

Source: Community Development - Planning

Agenda Item No: REP19-14

To: City Council

From: City Manager and Staff

Council Meeting Date: Mar 3, 2014

Re: Accessory Dwelling Units (ADU) - zoning amendment update (Case #13-55; Council Tracker #3770)

EXECUTIVE SUMMARY:

Council asked staff to prepare an amendment to the Zoning Regulations (Chapter 29 of the City Code) to accommodate accessory dwelling units (ADUs) (Case #13-55; Council Tracker #3770). Staff and the Planning and Zoning Commission have developed a draft ordinance that would include ADUs as an option within the R-2 (Two-Family Dwelling) and higher zoning districts. The draft ordinance has been presented to citizen stakeholders for review and comment. This report provides an update on the contents of the Commission's proposed draft ordinance, an overview of public comments, and suggested options for implementing the ordinance.

DISCUSSION:

On November 19, 2012, Council asked staff to prepare an amendment to the Zoning Regulations (Chapter 29 of the City Code) to accommodate accessory dwelling units (ADUs) within the R-1, R-2, R-3, and R-4 zoning districts. After preliminary research by staff, a report was submitted to Council on April 1, 2013, and Council directed staff to work with the Planning and Zoning Commission and interested neighbors to develop an ordinance revision to the Zoning Regulations.

The Commission developed draft ordinance language over the course of several work sessions in the fall of 2013, with support from staff primarily consisting of land use analysis using the City's geographic information system (GIS) to determine potential impacts of various combinations of zoning districts, lot areas and dimensional requirements. Early ordinance drafts included the R-1 (One-Family Dwelling) district, but the Commission narrowed the scope to include only R-2 and higher zoning district lots (i.e., R-3 & R-4) based on anticipated stakeholder opposition to a broader application of this locally untested zoning option. The resultant draft ordinance (attached) includes provisions that accommodate subordinate second dwelling units (either attached or detached) on R-2 zoned lots and above, and proposes decreased minimum lot size and width requirements to ensure that historically platted lots in the central city neighborhoods area are not unnecessarily excluded from eligibility.

At its work session on February 20, 2014, the Planning and Zoning Commission reviewed neighborhood feedback and City legal staff's advice regarding the proposed draft ordinance, which is discussed in the attached memo, dated February 14, 2014. Neighborhood responses to the ADU ordinance were generally mixed, with East Campus and Benton-Stephens expressing the majority of opposition, and North Central and West Ash residents providing the most support for the request. It should be noted that staff presented the draft ordinance to West Ash Neighborhood Association on February 19, 2014, following the release of the above-mentioned memo, and all in attendance expressed support for the ordinance. The Commission chose to reject City legal staff's alternative ordinance suggestions, which would have removed two of the Commission's key objectives - the accessory use clause and reduced lot size eligibility.

In light of the differing levels of neighborhood support, Commissioners explored potential implementation strategies that would tailor its application to exclude neighborhoods that have expressed opposition to this housing option, namely East Campus and Benton-Stephens. These two neighborhoods account for nearly all recorded opposition received thus far, and only 15% of lots (i.e., 150 of 2,300 lots) that would become eligible for an ADU under the proposed ordinance (see attached map of eligible ADU lots). Considering that most of the 150 eligible properties in these neighborhoods are zoned R-3 (130 of 150), staff suggested that it may be expeditious to simply exclude ADUs from the R-3 district. This would leave a total of 20 eligible lots (zoned R-2) within Benton-Stephens and East Campus. Alternatively, it may be possible to modify the ordinance to completely exclude these two Urban Conservation Overlay areas by specific reference.

The Commission posed several other options designed to allow the ordinance to be initially tested at a small scale, for a limited time or limited number of permits, prior to being considered for more extensive adoption. The Commission recommends any of the following options as potentially effective alternatives to outright approval of the draft ordinance:

1. Approve the ordinance as drafted, and apply City-wide, and offer an option to amend existing urban conservation overlay districts
2. Approve the ordinance as drafted, and apply within a test neighborhood (e.g., West Ash) via an overlay ordinance with a sunset clause
3. Approve the ordinance as drafted, and place a permit limit for construction within a specified time period (e.g., one or two years) following which revision or elimination of standards would be considered.

FISCAL IMPACT:

None

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

11.2 Goal: A diversity of housing choices will be dispersed throughout the community to achieve an adequate supply of affordable, energy efficient, and accessible housing.

SUGGESTED COUNCIL ACTIONS:

The Commission requests that Council provide direction as to which of the following implementation options is desired, and direct staff to prepare the necessary ordinance and advertise the required public hearing.

1. Approve the ordinance as drafted, and apply City-wide, and offer an option to amend existing urban conservation overlay districts
2. Approve the ordinance as drafted, and apply within a test neighborhood (e.g., West Ash) via an overlay ordinance with a sunset clause
3. Approve the ordinance as drafted, and place a permit limit for construction within a specified time period (e.g., one or two years) following which revision or elimination of standards would be considered.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	Yes
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	11.2
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	N/A
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	N/A

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Suggested text changes are in **bold and underline**.

Sec. 29-2. - Definitions.

