

## Accessory Dwelling Unit Overlay Districts

*[This new district grows out of focus group meetings and other research on ADUs. It would function in a manner similar to the Neighborhood Conservation Districts.]*

### (1) Statement of Purpose.

The ADU Overlay District is created to to enable the establishment of accessory dwelling units within all residential districts. Accessory dwelling units give neighborhoods the opportunity to provide affordable housing opportunities, to provide housing opportunities for elderly or other family members, and to utilize their land base more efficiently.

The district is also intended to:

- A. Ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of building placement, proportions, building materials, landscaping and similar design features.
- B. Protect the private environment of rear yards and maintain neighborhood character.

### (2) Applicability.

- A. The requirements of the ADU Overlay District apply to all development, exterior alterations, additions and demolitions of structures on all zoning lots located in such districts, in addition to all requirements of the underlying primary zoning districts.
- B. In the event of a conflict between the provisions of the ADU Overlay District and the underlying primary zoning district, the provisions of the ADU Overlay District shall apply.

### (3) Minimum Area Required.

To be considered for designation as an ADU Overlay District, an area must include at least eight (8) contiguous block-faces or 2,640 lineal feet of contiguous street frontage.

### (4) Designation Process

- A. All requests for creation of an ADU Overlay District shall be initiated by a resident, owner, or a registered neighborhood association, and shall be submitted to the Director of the Department of Planning and Community and Economic Development.
- B. The Director of the Department of Planning and Community and Economic Development shall determine whether the proposed area is consistent with the eligibility criteria in Sec. 28.XXX(3).
- C. If the proposed area is consistent with Sec. 28.XXX(3), notice of an informational meeting regarding the District designation process shall be sent to all owners and occupants of the proposed District.
- D. Within thirty (30) days of the informational meeting, a survey shall be sent to all owners and occupants of the proposed District regarding the desirability of the proposed District. If more than one (1) informational meeting is held, the survey shall be sent within thirty (30) days of the last meeting.

If any property is added to the proposed District prior to the final recommendation of the Plan Commission, the survey shall be sent to all owners and occupants in the area that was added, and the results shall be submitted to the Common Council.

- E. The Director of the Department of Planning and Community and Economic Development shall prepare a report on the results of the survey. The report shall only include survey responses received within twenty-eight (28) days from the date the survey is mailed shall be included in the report. The report shall be submitted to the Plan Commission and Common Council.
- F. A resolution authorizing an ADU District Study may be introduced to the Common Council and referred to the Plan Commission. If authorized by a resolution adopted by the Common Council, a study shall be undertaken.
- G. An ADU District Study shall explore the feasibility and potential benefits of establishing an ADU Overlay District for an area. The study shall be prepared by the Department of Planning and Community and Economic Development, working with the residents, property owners and business representatives of the proposed district. This study could also be incorporated into a larger neighborhood planning process or neighborhood plan update process.
- H. The accessory dwelling unit study shall include the following:
  - 1. Maps indicating the proposed overlay district boundaries.
  - 2. Occupancy and design requirements for accessory dwelling units. These requirements may be based on the suggested requirements in sections (5) and (6) or may be more or less restrictive.
  - 3. Parking requirements, including a determination of whether additional off-street parking shall be required.
- I. Creation of an ADU Overlay District. If an ADU Overlay District is proposed following the completion of the study, it shall include the geographic boundaries, the specific requirements to be used in reviewing development proposals. An ADU Overlay District ordinance shall be considered pursuant to the procedures in Sec. 28.XX [Zoning Map Amendment].

### **(5) Suggested Occupancy Requirements**

- A. The principal dwelling or the accessory dwelling unit must be owner-occupied (temporary absences may be allowed).
- B. The principal dwelling must be a single-family detached dwelling.
- C. The number of occupants of the accessory dwelling unit shall not exceed two (2) unrelated individuals.
- D. The accessory dwelling unit shall not be sold separately from the principal dwelling.

### **(6) Suggested Design Standards**

- A. Maximum height of a detached ADU, including one built above a garage: 25 feet (as typically measured to mid-point of pitched roof).

- B. Maximum unit size: 700 square feet and less than 40% of the principal dwelling's floor area, whichever is less.
- C. Setback requirements: standards for principal or accessory buildings in the underlying primary district.
- D. Usable open space: allow usable open space to be shared between units (i.e., no additional open space required).
- E. On corner lots, primary entrances to ADUs shall be placed on the façade parallel to the side street.
- F. ADU entryways within a rear or side yard shall be connected to a street frontage by a paved walkway or driveway.
- G. The appearance or character of the principal building must not be significantly altered so that its appearance is no longer that of a single-family dwelling.
- H. For ADUs within a principal building, additional entrances shall not be added to the front elevation of an existing building, but may be added to side or rear or streetside elevations.
- I. Exterior finish materials. The exterior finish material must match in type, size and placement, the exterior finish material of the principal dwelling unit.
- J. Roof pitch. The roof pitch must match the predominant roof pitch of the principal dwelling unit.
- K. Detailing. Trim must match the trim used on the principal dwelling unit. Projecting eaves must match those of the principal dwelling unit.
- L. Windows. Windows must match those in the principal dwelling unit in proportion (relationship of width to height) and orientation (horizontal or vertical).