Accessory Dwelling Units
Current City Regulations
(Ordinance 1381, 2005)

- Permits ADUs on R-1 lots subject to strict location limitations
  - Only 35 out of 2,537 R-1 lots qualify
- Requires a two-car garage for the ADU
Current State Law on ADUs

- Important revisions effective last January
- Mandates cities to approve ADUs on any R-1 lots if the ADU is within an existing structure
  - Up to 1,200 sq. ft. or 49% of the house
- Allows some restrictions involving new construction
- Effectively prohibits requiring parking
- Ambiguous with respect to key details
- ADU may be rented—not restricted to family
State law overrides local ordinances

- Expands ADU eligibility to all 2,537 R-1 lots
- Removes parking requirement for ADUs
- Still permits some local controls over new construction ADUs
Planning Commission

- Held 4 public hearings
- Meetings noticed in Herald, on website, city newsletter, on Facebook, and via Nixle
- Heard from about 20 members of public
- Overwhelming support from public for least restrictive ordinance possible
- Commission recommended a few changes to the “bare minimum” legal requirements
Planning Commission Recommendation

1. Follow State for conversion of existing structures
   • Prohibit required garage conversions
2. Require owner occupancy
3. Expand ADUs to some R-2 lots
4. Permit ADUs connected to detached garages
   • Set maximum size of these to 800 sq. ft.
5. Preserve existing rights to original 35 lots
6. Release covenants on existing structures
1. **Follow State law for conversions**  
*(the bare legal minimum)*

- Based on pending legislation, determined does not include required garages
- Accessory structures built prior to 2017 and single family houses
  - Conversions can be up to 1,200 sq. ft. or 49%
- No parking for the ADU
2. Require owner occupancy

- Owner must reside in main house or ADU
  - Resident owners are more sensitive to neighborhood concerns
  - They pick tenants more carefully
- Require a covenant
3. Expand to some R-2 lots

- R-2 lots under 4,000 sq. ft. are limited to a single unit
- They are often in the same neighborhoods as R-1
- These R-2 lots have an effective density lower than R-1
4. Detached garages

- Public testimony supported detached ADUs
- Many of these will result in new garages
- Many will also increase garage parking
- Maximum size set at 800 sq. ft.
5. Preserve rights of original 35 lots

- Of the original 35 lots, about 23 still do not have an ADU
- Commission recommended that these lots be permitted to built to old standards
  - Size and location on lot less restrictive
6. Release covenants

- New accessory structures since 2006 have covenants that prohibit residential use
- There are 156 of these covenants
- Unknown how many built prior to 2006
- Commission recommends releasing the covenants on a case by case basis if the owner wants to convert to an ADU
Council’s Options

1. Introduce the ordinance with all of the Planning Commission recommendations

2. Send back to the Planning Commission with instructions

3. Continue the public hearing
Planning Commission Summary

1. Follow State bare minimum for existing structures
   • But prohibit garage ADUs
2. Require owner occupancy
3. Expand to small R-2 lots
4. Permit ADUs connected to detached garages
   • maximum size of 800 sq. ft.
5. Preserve existing rights to original 35 lots
6. Release covenants on existing structures