For the purpose of this chapter, the following words and terms as used are defined to mean the following:

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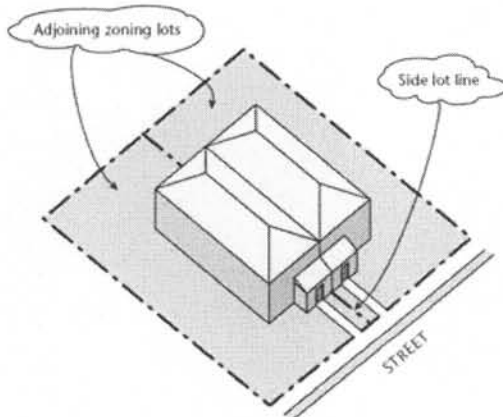
Accessory building or use. A detached subordinate building having a use customarily incident to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property.

Dwelling, accessory (also known as an "accessory dwelling unit" or "ADU"). A secondary dwelling unit created on a lot with a principal one-family dwelling, and which is subordinate to the principal dwelling. Accessory dwellings may be attached to the principal dwelling, or built as a detached structure.

Dwelling, multiple-family. A building containing three (3) or more dwelling units.

Dwelling, one-family. A building containing one dwelling unit.

Dwelling, one-family attached (also known as "twin house," "zero lot line," "single-family attached," "semi-attached," and "semi-detached"). A building containing two (2) attached dwelling units that share a common wall at the lot line and that are on separate lots.



Dwelling, two-family (also known as "duplex"). A building containing two (2) dwelling units, situated on a single lot.

Dwelling unit. A building or portion thereof, designed to house a family.

Dwelling, villa. A one-family attached dwelling that is subject to the design criteria set forth in section 29-10.

Family:

- (1) An individual or married couple and the children thereof and no more than two (2) other persons related directly to the individual or married couple by blood or marriage, occupying a single housekeeping unit on a nonprofit basis. A family may include not more than one additional person, not related to the family by blood or marriage; or

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- (2) a. 1. In zoning districts R-1 and PUD (when the PUD development density is five (5) or less dwelling units per acre), a group of not more than three (3) persons not related by blood or marriage, living together by joint agreement and occupying a single housekeeping unit on a nonprofit cost-sharing basis.
- 2. The use of a dwelling unit by four (4) persons not related by blood or marriage, living together by joint agreement and occupying a single housekeeping unit on a nonprofit cost-sharing basis, prior to February 4, 1991, shall be allowed to continue in districts R-1 and R-1 PUD as a lawful nonconforming use.
- b. In all other applicable zoning districts, a group of not more than four (4) persons not related by blood or marriage, living together by joint agreement and occupying a single housekeeping unit on a nonprofit cost-sharing basis.

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Sec. 29-7. - District R-2, two-family dwelling district.

- (a) *Purpose.* This district is intended to provide for one-and two-family residential developments of various types and mixes. The principal land use is one-family or duplex residential dwellings.
- (b) *Permitted uses.* In district R-2, no building or land shall be used, and no building shall be hereafter erected, constructed, reconstructed or altered, except for one or more of the following uses (for exceptions see section 29-28, Non-Conforming Uses, and section 29-31, Board of Adjustment):

All permitted uses in district R-1.

Dwellings, accessory, subject to the following criteria:

- (1) **No more than two dwelling units, including the accessory dwelling, may be permitted on a single lot.**
- (2) **Height and area requirements:**
 - a. **The lot area must be a minimum of 5,000 square feet, and lot width must be a minimum of 50 feet to accommodate an accessory dwelling.**
 - b. **A detached accessory dwelling shall be located a minimum of 10 feet behind the principal dwelling, and a minimum of six feet from any side or rear lot line. On corner lots, the accessory dwelling shall be set back not less than the distance required for the principal residence from side streets. For the purpose of providing adequate fire protection access, the distance from the nearest street frontage to the center of the rear wall of an accessory dwelling unit shall not exceed 150 feet of travel distance.**
 - c. **An accessory dwelling shall not exceed 75% of the total square feet of the principal dwelling, as shown in the Boone County Assessor's records, or 800 square feet, whichever is less. In addition, a detached accessory dwelling shall not occupy more than 30% of the rear yard.**
 - d. **A detached accessory dwelling shall not exceed the height of the principal dwelling, or 24 feet, whichever is less.**
- (3) **Design standards. Where an accessory dwelling is attached to a principal dwelling, only one entrance may face the front lot line.**
- (4) **In addition to the parking required for the principal dwelling, a minimum of one additional off-street parking space shall be provided on the subject lot for accessory**

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dwellings having not more than two bedrooms, and two additional parking spaces shall be provided for accessory dwellings having three or more bedrooms.

- (5) **Prior to issuance of a building permit for an accessory dwelling, application shall be made to the Building and Site Development Division of the Community Development Department, including a plot plan showing existing buildings and proposed accessory dwelling location, in addition to the above-listed criteria.**

Dwellings, two-family.

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Sec. 29-30. - Off-street parking and loading regulations.

- (a) *General Requirements.*

...

- (6) In a residential district, no garage other than a private garage shall be located nearer than sixty (60) feet to the front lot line. Required parking spaces may be tandem to serve one- and two-family dwellings only; provided that the parking space is adjacent and parallel to the driveway serving the space required behind the building line and only one parking space per dwelling unit is allowed in the required front yard or on the required side yard on the street side of a corner lot. Parking spaces for all other uses in residential districts shall not be located in the required front yard.

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- (b) *Parking Requirements.* Off-street parking spaces shall be provided for all uses in accordance with the minimum requirement set forth in Table 29-30(b)(1).

