

ACCESSORY DWELLINGS

Proposed Zoning Ordinance Amendments

Planning Commission
July 7, 2008

Zoning Ordinance Amendment

Two aspects to the Proposed Zoning Ordinance Amendment

1. Expand Family Suite provisions to allow an unrelated caregiver to live in it to provide care or assistance to children, elders or persons with disabilities.
2. Allow accessory dwellings on single-family lots in “R” zoning districts under certain conditions.

Community Meetings on Proposal

- Since January, 56 meetings on the proposal have been or are scheduled to be held, including:
 - 27 Civic Associations
 - 4 Civic Federation meetings
 - 18 County Board Advisory Group meetings
 - 2 Community Forums
 - 3 Others, e.g. the Committee of 100
 - 2 County Board meetings

FAMILY/CAREGIVER SUITE PROPOSAL

- Regulations same as existing “family” suite.
- Purposes:
 - To allow a caregiver to live on-site
 - To facilitate residents’ ability to age in place.
 - To provide greater flexibility and a more attractive option to accommodate a person providing live-in care.

EXISTING FAMILY SUITE PROVISIONS

A “Family Suite” is “not more than two rooms plus a bathroom and ‘efficiency’ kitchen” which:

- Has a maximum size of 500 sq. ft.
- Must have interior access to the rest of the dwelling but may have its own entrance
- May not have separate utilities.
- May only be occupied by persons related by blood, marriage or adoption.

1. FAMILY SUITE OPTIONS

A	Allow 1 unrelated caregiver for an elder, person with disability or child under age 13 occupying the main dwelling.
B	Same as <i>A</i> <i>but</i> with no age restriction on child under care.
C	Same as <i>B</i> <i>but</i> allow up to 2 persons.
D	Allow all households to have caregivers, not requiring an elder, person with disability or child to be an occupant of the main dwelling. Allow up to 2 unrelated persons, at least one of whom is a caregiver.

ACCESSORY DWELLING PROPOSAL

An Accessory Dwelling (AD) is an independent dwelling unit within a single-family home:

- With its own kitchen and bath;
- Designed, arranged, used or intended for occupancy by not more than two persons ;
- Has a separate entrance;
- On a single-family lot; and
- Meets all requirements of the building code.

BENEFITS OF ACCESSORY DWELLINGS

- Provide additional housing options with little County investment.
- Increase the number of affordable units.
- Facilitate elders' ability to age in place.
 - Can be a source of income.
 - Recommended by Elder Readiness Plan.
- Provide controlled and safe alternative to unauthorized accessory dwellings.

AD: PROPOSED ELEMENTS

2. Type of Unit	Interior
3. Type of House	Single-Family Detached
5. Approval Process	Administrative process
7. Owner Occupancy	Required
8. Maximum Occupancy	Two occupants

AD: PROPOSED ELEMENTS

9. Owner provision of access for Code Enforcement staff	Owner agrees to cooperate with Code Enforcement staff for annual inspections and in response to complaints.
10. Deed Covenant	Required <i>(Note: Alerts new buyer to need to transfer AD Permit.)</i>

AD: PROPOSED ELEMENTS

11. Certificate of Occupancy	Required at initial occupancy.
14. Public Notification	Note approval in County's Real Estate Database.
17. Annual Report	Will include data such as number of applications and approvals, number & type of code violations
18. Fee	Not recommended at this time.

4. Lot requirements

A	Lot must meet minimum area and width requirements of the zoning district.
B	Lot area must meet minimum lot requirements of the district, but not width.

6. Size Limits

A	Smaller of 750 sq. ft. or one third of structure
B	Same as A, <i>and</i> also include definition of GFA.
C	Same as B, <i>but</i> allow any AD to be a minimum of 500 sq. ft.
D	Same as B, <i>but</i> for a main dwelling smaller than 1000 sq. ft., allow ADs to be a minimum of 80% of the main dwelling, up to 500 sq .ft.

12. Affidavit of Compliance

Acknowledges owner's agreement to the terms of the AD Permit.

- Required to be submitted by current owner and future buyers.
- Required at initial occupancy by tenants and whenever new tenants move in.

A	Includes names of tenants on affidavit.
B	Does not include names of tenants on affidavit, but requires owner to provide a copy of a signed lease upon request.

13. 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%)

13. Parking Requirements

- 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.

13. Parking Requirements

Option A:

- Parking spaces created must meet requirements of Section 33.

13. Parking Requirements

Option B:

- Requires spaces counted to be standard size (8.5' x 18')
- Requires spaces created to be standard size
- If one pair of tandem spaces exists, requires both to be maintained.
- If two (or more) pairs of tandem spaces exist, requires the two directly accessible spaces to be maintained.

13. Parking Requirements

Option C

- Requires spaces counted to be standard size
- Requires spaces *created* to be standard size
- If more than 2 spaces exist, does not distinguish which 2 need to be maintained.

15. Design Guidelines

Three design recommendations are:

AD door cannot be on the same side of house as the main entrance.

Exterior stairs to a 2nd floor dwelling cannot be visible from the street.

Staff will develop a voluntary style guide for owners considering additions to their homes.

15. Design Guidelines

Design guideline options:

- | | |
|---|---|
| A | AD on a corner lot cannot have its entrance on a side of the main dwelling that is visible from the street. |
| B | AD on a corner lot cannot have its entrance visible from the street. |

The Transportation Commission recommended the development of voluntary design guidelines for placement of any added parking spaces.

16. Home Occupations

A	Home Occupations permitted in the AD, except “Contractor and Service Business.”
B	Home Occupations permitted in the AD, as above, but not permitted to have employees on the premises, except in the case of an employee providing assistance to a person with disabilities who resides in the AD.

Comparison: AD & Family Suite

Accessory Dwelling has more requirements
under State Building Code

As a separate dwelling unit it needs:

- fire-rated construction
- separate ventilation
- access to the electrical panel and
- other features not applicable to a family suite.

It would have a separate address.

Comparison: AD & Family Suite

Accessory Dwelling has more requirements under County Zoning Ordinance Proposal

- Lot must meet lot area and width requirements
- Owner must meet parking requirements
- Owner must provide annual Affidavit of Compliance
- AD must have annual inspections
- AD has limits on Home Occupations

Proposal allows larger size for ADs (750 vs. 500 sq.ft.)