



City of Gainesville

190988

City Commission August 20, 2020

Text change to the City's Land Development Code to amend Sec. 30-5.33 Accessory Dwelling Units to allow accessory dwellings within single-family residential zoning districts

ADU TEXT CHANGE
Legistar # 190988

Department of Sustainable
Development
Yvette Thomas, Planner IV

Examples of Accessory Dwelling Units (ADUs)

ADUs in blue; main residence in white

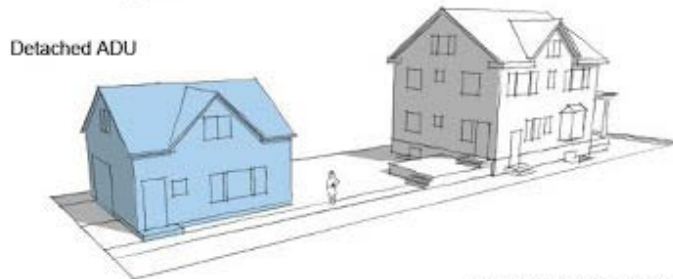
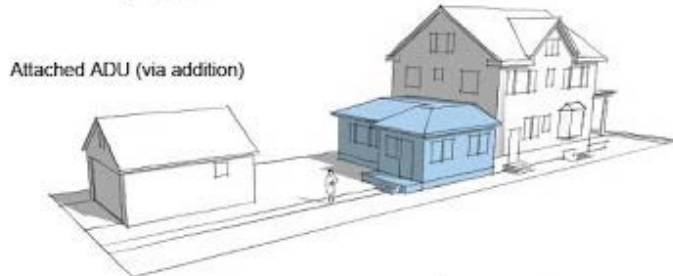
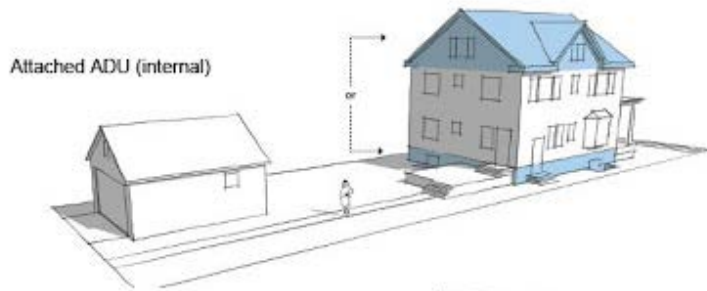


Image credit: City of Saint Paul, MN

Definition

Accessory Dwelling Unit (ADU). An independent self-contained dwelling unit with kitchen and bathroom facilities, on the same lot as an associated primary use or structure. An ADU may be within, attached to, or detached from a primary structure.



Existing Use Standards*

- A. *Location.* An accessory dwelling unit may be attached or detached from the principal building.
- B. *Style.* The accessory dwelling unit shall be designed as a subordinate structure to the primary structure on the lot in terms of its mass, size and architectural character. The architectural design, character, style and appearance of the accessory unit shall be consistent and compatible with the primary structure.
- C. *Parking and access.*
- Off-street parking for the accessory dwelling, if provided, shall be located on the lot on which the principal building is located.
 - An accessory dwelling unit and any off-street parking spaces shall be served by the same driveway as the principal building.
- D. **Standards.** Each accessory dwelling unit shall comply with all standards applicable within the zoning district, including required setbacks and building height limits. Accessory dwelling units are exempt from residential density calculations.
- E. *Owner occupancy required.* Property owner residency, as shown by an existing homestead exemption, in either the primary or accessory dwelling unit shall be a requirement for permitting of accessory dwelling units.
- F. *Building size.* The living area of the unit shall be a maximum of 50 percent of the principal residence or 1,000 square feet, whichever is lesser.
- G. *Subdivision.* An accessory unit may not be sold separately unless properly subdivided in accordance with this chapter.