Table 29-30(b)(1)

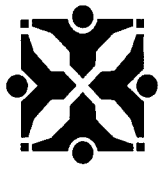
	Required Parking
<i>Residential</i>	
One-Family, Two-Family, <u>and</u> <u>Accessory Dwelling Units</u>	<u>1 space/dwelling unit for accessory dwelling units having up to 2 bedrooms; 2 spaces/dwelling unit for one-family attached and unattached dwellings, and accessory dwelling units having 3 or more bedrooms; 2 spaces/unit for two-family units having up to 2 bedrooms; three spaces/unit in two-family units of 3 or more bedrooms</u>
One-family Attached Units	2 spaces/dwelling unit
Multi-Family Dwellings	1.0 spaces/dwelling unit for "efficiency" apartment (i.e., units without a separate bedroom); 1.5 spaces/dwelling unit for 1 bedroom units; 2 spaces/dwelling unit for 2 bedroom units; 2.5 spaces/dwelling for 3 or more bedroom units; In addition to required parking for residents, 1 space/5 dwelling units will be required for visitor

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	parking
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Memorandum

Date: February 14, 2014

To: Planning and Zoning Commission

From: Steve MacIntyre

RE: Accessory Dwelling Unit Ordinance - Public Input Update

Throughout January, 2014, Staff have conducted several public engagement meetings to educate citizens and collect their input on the draft ADU ordinance. Overall, citizen participation has been highest among members of the Benton-Stephens and East Campus Neighborhoods. Comments, while not exclusively negative, reflect a general concern amongst participants about negative impacts that may result from the ordinance. Top concerns pertain to additional density and the belief that ADUs would primarily be used as rental units catering to students as opposed to being occupied by extended members of the family occupying the principal dwelling. As such, the perception is that the ordinance would overburden available infrastructure (e.g., parking & sewers) and deteriorate neighborhood character and quality of life.

A general desire expressed by meeting participants is to increase the number of owner-occupied dwellings in their respective neighborhoods. Owner occupied homes are associated with better property maintenance and increased neighborhood stability. While there seems to be a general desire for the Benton-Stephens and East Campus neighborhoods to opt out of any proposed ADU ordinance, further discussion amongst stakeholders suggested that amendments to the draft ordinance, such as requiring owner occupancy or limiting the number of bedrooms or tenants within an ADU, might result in an acceptable compromise. It should be noted that Benton-Stephens and East Campus contain approximately 150 of the 2,300+ eligible ADU sites within the central city neighborhoods, and staff have yet to receive significant public input from the principal stakeholders in neighborhoods located in and around the West Ash neighborhood.

Staff has been invited to present the draft ADU ordinance to the West Ash Neighborhood Association on February 19, and will provide an update from that meeting to the Commission at their February 20 work session.

Discussion minutes and citizen comments from public engagement meetings held thus far are attached for your review.



In addition to citizen input, Planning staff have received feedback from the City Law Department's review of the draft ordinance. The City's attorneys have expressed concerns that the ADU amendment might be overreaching in its goal to accommodate increased development density, which may be perceived as undermining the intent of the density provisions contained within the R-2 district. The draft ordinance, which contains a provision that would allow ADUs on lots as small as 5,000 square feet, effectively doubles the potential units per acre in the R-2 district from 8.7 (i.e., 1/5000) to 17.4 (1/2500). While the proposed ordinance includes provisions that require the ADU to be subordinate in size to the principal structure, both neighborhood stakeholders and City attorneys have expressed reservations about the ability of this subordination clause to effectively limit the number of occupants of an ADU to one or two tenants, thereby mitigating this primary concern about negative impacts caused by overcrowding, overloading neighborhood infrastructure, and damaging neighborhood character.

The suggestion of City legal staff is to consider a simplified ordinance amendment that would allow detached second dwellings within the R-2 district without increasing density allowances. This option would allow two detached single-family dwellings to be situated on a single lot as an alternative to the current practice of only permitting second dwellings within an attached duplex structure. Detached second dwellings might be more feasible than conventional side-by-side duplexes on narrower central city lots. This option would decrease the total number of eligible lots from approximately 2,100 to 900, and would eliminate concerns raised about impacts to R-3 zoned lots by effectively excluding them based on minimum R-3 lot area requirements. An alternative draft ordinance, which accommodates detached second dwellings without increasing density allowances, is attached for your consideration.

Additional discussion on the final form of the ordinance based on the revisions referenced above is desired to occur at the February 20 work session, with the intent of holding a public hearing on the proposed ordinance at either the March 20 or April 7 Planning & Zoning Commission meeting.

ADU Public Input Meeting

1/15/14

Staff: Steve MacIntyre, Mitch Skov, Tyler Avis, Leigh Britt, Patrick Zenner, Rachel Bacon

Attendees: Barbara Hoppe, Fred Schmidt, Janet Hammen, Andrew Sommer, Betsy Peters, Robert Tucker, Robbie Price, Jeff Akers, Jeff Akers daughter, Adrienne Stolwyk, Elizabeth Peters, Jeanine Pagan, Robert Tuckish

Mr. MacIntyre presented a PowerPoint presentation which described the different types of Accessory Dwelling Units (ADU), the potential benefits and concerns commonly associated with ADUs, and potential code revisions which the Planning and Zoning Commission had been working on to allow ADUs in the R-2 (two-family) zoning district. Mr. MacIntyre said the request to consider ordinance revisions to allow for ADUs was made by Councilperson Schmidt in late 2012, for the staff to work with the Planning and Zoning Commission and the public on the issue, and that *Columbia Imagined*, the newly adopted comprehensive plan, also called for consideration of ADUs to promote affordable housing and a diversity of housing choice.

