



Draft Staff Recommendations on **Accessory Dwelling Proposal**

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What is an Accessory Dwelling

- An accessory dwelling is:
 - a second dwelling,
 - with kitchen and bath, and
 - its own entrance
 - on a single family lot

Timeline for Community Review

- Timeline:
 - Late April: County released preliminary staff recommendations for community comment
 - May 6: Civic Federation Presentation/Survey
 - May 13: Surveys due
 - May 17 or 20: Request to Advertise goes to County Board
 - June 3: Civic Federation Resolution
 - July 7 or 9: Planning Commission public hearing
 - July 10: Housing Commission public hearing
 - July 19 or 22: County Board hearing to review proposal



Draft Staff Recommendations

- Are much more restrictive than the Housing Commission's
- Respond directly to issues raised by the Civic Federation, civic associations, persons voicing concerns at the first forum and other meetings or through phone calls and emails
- Are preliminary - from a staff team to the County Manager
- Your comments are being sought to help as the County Manager develops his recommendations



Qualifying Properties

- Single-family houses only
 - For a property to be considered for an AD approval, it must conform to all lot area requirements, including width.



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Types of ADs

- Interior only
 - In basements, on second floors, or in additions to the house

Approval Process

- Administrative process for Interior ADs
 - Each AD would need an AD Permit approved by Zoning Administrator
- Zoning Administrator would certify that all requirements are met, including:
 - Building Code
 - Zoning Ordinance
 - Parking requirements

Parking Requirements

- Require a parking survey for each AD application to determine if the street was over 65% parked
 - This is a tighter standard than for residential zone permits (75%)
- If less than 65% parked, an AD can be added without a parking requirement
- If the block is more than 65% parked, the owner must:
 - Add an off-street space if there are none; or
 - Agree to preserve existing off-street parking.

Requirements in Zone Parking Areas

- Staff recommends, if the parking survey shows the block is less than 65% parked, that the AD occupant be allowed 1 Regular Permit, 1 Flex Pass, and 1 book of visitor passes
- If more than 65% parked, owner would be required to provide own Flex Pass to AD occupant

Maximum Size

- Maximum size is whichever is less:
 - 1/3 the size of the house and AD combined, OR
 - 750 sq ft
- Also being considered: Allowing 500 sq ft for any size home
 - This is consistent with Family Suite size



Owner Occupancy Requirement

- Owner occupancy required — No waivers
 - Owner is individual who owns 51% or greater interest in property or the individual's spouse, parent, or child.
- This requirement provides a significant incentive for careful screening of prospective tenants
 - Owner will be the party most directly impacted by a noisy tenant with lots of parties.

Maximum Occupancy

- Maximum number of occupants is 2
- Owner agrees to:
 - annual inspections
 - cooperate with code enforcement staff in the event of complaints
 - record a deed covenant on number of occupants
 - get a Certificate of Occupancy
 - to file an affidavit of compliance with identifying info on tenant

Code Enforcement

- Code Enforcement staff enforce maintenance and occupancy requirements
- AD Permit could be **revoked** by the Zoning Administrator for:
 - Failure to maintain owner occupancy or enforce occupancy limits or
 - Failure to cooperate with the County if it needs to inspect the AD or
 - For repeat violations of AD Permit conditions
- If the Permit is revoked, the owner would no longer be able to rent the unit



Design Guidelines

- Proposed guidelines include:
 - The door to the AD cannot be on the same side of the house as the main entrance.
 - No exterior stairs to 2nd floor visible from the front of the property
- A voluntary style guide will be developed for owners considering an addition to their homes

Legalization of Illegal ADs

- Owners of illegal ADs must obtain an AD Permit
 - Owner-occupancy will be required
 - ADs must meet Building Code, Zoning Ordinance and Parking requirements
 - Staff recommends waiver of AD Permit fee for owners for a period of 6 months
- All approved ADs would be recorded in the County's Real Estate Database

Definition of Family Suites

- A family suite is “not more than two (2) rooms plus a bathroom and ‘efficiency’ kitchen” which:
 - May only be occupied by persons related by blood, marriage or adoption
 - Is limited to occupancy by no more than 2 persons related by blood, marriage or adoption
 - Has a maximum size of 500 sq. ft.
 - Must have interior access to the rest of the dwelling (but may have its own entrance)
 - Can have only an efficiency kitchen
 - May not have separate utilities

Why Broaden Family Suite Requirements?

- To allow a family or four or more to have a caregiver, e.g. an Au Pair, live on-site
 - The County's Zoning Ordinance definition of family includes:
 - Any number of people related by blood, marriage, adoption or foster care
 - No more than 4 unrelated persons
 - Technically a family of 4 with an Au Pair counts as 5 persons who are not all related



Why Broaden Family Suite Requirements?

- To allow an elderly or disabled person to have a caregiver live on-site
- It can be difficult to find caregivers
 - Being able to offer a person their own dwelling unit, perhaps with reduced rent, can make the position attractive
- Can be particularly valuable for an elder who:
 - needs only limited care, i.e. is not offering full-time work, but
 - likes the security of having someone live on-site



Why not limit ADs to Family Suites?

- Once the family member or caregiver moves out, a family might need the income from a rental unit to pay for the creation of the family suite
- Some households without children, elders or disabled persons might:
 - Value having a caregiver live on-site, or
 - Need the extra income to afford to stay in the house when circumstances change

Why not limit ADs to Family Suites?

- Some might want to create a larger, accessible AD to:
 - Facilitate aging in place (planning to rent the main dwelling & occupy the AD) or
 - Provide more independent living for a disabled family member
- A caregiver might want more space or more than an efficiency kitchen