



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: April 1, 2024

Re: Unified Development Code Text Change – Accessory Dwelling Units (Case # 110-2024)

Executive Summary

Approval of this request would revise several use-specific standards applicable to the construction of accessory dwelling units (ADUs) on properties zoned R-1 One-family Dwelling District, R-2 Two-family Dwelling District, and R-MF Multiple-family Dwelling. The revisions were proposed by Adrienne Stolwyk, a registered local architect and accessory dwelling unit advocate/owner, and were assigned to the Planning and Zoning Commission for consideration at the Council's January 16, 2024 meeting. The revisions are sought to remove requirements originally established in 2015 when ADU standards were introduced within the UDC; however, are now believed barriers to the production of such dwellings. The revisions would remove these barriers and potentially result in greater construction of ADUs as a means of addressing the current housing availability and affordability shortage.

Discussion

The City's Planning and Zoning Commission and staff, at the direction of Council following a request by local architect and ADU owner/advocate Adrienne Stolwyk, have prepared a series of amendments to the UDC relating to the use-specific standards applicable to accessory dwelling units (ADUs). The amendments will impact two use specific standards in sec. 29-3.3(gg) of the UDC as well as result in a dimensional standard revision applicable to single- and two-family structures **only** within the R-MF zoning district as shown in sec. 29-4.1(a), Table 4.1-1 of the UDC. The revisions are intended to remove barriers to the construction of ADUs and encourage their construction as a means of addressing the current housing availability and affordability shortage.

Since adoption of the ADU regulations in 2015, the city has received a total of 16 permit applications to construct ADUs. Of these permits five have received certificates of occupancy, one was voided, one was withdrawn, three permits have expired, three permits have been issued, one was approved, and two are in review. During this same time period, the use-specific standards regulating ADU construction were modified to reduce parking (2019) and a "fee-waiver" program (2018) established to encourage greater production. As can be seen, these changes have had limited impact on production.

In requesting that the changes contained in the attached amendment, Ms. Stolwyk provided testimony during a Planning Commission work session that the revisions were based upon her interactions with others seeking guidance on constructing ADUs and common concerns expressed about the challenge that the current regulations pose to facilitate their construction. After review of the proposed revisions, staff and Commissioners concluded the



changes desired were “minor” and, if approved, would remove the barriers expressed by those individuals working with Ms. Stolwyk.

The proposed amendments will impact sections 29-3.3(gg) [Use-specific Standards – Accessor Dwelling Units and 29-4.1(a), Table 4.1-1 [Dimensional Summary Table].

Revised use-specific standards

There are two proposed revisions to the use-specific standards applicable to the ADUs. The first addresses the minimum lot area needed to allow a building permit for an ADU to be issued on an R-1, R-2, or R-MF lot. The second amendment eliminates the restriction prohibiting a **second** entry door to face the front property line when an ADU is attached to the parcel’s principal dwelling.

Presently the minimum lot area required to allow a permit to be issued for an ADU is 5,000 sq. ft. and 50-feet of lot frontage. Given the most recent changes to the UDC allowing lots as small as 3,000 sq. ft. and containing as narrow as 30-feet of lot frontage it is believed appropriate to revise the current regulatory standards. The proposed revisions address R-1 zoned property and those zoned R-2 and R-MF differently in an effort to address possible dwelling unit density issues arising on smaller R-1 lots.

For R-1 zoned property, the minimum lot area would remain at 5,000 sq. ft.; however, such a lot could be as narrow as 30-feet in lot width. Whereas, for R-2 and R-MF zoned lots, the minimum lot area would be reduced to 3,000 sq. ft. and 30-feet feet of lot width to match the recently revised lot size standards applicable to “legal lots” less than 60-feet wide. The logic behind this differentiation is that the R-1 district is intended principally for single-family residences while the R-2 and R-MF districts are principally associated with two or more dwellings per lot. Furthermore, retaining the minimum lot area for R-1 zoned property was viewed as a less significant revision when combined with the ability to reduce such a lot to a 30-foot frontage.

As for elimination of the restriction prohibiting a **second** entry to face a parcel’s front property line when the ADU were attached to the principal dwelling, it is noted that many homes within Columbia already have two entry doors facing a parcel’s front property line. This provision was originally created to prevent a single-family dwelling from resembling a “duplex” when an ADU was integrated into an existing home.

Elimination of this requirement may create an opportunity to activate an unused entry door into a converted attached garage or allow for a new entry to be established. Additionally, allowing an entry to face the front property line will increase ADU visibility from the street leading to higher levels of resident safety and consistency with the city’s dwelling unit addressing protocols, which in turn would aid emergency responders in the delivery of services. Finally, eliminating the prohibition results in a consistent application of the city’s adopted building code which does not restrict how many entry doors may be located along a dwelling’s street facing façade.



Revised dimensional standards

Revision to section 29-4.1(a), Table 4-1.1 will correct what appears to have been an error in the initial adoption of the UDC with respect to the required side yard setback standards for single- and two-family development within the R-MF district. Presently the setback standards for such development in the R-MF do not match those within the R-1 or R-2 zoning districts for similar construction.

The R-MF district has historically had a 10-foot side yard setback which was intended to address the potential impacts of multi-family development occurring adjacent to single- or two-family structures. However, as a part of reviewing the potential impediments to ADU construction (a single-family housing type) this increased setback was identified as a provision that required revision. The R-1 and R-2 districts require a 6-foot side yard setback for single- and two-family structure. The R-MF district allows the same types of construction as well as multi-family; however, with a 10-foot setback. To create parity between the R-1 and R-2 zoning district, it is proposed to reduce the setback in the R-MF district to 6-feet as well.

It should be noted that the reduction in R-MF setbacks would **only** be applicable to single- and two-family structures. Table 4.1-1 of the UDC has been modified to show a 6-ft/10-ft side yard setback as being applicable within the district and a new footnote designation provides clarity that the 6-foot setback only applies to single- and two-family structures. It should be further noted that in sec. 29-4.6 of the UDC [Neighborhood Protections] multi-family structures constructed adjacent to single- and two-family dwellings are required to either "step-down" or increase their setbacks to reduce their impacts upon adjoining single- and two-family dwellings. These additional protects are not impacted the proposed text change.

A public hearing on these amendments was held by the Planning and Zoning Commission at their March 7 meeting. Staff provided its report and no members of the public spoke. There was brief Commission discussion on the matter. Following that discussion, a motion was made to approve the proposed amendments which was approved by a vote of (8-0).

A copy of the Planning and Zoning Commission staff report, text amendment, and meeting minute excerpts are attached for review.

Fiscal Impact

Short-Term Impact: None anticipated.

Long-Term Impact: None anticipated



Strategic & Comprehensive Plan Impact

[Strategic Plan Impacts:](#)

Primary Impact: Resilient Economy, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

[Comprehensive Plan Impacts:](#)

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Economic Development

Legislative History

Date	Action
01/16/2024	Provided direction to produce ADU amendments. (REP2-24)

Suggested Council Action

Approve the proposed UDC text change as recommended by the Planning and Zoning Commission.