Mr. MacIntyre described the work of the Planning and Zoning Commission to date, and the request for the public input to review the proposed ordinances and provide feedback before moving forward. He said that any ordinance revisions considered would be subject to a public hearing, and the Planning and Zoning Commission had requested additional public input opportunities be provided so that concerns and opportunities could be discussed and addressed prior to pursuing formal action. Mr. MacIntyre then reviewed the standards and regulations which were included in the current discussion draft. He described the siting/location, size, height, occupancy, and parking restrictions currently proposed in the discussion draft, and potential restrictions other communities had pursued. He described the neighborhoods with zoning and lots sizes which where the ordinance would allow for ADUs. Mr. MacIntyre encouraged questions, and said he would do his best to answer questions.

The PowerPoint presentation slides are available here:

http://www.gocolumbiamo.com/community_development/planning/documents/ADU_PubInputMtg.pdf

Mr. MacIntyre was asked where ADUs would be allowed under the draft proposal. Mr. MacIntyre said R-1 zones were not included in the current proposal. He said this ordinance revision would affect single family dwellings in R-2 and higher zoned districts.

Mr. MacIntyre was asked to clarify the definition of a unit. He said it was a dwelling that allowed for all the basic needs of an individual or family, such as a kitchen, bathroom and sleeping accommodations.

He explained the difference between two duplex units and a principle structure and an ADU. He said the maximum size of an ADU would be 800 square feet.

There was discussion on how many tenants an 800 square foot unit could accommodate. Mr. MacIntyre said most would be one or two bedroom units most likely due to the size and parking requirements. There was some disagreement amongst attendees on how many tenants might be likely to fit in an 800 square foot unit. Some doubted more than two bedrooms, and some said students would live in very tight quarters. Four unrelated people may live in each unit in the R-2 Zoned District, so a maximum of four people could potentially inhabit an ADU if all other requirements could be met on the lot.

Mr. MacIntyre was asked to describe where ADUs would be allowed. He said that while the ordinance was directed at R-2 properties, due to the cascading nature of the zoning code, it would allow ADUs in some R-3 lots that were currently too small. He said ADUs were allowed in R-3 zones if the lot size was 7,500 square feet, and this may potentially allow ADUs in R-3 lots which were 5,000 square feet or larger.

Mr. MacIntyre was asked about parking restrictions. Mr. MacIntyre said one spot would be required for every one or two bedrooms in the ADU; if there were three or four bedrooms then two off-street parking spots would be required. He was asked if this was in addition to the parking required for the principle unit's needs, and he answered that yes, the parking was in addition. He said the maximum number of spots would be four required on the lot, off the street, if there were four persons in the principle structure and four in the ADU, which would be the maximum number of persons allowed. He was asked to confirm the occupancy was four unrelated persons in the R-2 district, and he confirmed that yes, this was the case. He said it was three persons in the R-1 district, and four in the R-2 and R-3 districts.

Mr. MacIntyre showed a graphic to illustrate the parking requirements, and confirmed that driveways would have to be paved. He also reviewed the height restriction. He said that the top building height allowed in an R-1 or R-2 district was 35 feet, and that 24 feet was the restriction to an ADU because that was the current restriction on accessory structures to a principle dwelling. He was asked if in the case of a two story ADU, if the ADU could be 800 feet on each level. Mr. MacIntyre said a two-story ADU would be possible, but between both floors the maximum size would be 800 square feet (e.g. 400 square feet per story).

There was a question on how ADUs could promote homeownership. Mr. Zenner said it would provide and income stream, and there would still be the same rental requirements as any other structure. There was additional discussion on neighborhood affordability and income potential by the group. It was discussed that the ordinance would not, as written, require owner-occupancy in either unit, in parity to the fact R-1 properties could also be rentals and were not required to be owner-occupied.

Mr. MacIntyre said this ordinance had continuity with the existing zoning codes with regards to occupancy and rental code requirements.

There were questions about ADUs in the R-3 zoning district. Mr. Zenner described a situation in which ADUs would be allowed in the R-3 zoning district now, if the lot was over 7,500 square feet and other requirements (building codes, setbacks, parking, etc.) were met.

There was discussion of the perceived benefits of density. It could be a better use of infrastructure, but not in areas such as East Campus which were already at capacity. Parking was described as the most pressing issue as even if tenants have spots, they have friends, and it makes for tight parking situations and more concrete.

There was discussion as to the extent ADUs could provide affordable housing. The expense of building units was discussed versus the quality. Some thought ADUs could help residents whom otherwise could not afford to, live in desirable, walkable neighborhoods either as an owner or a renter and in either unit. A trend which was noted was for young professionals to buy a property and live in the ADU until life stages made the principle unit attractive.

There was overall concern about the applicability of the discussion draft ordinance given the current challenges and overlay district in East Campus. Mr. MacIntyre confirmed that the ADU ordinance would be subject to the East Campus Overlay and would not supersede it. He said if there were continued concerns, options existed to either prevent ADUs in the R-3 zoning district, or to amend the East Campus Overlay to prohibit or have additional standards. Mr. Zenner agreed with Mr. MacIntyre and reiterated they understood the infrastructure capacity frustrations presently experienced by East Campus. He said the issues in East Campus may require looking closely at that area, rather than restricting options city-wide in areas where it may work.

