

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
January 19, 2023**

SUMMARY

A request by JWT Architect (applicant), on behalf of Nicole and Josh Jacomb (owners), seeking a Conditional Use Permit (CUP) to permit an Accessory Dwelling Unit (ADU) as an attached structure to a principal residence. The subject site is zoned R-1 (Residential single-family), located on the eastern frontage of S Garth Avenue approximately 600' south of Stewart Rd, and is commonly addressed 506 S. Garth Avenue.

DISCUSSION

This request would allow the second story of a proposed attached structure to be utilized as an accessory dwelling unit behind the existing home addressed 506 S. Garth Avenue. The scope of the potential building alteration includes façade and roof improvements plus adding a two-story, attached addition. Only the second floor of the proposed addition would serve as an ADU. This addition requires a conditional use permit (CUP) before a building permit can be secured.

This is the fifth CUP request for an ADU in an R-1 zone since the adoption of the UDC in March of 2017. Prior to the UDC's adoption, ADUs were only permitted in the R-2 or higher zones. The creation of CUP standards was to address an expressed desire by many residents for this form of housing including, but not limited to, the downzoning discussion related to the West Central Neighborhood Action Plan (WCNAP) and to fulfill several Columbia Imagined goals and objectives.

The establishment of ADU's within the community can promote: (1) context-sensitive density, (2) mixed-income and mixed-housing type neighborhoods; (3) affordable housing, (4) walkable neighborhoods that allow residents better access to existing infrastructure and services, (5) opportunities for aging-in-place, and (6) a means of providing income streams to homeowners. These opportunities are all generally considered acceptable outcomes of creating livable and sustainable neighborhoods which is a principal goal and objective of the City's Comprehensive Plan.

ADUs are secondary dwelling units attached to or located on the same property, as the primary dwelling unit. They are smaller than the primary dwelling unit and must meet all use-specific standards of Section 29-3.3 (gg) of the UDC which include provisions relating to minimum lot size, setback, height, and parking. ADU's are permitted in the R-2 and R-MF districts subject to only meeting the use-specific standards of 29-3.3(gg); however, when desired in the R-1 district they must, in addition to all use-specific standards, obtain a CUP in accordance with the provisions of Section 29-6.4(m) of the UDC.

506 S. Garth Avenue is a .21-acre, 60'x150' (9,000 ft²) property located near the southern terminus of S. Garth Avenue. The lot size meets the dimensional requirements of the code (5,000 square feet and 50 foot lot-width minimum). The sketch plans (attached) submitted with the application indicate the proposed structure complies with the floor area and height restrictions outlined in the use-specific standards. ADUs cannot exceed 75% of the footprint of the primary dwelling or 800 square feet. The principal residence is 1,621 square feet according to Assessor records thus the maximum size of an ADU on the property, should the CUP be granted, would be 800 square feet.

While the applicant would be constructing an addition with 940 square feet, only the second story (470 square feet) will be dedicated to the ADU. The floor space on the first floor is not internally connected to the second floor and will instead be used for storage or workshop space.

In addition to the CUP criteria, discussed in detail below, the appropriateness of a CUP for this location was considered in terms of the Comprehensive Plan and the context of the surrounding area. The addition is proposed as an attached structure to the rear of the principal building's garage. The existing structure and proposed façade/roof improvements will aid in integrating the proposed improvements into their surrounding context.

In terms of the larger land-use and zoning mix of the area around the subject site, most properties on this street remain in R-1 zoning, which requires a CUP to permit ADUs. The site is located close to downtown and R-MF zoning can be found immediately to the east of properties on Garth Avenue. Staff has not identified any specific concerns (e.g. utility service capacity, parking, land use compatibility, or others) related to permitting an ADU on this lot as long as it meets UDC requirements. Parking spaces are provided via the existing garage and driveway thus providing sufficient parking for both dwelling units on the site.

Staff finds the request to be generally consistent with the evaluation criteria for a CUP as found in Section 29-6.4(m) of the Code. As part of its review, staff notes that there are additional use-specific standards and other provisions of the UDC in place to mitigate the potential negative impacts of ADUs on adjacent property, to provide sufficient infrastructure and services to support the use, and to protect the character of the area in which it is located.

The request is considered consistent with the comprehensive plan and conforms to the requirements of the R-1 zone as the lot size meets the requirements for an ADU in the R-1 zone. Prior to final permitting, the proposed construction will be subject to all other applicable building and use-specific standards articulated within Section 29-3.3(gg) of the UDC. It should be further noted that CUPs run with the land into perpetuity unless otherwise conditioned. Staff relayed to the applicant conditions that the Commission and City Council have applied to similar CUP requests in the R-1 zoning district. The applicant has chosen to voluntarily impose these conditions on the Conditional Use Permit, should it be granted. Staff does not object to these voluntary conditions.

RECOMMENDATION

Approval of the requested conditional use permit to allow an ADU on property addressed as 506 S. Garth Avenue subject to the following, voluntary conditions:

1. *The property owner shall be a resident of either the principal dwelling unit or accessory dwelling unit*
2. *The property is limited to one (1) rental certificate registered with the Office of Neighborhood Services*

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- Architect's Conceptual Plans

SITE CHARACTERISTICS

Area (acres)	0.21
Topography	Flat
Vegetation/Landscaping	Residential landscaping
Watershed/Drainage	Flat Branch
Existing structures	Single-family structure and attached garage

HISTORY

Annexation date	1845
Zoning District	R-1
Land Use Plan designation	Neighborhood
Previous Subdivision/Legal Lot Status	Lot 9 of Welch's Addition, legal lot

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia.

ACCESS

South Garth Avenue	
Location	West
Major Roadway Plan	Local Residential
CIP projects	None
Sidewalk	None

PARKS & RECREATION

Neighborhood Parks	Grasslands Park, 700' South
Trails Plan	MKT Trail Connector, 130' SE
Bicycle/Pedestrian Plan	Garth Avenue is a key roadway to bike/ped connectivity

PUBLIC NOTIFICATION

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified via an advanced notification postcard which was mailed on December 22, 2022. 19 postcards were sent.

Public Notification Responses	None
Notified neighborhood association(s)	Westmount NA; Park Hill NA; Historic Old Southwest NA
Correspondence received	None

Report prepared by Brad Kelley

Approved by Pat Zenner