

## **Suggested Standards and Requirements for Accessory Dwelling Units (ADUs).**

We have reviewed the language suggested by the participants in the recent focus groups and the notes from those meetings, and suggest the following as a basis for discussion, understanding that many of the issues raised will need further discussion and public input. The suggested language draws from many of the sources suggested by focus group participants and examples provided by Advisory Committee members.

The ADU standards need to address strongly held and often conflicting concerns:

- The desire to provide housing opportunities for elderly or other family members, provide affordable housing opportunities, and achieve sustainability goals;
- The desire to protect traditional residential neighborhoods from excessive parking or rental conversions;
- The desire to protect the private environment of rear yards.

### **Definition:**

A second dwelling unit contained within a single-family dwelling or within a detached building located on the same lot as a single-family dwelling. This definition includes accessory buildings constructed in connection with a private garage or a private garage converted into a dwelling unit.

*(The definition would not include dwelling units above garages that are separately owned condominiums or that are the principal use on a separate lot.)*

### **Where Permitted:**

The current Zoning Code allows accessory dwelling units within newly developed subdivision plats zoned R2T, R2Y and R2Z where the lots accommodating accessory dwelling units are identified at the time of platting. This provision will be carried over to the new Zoning Code. The code also allows dependency living arrangements in all residential districts.

The new code will also establish minimum standards for accessory dwelling units within new and existing neighborhoods. Those standards are found in the last section of this paper. Because there is significant variation in the built condition from neighborhood to neighborhood throughout the City and across many zoning districts, it will be extremely difficult to establish one set of locational criteria for accessory dwelling units which will work for all residential districts. Given the significant variation in building form, lot sizes, yards, amount of usable open space from neighborhood to neighborhood, we believe that the standards for establishing accessory dwelling units should be based on detailed studies of the neighborhoods where accessory dwelling units are to be located and where the neighborhoods find the addition of accessory dwelling units desirable.

The intent of the new Zoning Code will be to enable the establishment of accessory dwelling units as an overlay district within all residential districts. Prior to the establishment of the overlay

district, an accessory dwelling unit study shall be done within the neighborhood desiring to create the district. This study shall be prepared by the Department of Planning and Community & Economic Development working with residents and property owners. This study could also be incorporated into a larger neighborhood planning process or neighborhood plan update process.

The accessory dwelling unit study shall include maps indicating the proposed overlay district boundaries, and a list of additional design requirements for accessory dwelling units which may establish more restrictive standards than the general standards within the following section. These standards may include, but are not limited to the following:

- Setbacks
- Orientation
- Height and width
- Scale and massing
- Architectural features including, but not limited to fenestration, roof pitch and building materials

### **Advantages of this Approach:**

This suggested approach enables the establishment of accessory dwelling units within planned new neighborhoods when these neighborhoods are zoned and platted. It also enables the establishment of accessory dwelling units as an overlay district within any residential district within the community and establishes minimum standards within the new code and a process to follow when establishing the overlay districts.

The advantage of this approach is that it recognizes the significant variation from neighborhood to neighborhood throughout the City of Madison and allows neighborhoods and the City to more specifically tailor the standards to address the characteristics within these neighborhoods. This process allows neighborhoods and the City to work together to decide where accessory dwelling units will be appropriate and to develop the standards to guide their development. It avoids a broad brush blanket approach such as making all accessory dwelling units a conditional use, which would result in neighbors being pitted against each other in front of the Plan Commission. This approach allows the specific characteristics of individual neighborhoods to be considered, and for only those subareas within neighborhoods, deemed to be appropriate for accessory dwelling units to be included within overlay districts which would allow them. Neighborhoods will be able to carefully consider the desirability of accessory dwelling units and to establish a planning process to consider their inclusion as part of a larger inclusive planning effort.

### **Suggested General Standards**

- The minimum area to establish an ADU overlay district is 8 block faces.
- The primary dwelling or the accessory dwelling must be owner-occupied (temporary absences allowed).
- Maximum height of detached/garage ADU: two stories and 25-feet (as typically measured to mid-point of pitched roof).

- Maximum unit size: 700 square feet and less than 40% of the principal dwelling's floor area, whichever is less.
- Setback requirements: accessory building standards or as prescribed in the ADU overlay district.
- Usable open space: allow usable open space to be shared between units (i.e., no additional open space required).
- The ADU shall not be sold separately from the principal dwelling.
- Maximum occupancy: 3 people (enforcement and legal questions remain regarding family definitions).
- On corner lots, primary entrances to ADUs shall be placed on the façade parallel to the side street.
- Accessory residential unit entryways shall be connected to a street frontage by a paved walkway.

**Suggested Design Standards:**

- 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.
- 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.
- Exterior finish materials. The exterior finish material must match in type, size and placement, the exterior finish material of the principal dwelling unit.
- Roof pitch. The roof pitch must match the predominant roof pitch of the principal dwelling unit.
- Detailing. Trim must match the trim used on the principal dwelling unit. Projecting eaves must match those of the principal dwelling unit.
- Windows. Windows must match those in the principal dwelling unit in proportion (relationship of width to height) and orientation (horizontal or vertical).