There was additional discussion of how many lots and which dimensions in East Campus may be affected. While it may not be very many, there was concern about the ordinance contributing to existing neighborhood stresses in East Campus.

Ms. Hoppe said there should be a weighing of City services and that they might need to shrink to the central area and to areas/neighborhoods whom were interested.

Mr. MacIntyre said the discussion of a floating ADU overlay area had come up earlier, but that the Planning and Zoning Commission was more comfortable with this option of an ordinance revision at this time.

There was discussion of other places that had ADUs, such as Chicago, and how it worked in other areas. In East Campus, it was pointed out that there are rental units which appear to be single family structures even though they are multi-family. An ADU in this case would limit the number of units in the primary structure to fit the zoning. This may be an impetus for multi-family properties retaining the single family structure to go back to single family if there was an option to then have an ADU. Allowing more intensive use of a property already zoned R-2 may also prevent the demolition of a single family structure to build a duplex.

There was additional discussion of the benefits of architectural review and design standards for ADUs. There was some consensus that the building codes may not be enough to ensure attractive design.

There was also discussion on how many ADUs would actually be built considering the expense and difficulty to get bank financing.

There was additional debate on the benefits of ADUs in Columbia. Some pointed out that it is not a big City and may not fit here, while others thought there may be lower-scale density with ADUs offering an alternative to large-scale student housing.

Mr. MacIntyre thanked everyone for attending and sharing their thoughts. He asked them to fill out a comment sheet or send an email to the department. He said the next opportunity to provide input would be on January 29, 2014 for a Central City Focus Group to discuss with neighborhoods most directly affected by the ordinance.

Comments and Notes from 1/15/2014

People In Attendance

Jeff Akers. 1411 Anthony St. Akersjw@missouri.edu
Adrienne Stolwyk. 214 St. Joseph St. anstolwyk@gmail.com
Robbie Price. 111 E Brandon Road. price@soa-inc.com
Elizabeth Peters. 305 McNab Dr. BoPeters@aol.com 573-874-7812
Fred Schmidt. 110 Anderson Ave. 489-1078
Jeanine Pagan. 701 Bluffdale Dr. Jeanine.pagan@gmail.com 529-9944
Robert Tuckish. HPC Chair. 573-356-2685
Janet Hemmeu. East Campus. janethammeu@yahoo.com
Barbara Hoppe. City Council. Ward6@gocolumbiamo.com

Comments & Questions

Density is Bad.

Question in regards to the boundary of the area that is affected most by this ordinance.

Question about how a single-family dwelling with a basement that is used as a rental, and whether it would be able to build a accessory dwelling unit on the said parcel.

Definition of a single family dwelling in R-3 zoned areas.

The number of people within the R-3 district.

Comment about how college students will live “anywhere” in regards to size of ADU and architecture standards, specifically mentioning a 6x8 room will work.

Discussion about parking for 1 and 2 bedroom ADU’s, as well as setback change to 10 ft from rear primary dwelling.

Discussion about tandem parking only allowed in garages with a garage.

Explanation of ADU and number of units; can’t have 2 units for/with 1 ADU.

Discussion about the interpretation of R-3 zoned districts and the number of dwellings allowed on the lot; R-3 may have 3 units right now, as its interpreted.

Comment about how East Campus has reached density and infrastructure limits as well as how adding/allowing the addition of higher density will lead to many more parking issues, and availability will worsen.

Idea discussed with an amendment to overlay to the current as well as proposed limit.

Comment about Infill; filling in what's vacant vs. redeveloping current developed land. Historic Preservation was also brought up on how it seems more preserving is needed, meaning conundrum.

Comments about houses that look like a single family dwelling but is really a 3/4/5 plex, and how this amendment limits what can be done.

Discussion about an Architectural Review Board, as well as how building codes will be enforced, and how they can be attractive buildings.

Written Comments:

"This is just a way to get ADU's introduced to zoning and it will eventually move to include R-1. Even with R-2 zoning this is just a way to have more student rentals. This is promoted as affordable housing, affordable housing is not a problem in Columbia. Federal Section 8 housing is paying for residents who are in poverty to live in R-1 and R-2 Zoning. They have quite nice homes that are paid by federal dollars. An 800 sq. ft. size for ADU that means this is just a "studio size apartment" for student rental. The ADU residents parking just adds to congestion on small residential streets in the older neighborhoods. No owner occupancy just means more student rental. Nor architectural requirements means this just maybe ugly buildings our back of the main house. Columbia is getting as bad as Houston. The City Manager has said we have hit the limit for sewers, water, power, and road maintenance. This will just add to the problems with sewers that are already taxed beyond what the sewers are able to handle. Sewer and water lines are old and need to be replaced. The inner city cannot support this increased density. I don't think this will increase home ownership. People who want to start home ownership may not be able to keep a main house and an ADU. I wonder how is pushing this. There seems to be no housing shortage in Columbia, why is this necessary?

ADU Public Input Meeting

1/29/14

Staff: Steve MacIntyre, Tyler Avis, Tim Teddy, Bill Cantin

Attendees: Kurt Albert, Patrice Albert, Lene' Holland, Brenda Reul, Sid Sullivan, Adam Saunders, Adrienne Stolwyk, Mallory Moore, Tony McGrail, Robbie Price, John Nichol, Janet H., John J. Drage, Rhett Hartway, Veronike Collazo, Dick Parker

Mr. MacIntyre presented a PowerPoint presentation which described the different types of Accessory Dwelling Units (ADU), the potential benefits and concerns commonly associated with ADUs, and potential code revisions which the Planning and Zoning Commission had been working on to allow ADUs in the R-2 (two-family) zoning district. Mr. MacIntyre said the request to consider ordinance revisions to allow for ADUs was made by Councilperson Schmidt in late 2012, for the staff to work with the Planning and Zoning Commission and the public on the issue, and that *Columbia Imagined*, the newly adopted comprehensive plan, also called for consideration of ADUs to promote affordable housing and a diversity of housing choice.

