts on adjacent properties that might result from those uses.
- With the change, accessory structures must now be at least **3 ft.** from the side or rear lot lines. The previous standard was **18 inches.**



\*Drawing not to scale\*

# Will architectural elements like materials, color, style, etc. be included?

---

- Elements relating to design & architecture will not be included in the zoning ordinance.
- Best practices for these concepts are to be provided in the ADU Manual, along with additional design standards relating to site layout.
- Excluding mandates for certain design features grants flexibility for creative ADU designs

# What about existing accessory structures that may become ADUs?

---

- Existing detached accessory structures that are converted into ADUs are exempt from the standards it does not meet in Article 3-12.
- Non-conforming uses can not become more non-conforming in order to be converted into an ADU.

**As written in the ordinance:**

**Article 3-12 ....**

(k) Alterations of existing structures:

If a detached ADU is created from an existing detached accessory structure that does not meet one or more of the standards within Article 3-12, the structure is exempt from the standard(s) it does not meet as per Article 3-2.

However, as per Article 4-4, any alterations that would result in the structure becoming less conforming with those standards it does not meet are not allowed.





**OTHER TOPICS DISCUSSED**

# What is being done to enhance neighborhood context?

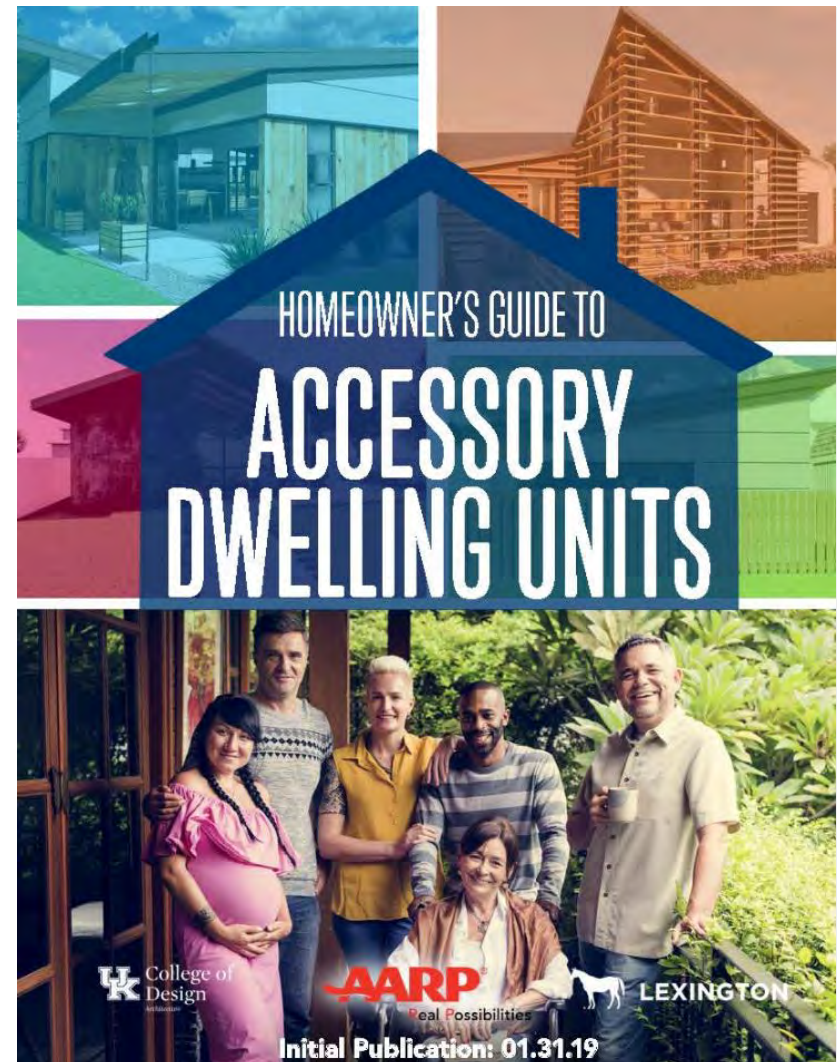
---

- Both the design standards in the zoning ordinance and in the ADU manual are intended to guide design and construction in a way that ensures the ADU will fit in well with the existing patterns of the neighborhood landscape.
- Limiting the size and number of ADUs, placing restrictions on proximity to adjacent lots, and expanding regulations on all accessory structures are all pieces intended to preserve neighborhood character.
- Owner-occupancy requirements for short-term rentals also ensure that most ADUs will be inhabited by longer term residents that may contribute to the community.

# The ADU Manual: How does it fit-in with the ordinance update?

---

- Acts as a guiding and inspirational document but is **not regulation**.
- Provides a narrative for ADUs, their potential benefits, and how they fit into the urban landscape
- Guides reader through the process of planning, designing, & constructing an ADU
- Introduces different questions & scenarios that a homeowner might consider before, during, and after the ADU is constructed.
- Will be updated to incorporate info on the regulations and the designing and permitting process.







**SO, WHAT'S NEXT?**

# TENTATIVE TIMELINE

---

**JUN 20**

Planning Commission  
Work Session, update on  
regulations

**JUL 18**

PC Work Session  
Full Draft

**SEP 5**

PC Sub-  
committees

**MAY – JUN**

Developing draft ordinance &  
permitting procedures

**JUL-AUG**

Additional Public Input  
opportunities







**QUESTIONS?**