Raised Basement



Garage Conversion



Backyard Cottage

Proposed Use Standards*

- Each accessory dwelling unit shall comply with all standards applicable within the zoning district, including required setbacks and building height limits.
 - A non-conforming accessory structure converted to an ADU shall meet the requirements of section 30-10.4.
 - An ADU shall not exceed 1.5 stories. ADU shall meet accessory structure setbacks, where an ADU exceeds a single story; applicant shall take measures to ensure privacy of neighbors including but not limited to orienting windows and outdoor balconies to face internally into the lot and away from neighboring residences.**
 - ADU Size. Detached and attached ADUs shall not exceed 850 square feet or up to 50% of the size of the primary structure, not including the garage and unconditioned space (whichever is less). Existing structures exceeding 850 sq. ft. can be converted into ADUs**
 - The accessory dwelling unit shall be designed as a subordinate structure to the primary structure on the lot in terms of its mass, size and architectural character. The architectural design, character, style and appearance of the accessory unit shall be consistent and compatible with the primary structure.
 - New detached ADUs or ADUs extending from existing structures shall not comprise more than 50% of total visible façade area parallel to the front property line.**
- Parking and access.*
- Parking for the accessory dwelling shall be one space per unit in addition to any required parking for the primary unit.
 - An accessory dwelling unit and any off-street parking spaces shall be served by the same driveway as the principal building. Alternately, on-street parking, where available, can be used to meet ADU parking requirements.
- E. Owner occupancy required.* Property owner residency, as shown by a homestead exemption is required, in either the primary or accessory dwelling unit is required.**
- F. Public Utilities.* ADUs may share existing utility and service infrastructure with the primary unit subject to compliance with GRU standards.
- G. Subdivision.* An accessory dwelling unit may not be sold separately or as a condominium unless properly subdivided in accordance with this chapter.

*Section 30.5.33 Use Standards

Table V - 1: Permitted Uses within Transects.

	Use Standards	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT
RESIDENTIAL											
Accessory dwelling unit	30-5.33	<u>P</u>	P	P	P	P	P	P	P	<u>P</u>	<u>P</u>

Proposed updates to Permitted Use Tables

- Updates are in blue font and underlined
- Use standards will also apply (Sec.30.5.33)

Table V - 4: Permitted Uses in Residential Districts.

USES	Use Standards	RSF-1 to 4	RC	MH	RMF-5	RMF-6 to 8
Accessory dwelling unit	30-5.33	<u>A</u>	A	A	A	A

Table V - 7: Permitted Uses in Mixed-Use and Nonresidential Districts.

USES	Use Standards	MU-1	MU-2	OR	CP	BUS	BA	BT	BI	W	I-1	I-2
Accessory dwelling unit	30-5.33	A	A	A	A	A			<u>A</u>	P		

Table V - 9: Permitted Uses in Special Districts.

USES	Use Standards	AGR	AF	CON	MD	PS*
<u>Accessory dwelling unit</u>	<u>30-5.33</u>	<u>A</u>			<u>A</u>	
Agricultural, forestry and fishing uses						



Comparison Table

	Durham, NC	Salt Lake City, UT	Portland, OR	Auburn, AL	Tallahassee, FL	Alachua Co., FL	Clay County, FL	Gainesville
Maximum size*	800 sq. ft.	650 sq. ft	800 sq. ft	1,000 sq ft.	800 sq. ft. for single-family 1,000 sq.ft. for commercial uses	1,000 sq. ft.	1,000 sq ft.	850 sq. ft**
Parking	na	1 off-street	na	na	na	1 off-street	1 off-street	1 off-street
Owner occupancy	na	yes	na	yes	na	yes	yes	yes
Single family	yes	yes	yes	yes	yes	yes	yes	**

**Actual size varies – based on % of main structure*

***Proposed text change 2020*

Staff Recommendation

Approve the proposed text change to Section 30-5.33. Accessory Dwelling Units and the associated Permitted Use Tables.

City Plan Board to City Commission - Approve the text amendment with the following modifications:

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1. Eliminate the homestead exemption requirement;
2. Eliminate the height requirement and instead regulate the height based on primary structure or 2 stories.
3. Permit on-street parking to count towards parking requirements.
4. Add “height” to the list of criteria for design and dimensional requirements in D.1.e (“The accessory dwelling unit shall be designed as a subordinate structure to the primary structure on the lot in terms of its mass, size, height and architectural character”).

Thank You.