Mr. MacIntyre described the work of the Planning and Zoning Commission to date, and the request for the public input to review the proposed ordinances and provide feedback before moving forward. He said that any ordinance revisions considered would be subject to a public hearing, and the Planning and Zoning Commission had requested additional public input opportunities be provided so that concerns and opportunities could be discussed and addressed prior to pursuing formal action. Mr. MacIntyre then reviewed the standards and regulations which were included in the current discussion draft. He described the siting/location, size, height, occupancy, and parking restrictions currently proposed in the discussion draft and potential restrictions other communities had pursued. He described the neighborhoods with zoning and lots sizes which where the ordinance would allow for ADUs. Mr. MacIntyre encouraged questions, and said he would do his best to answer questions.

The PowerPoint presentation slides are available here:

http://www.gocolumbiamo.com/community_development/planning/documents/ADU_PubInputMtg.pdf

Mr. MacIntyre was asked what the current setback requirement setback is for a duplex and whether or not this amendment would allow for more duplex's to be built. He explained that this draft ordinance would not accommodate more duplex's to be built in place of an accessory dwelling unit because of the lot and ADU size limits. He also explained that the minimum lot width for a duplex is 60 ft.

Mr. MacIntyre was asked why building an ADU in R-1 is not an option with this draft ordinance. He explained that the Planning and Zoning Commission believed that it would be too controversial at this time, and that allowing ADU's to be built in R-2 and higher zoned districts would provide a model for the

City Council to eventually be able to make a decision on allowing or not allowing ADU's in R-1 at some point in the future by seeing how the ordinance works in other residential zoned districts.

There was discussion on the general area of where most of the potential affected R-2 lots were located. Mr. MacIntyre explained that the bulk of the lots are North of Broadway, East of Clinkscales, South of Business Loop 70, and west of Providence.

Mr. MacIntyre was asked what eligibility requirements would be in place to be able to build an ADU. He explained that there are general lot size minimums, 50 feet wide and 5000 sq. feet in size, but that other criteria must be met in order for an ADU to be built, such as the parking requirements, as well as the maximum size an ADU can be compared to the principal structure on the same lot.

Mr. MacIntyre was asked how many eligible lots are eligible to build an ADU within the North Central Neighborhood Association. He explained that there would be 50 that could become eligible if the draft ordinance is passed.

Mr. MacIntyre was asked a question regarding storm-water leakage and the crumbling sewer system within the area most affected. The question was specifically directed towards the introduction of the TIF district to this area, and how ADU's addressed this and is it an issue within this area. Mr. MacIntyre answered yes it is an issue in this area, and explained that one of the big concerns is the number of unknown Private Common Collectors, and how many connections were made using clay pipe.

Mr. MacIntyre was asked a question regarding electrical lines, and if this ordinance were to be passed would neighborhoods see more lines crossing yards to connect to the ADU. He answered yes that would most likely be the case; the lines could be run either from the pole at which the primary dwelling receives its electrical line from, or a meter may be run off the primary structure's line if that is acceptable and meets regulations.

A comment was made that R-1 Zoned property within the city should be included in the draft ordinance and allowed to build an ADU if it passes. A comment was also made that Neighborhood or Homeowners Associations should have the ability to decide whether or not an ADU should be allowed in specific areas, and that the City shouldn't be limiting all of R-1. Others in attendance expressed general agreement that leaving the decision to each individual Neighborhood or Homeowner association was favorable.

A comment was made in opposition to the draft ADU ordinance, stating that the individual has been to places where ADU's are allowed (specifically San Luis Obispo, where they are known as "Secondary Dwellings"), and in neighborhoods where there are many of them, the neighborhoods aren't appealing, and the amount of concrete in place of a yard made it even worse.

A comment was made concerning the Benton-Stephens area, stating that this neighborhood is recognized by Zillow as being the fastest growing housing markets in Boone County, and that it is also one of the most desirable. The individual also explained that this neighborhood was the first in the city to have an overlay district. The individual also mentioned that this ordinance will increase traffic in the

area, and that this ordinance will not promote historic preservation but will instead transform neighborhoods, and the individual believed it should be up to the neighborhood and homeowners associations to make the decision to allow ADU's within their individual areas.

Mr. MacIntyre was asked why this topic was being covered now, ahead of when the consultant for zoning was here. He explained that Council requested that ADUs be addressed ahead of the Zoning Regulations update, and because of a delay in Council's approval of the Comprehensive Plan update, the ADU ordinance effort began last fall and is now coinciding with the start of the Zoning Regulations update effort. The ADU ordinance initiative may or may not be put on hold by Council. City staff would like to continue gathering citizen input toward this effort regardless of when it might be implemented.

A question by an individual about how the 50 properties within the East Campus Neighborhood Association will impact it being a recognized Historic District, and discussion between attendees arose and explained that building an ADU is one way of investing in one's own property as well as increasing income. It was mentioned that the AARP endorses this type of development, and that other communities have gone so far as to creating Architectural Review Boards to regulate what types of ADU's may be built.

A comment was made about how when people move further away from the city center, they are forced to drive more which causes congestion with traffic. The individual explained that density is better in terms of limiting traffic congestion.

A comment was made about how this ordinance is beneficial to single homeowners, but when an entire neighborhood becomes rentals it will be very difficult to maintain a sense of historic preservation.

Mr. MacIntyre was asked whether a parcel with an accessory dwelling could be subdivided. He explained no, that would not be an option.

Mr. MacIntyre was asked if there will be a minimum size of an ADU. He explained that no, there isn't, it will be subject to minimum building code requirements to make that decision, and he believed it would be feasible to construct an ADU as small or smaller than 300 sq. feet. A comment was made in response to Mr. MacIntyre's answer about how efficiency in homes can be related to efficiency in vehicles; the smaller they are the more efficient they are.

A comment was made that Midwest cities have the obvious advantage and ability to sprawl as much as they want, but making a city more dense is more economical, interesting and exciting.

A comment was made about how to make this draft ordinance more palpable to more people. Having an owner occupancy requirement was an answer that most attendees seemed to believe would be very appealing, and would limit the number of ADU's built.

Mr. MacIntyre thanked everyone for attending and sharing their thoughts. He asked them to fill out a comment sheet or send an email to the department. He also mentioned that if neighborhoods or groups of people would like an individual presentation on the draft ordinance to contact him.

Comments 1/29/14:

R-2 & R-3 are the most beneficial areas that can have the biggest impact. R-1 The hope would be that it would/could expand to these areas of the city. Increase density in areas of the central core that can support it. Additional income opportunities for home/property owners is beneficial. "Growing old in Place"

I think the ordinance should cap the number of bedrooms in an ADU at 2 bedrooms. It should also include an owner occupancy requirement. Overall, I am in favor of the ordinance.

Steve & P/Z Comission: Thank you for your work on this ADU proposal. The city is growing, it will continue to grow. This is a healthy way to grow R-2 and R-3 properties. Thank you for enduring the challenging people & ideas from your opposition. – J.D.

Very Supportive of the ordinance! I would recommend change only if necessary to get the ordinance passed.

Section 29-7 District R-2, two-family dwelling district.

(a) *Purpose.* This district is intended to provide for one-and two-family residential developments of various types and mixes. The principal land use is one-family or duplex residential dwellings.

(b) *Permitted Uses.* In district R-2, no building or land shall be used, and no building shall be hereafter erected, constructed, reconstructed or altered, except for one or more of the following uses (for exceptions see section 29-28, Non-Conforming Uses, and section 29-31, Board of Adjustment):

All permitted uses in district R-1.

Dwellings, two-family(also known as “duplex”).

Dwelling, One-family attached.

Two one-family dwellings (detached) constructed on a single lot.

(c) *Conditional Uses.* The following uses shall be permitted in district R-2 only after the issuance of a conditional use permit pursuant to the provisions of section 29-23:

Buildings and premises for public utility services or public service corporations whose buildings or uses the board deems reasonably necessary for public convenience or welfare.

Cemeteries, which may include mausoleums thereon, for humans.

Family day care homes, day care centers, pre-school centers, nursery schools, child play care centers, child education centers, child experiment stations or child development institutions.

Home occupations, subject to the criteria listed for home occupations in Section 29-6(b); except that the home occupation may be carried out by occupants of the dwelling unit as well as by one full-time forty-hour individual or two one-half time (twenty hours each) individuals who do not reside in the dwelling unit. In addition, the Board may allow that not more than forty (40) percent of the total floor area of the dwelling unit and garage shall be devoted to the home occupation. A conditional use permit for a home occupation shall expire three (3) years from the date of approval, after which a new conditional use permit may be requested.

Private lakes.

Private outdoor swim and tennis clubs.

Private stables.

Reservoirs, wells, water towers, filter beds, water supply plants or water pumping stations.

Reuse of places of public assembly, with the same conditions and restrictions as set forth in section 29-6(c), Conditional Uses.

(d) *Height and Area Regulations.* In district R-2 any building, portion of a building, or dwelling hereafter erected, constructed, reconstructed, or altered shall be subject to the following regulations (for exceptions see section 20-26, Height and Area Exceptions):

(1) *Lot size:*

- a. ~~One Family~~—Not less than five thousand (5,000) square feet.
- ~~b. Two Family Not less than ten thousand (10,000) square feet.~~

Provided, that where a public or community sewer is not available and in use for disposal of all sanitary sewage, each lot shall provide not less than fifteen thousand (15,000) square feet per family.

(2) *Lot width.* Not less than fifty (50) ~~sixty (60)~~ feet at the building line, provided that where a lot has less width than herein required, in separate ownership at the time of the passage of Ordinance No. 9958, this regulation will not prohibit the erection of a one-family dwelling.

(3) *Yards:*

- a. Front--Not less than twenty-five (25) feet in depth, except as provided in section 29-26.
- b. Rear—~~Not less than six (6) feet in depth. Twenty-five (25) per cent of lot depth, or twenty-five (25) feet, whichever is less.~~
- c. Side--Not less than six (6) feet in width each. Buildings on corner lots where interior lots have been platted on side streets shall provide a side yard adjacent to the side street of not less than fifty (50) per cent of the front yard established for buildings on interior lots on the side street, provided this regulation shall not be so interpreted as to reduce the buildable width of a corner lot of record at the time of passage of Ordinance No. 9958, to less than sixty-five (65) per cent of the total width of such lot, and provided further, that the minimum side yard regulations in this section must be observed. Accessory buildings on corner lots, where interior lots have been platted on side streets, shall not project beyond the front yard line established on the side street, provided this regulation shall not reduce the buildable width to less than twenty (20) feet. Except that one-family attached dwellings shall have no side set back on the side of attachment.

(4) *Building height.* Not over thirty-five (35) feet except as provided in section 29-26.

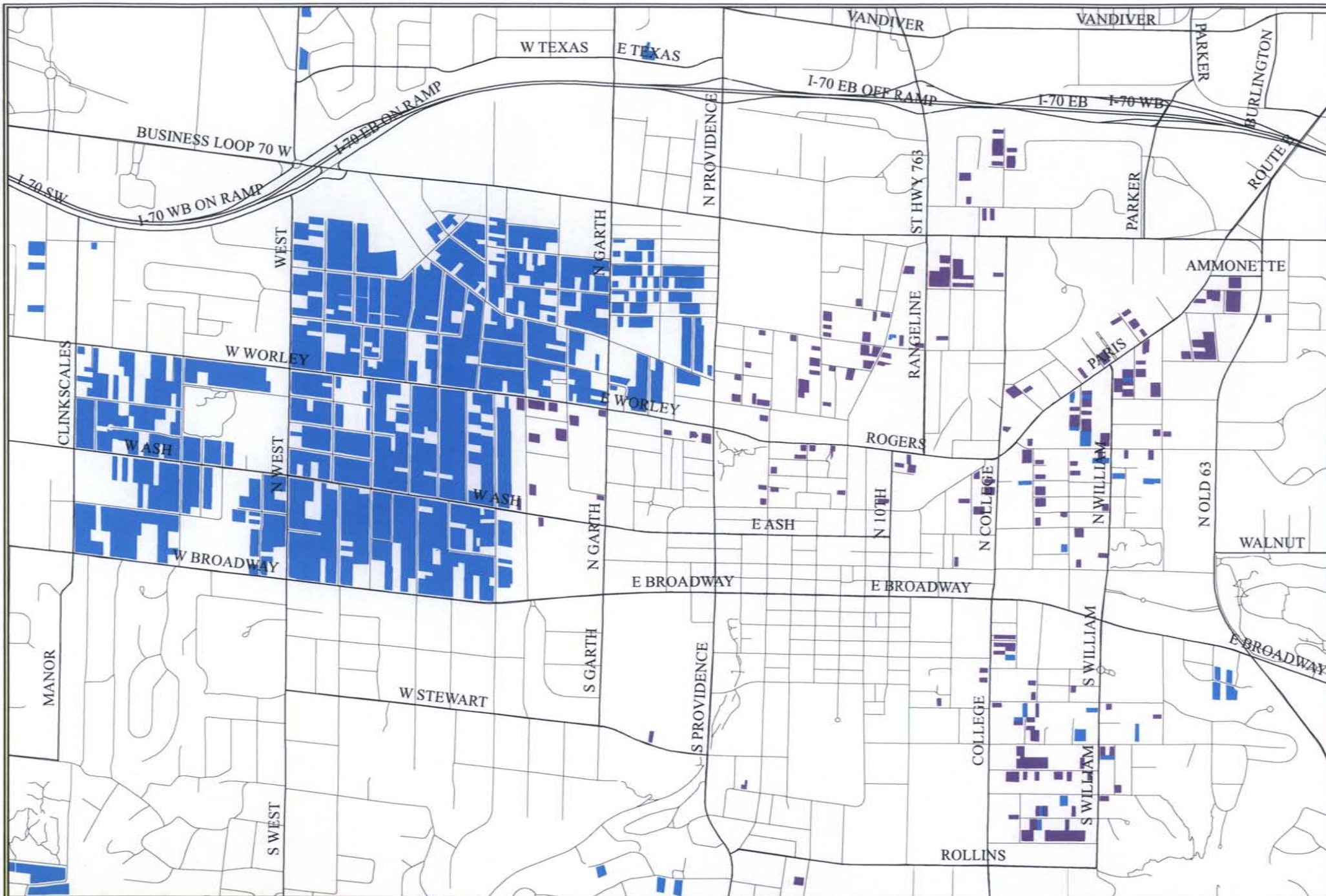
(5) *Vision clearance.* On any corner lot on which a front or side yard is required, no wall, fence, sign, or other structure or no plant growth of a type which would interfere with traffic visibility across the corner, shall be permitted or maintained higher than three (3) feet above the curb level, within fifteen (15) feet of the intersection of the street right-of-way lines.

(6) *Floor area:*

- a. One-family--Not less than six hundred fifty (650) square feet excluding basements, porches and garages.

b. Two-family--Not less than five hundred (500) square feet per dwelling unit excluding basements, porches and garages.

(7) *Parking.* (See section 29-30, Off-Street Parking and Loading.)



Concentrations of Eligible ADU Lots

City of Columbia, Missouri
Department of Community Development

Date: 1/21/2014

This map shows R-2 and R-3 lots that meet the requirements of the ADU ordinance with a single family home. There are 2,081 R-2 lots and 302 R-3 lots developed with single family homes within the central city.

Legend

- Single Family R-2 Lots Meeting ADU Ordinance Requirement
- Single Family R-3 Lots Meeting ADU Ordinance Requirement

