

Draft -- Proposed Amendment to the Zoning Ordinance to allow Accessory Dwelling Units on Single-Family Lots.

ARTICLE IV. DISTRICT REGULATIONS

DIVISION 2. R-E – SINGLE FAMILY RESIDENCE DISTRICT

Sec. 28-272. Permitted uses.

(19) Accessory Dwelling Units.

DIVISION 3. R-1A – SINGLE FAMILY RESIDENCE DISTRICT

Sec. 28-297. Permitted uses.

(19) Accessory Dwelling Units.

DIVISION 4. R-1B – SINGLE FAMILY RESIDENCE DISTRICT

Sec. 28-322. Permitted uses.

(20) Accessory Dwelling Units.

DIVISION 5. R-1C – SINGLE FAMILY RESIDENCE DISTRICT

Sec. 28-347. Permitted uses.

(20) Accessory Dwelling Units.

DIVISION 6. R-2 – TWO-FAMILY AND ATTACHED SINGLE FAMILY RESIDENCE DISTRICT

Sec. 28-372. Permitted uses.

(28) Accessory Dwelling Units.

DIVISION 7. R-3A – MULTIPLE FAMILY RESIDENCE DISTRICT

Sec. 28-397. Permitted uses.

(30) Accessory Dwelling Units.

DIVISION 8. R-3B – MULTIPLE FAMILY RESIDENCE DISTRICT

Sec. 28-422. Permitted uses.

(31) Accessory Dwelling Units.

DIVISION 9. R-3C – MULTIPLE FAMILY RESIDENCE DISTRICT

Sec. 28-447. Permitted uses.

(31) Accessory Dwelling Units.

DIVISION 10. R-3D – MULTIPLE FAMILY RESIDENCE DISTRICT
Sec. 28-472. Permitted uses.

(31) Accessory Dwelling Units.

DIVISION 11. R-3E – MULTIPLE FAMILY RESIDENCE DISTRICT
Sec. 28-497. Permitted uses.

(31) Accessory Dwelling Units.

DIVISION 12. O-1 – OFFICE DISTRICT
Sec. 28-522. Permitted uses.

(41) Accessory Dwelling Units.

DIVISION 13. O-2 – OFFICE-RESIDENCE DISTRICT
Sec. 28-547. Permitted uses.

(54) Accessory Dwelling Units.

DIVISION 14. O-3 – OFFICE-LIMITED COMMERCIAL DISTRICT
Sec. 28-572. Permitted uses.

(56) Accessory Dwelling Units.

ARTICLE V. SUPPLEMENTARY DISTRICT REGULATIONS

DIVISION 9. ACCESSORY DWELLING UNITS

Sec.28-970.5.1 Purpose.

Accessory dwelling units are intended to provide an opportunity for alternative housing options in single-family residential neighborhoods while preserving the character of these neighborhoods. This is intended to make neighborhoods more resilient against changing market conditions, allow more efficient use of existing infrastructure, provide alternative housing options and a means for property owners to realize additional income while residents remain in place.

Sec.28-970.5.2 Definitions.

Accessory Dwelling Unit. A separate additional living unit, providing separate complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, attached or detached from a primary residential unit, on a legally platted single-family lot.

Owner occupancy. Means a property owner, as reflected in title records, makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means.

Sec.28-970.5.3 Design and Development Standards.

All accessory dwelling units must conform to the following standards:

1. *Number of Accessory Dwelling Units per Lot.* Only one accessory dwelling unit shall be allowed per lot.
2. *Number of bedrooms of Accessory Dwelling Units.* Only one bedroom permitted per Accessory Dwelling Unit.
3. *Existing Development on the Lot.* A detached single-family dwelling must exist on the lot or will be constructed in conjunction with the accessory dwelling unit. Accessory dwelling units are not permitted with any other type of housing units.
4. *Setbacks for Detached Accessory Dwelling Units.* Detached accessory dwelling units shall have a minimum rear yard setback of 10 feet; side yard setback of 5 feet; and front yard setback the same as the primary unit. A detached accessory dwelling unit must have at least a 10-foot separation from the primary dwelling. Existing structures that are adapted or renovated are exempt from the setback requirements.
5. *Setbacks for Attached Accessory Dwelling Units.* Attached accessory dwelling units shall meet the same minimum setbacks required by the zoning district of the primary dwelling.
6. *Unit Size.* The maximum floor area of the accessory unit shall not exceed 500 square feet or 30% of the size of the floor area of the primary unit whichever is greater. The floor area calculation of the primary unit excludes garages. Existing structures that are adapted or renovated are exempt from the unit size requirements.
7. *Height.* The maximum height of an accessory dwelling unit shall not exceed the height of the primary dwelling unit.
8. *Occupancy.* In single-family residence districts, the property owner shall sign an affidavit before a notary public, to be recorded with the McLennan County Clerk's Office, affirming that the owner occupies either the main building or the accessory dwelling. It shall be unlawful in a single-family residence district to lease both the main building and the accessory dwelling. ~~The applicant shall provide a covenant suitable for recording with the~~

~~McLennan County Clerk's Office, providing notice to future owners or long term leases of the subject lot that the existence of the accessory dwelling unit is predicated upon the occupancy of either the accessory dwelling or the principal dwelling by the owner of the property. The covenant shall also require any owner of the property to notify a prospective buyer of the limitations of this section and to provide for the removal of improvements added to convert the premises to an accessory dwelling and the restoration of the site to a single-family dwelling in the event that any condition of approval is violated.~~

9. *Parking.* Off-street parking shall be provided at a minimum of one space for accessory dwelling unit in addition to the two space required for the primary dwelling. In addition, the following requirements shall apply:
 - (a) Parking access for the accessory dwelling unit shall be the same as the primary unit's parking access.
 - (b) Where a lot abuts a public alley, vehicular access for the accessory dwelling unit may be provided from the alley at the rear of the lot.
10. *Site Coverage and Open Space.* The maximum coverage of the lot by buildings and paved areas shall not exceed 75 percent of the total lot.
11. *Building Elevations and Materials.* Exterior design of accessory dwelling units shall be compatible with the primary residence and have ~~similar complimentary~~ **complementary** wall materials, window types, door & window trims, roofing material & roof pitch. ~~Existing structures that are adapted or renovated are exempt from the roof pitch requirement.~~
12. *Utility Connection.* An accessory dwelling must be connected to the City water and wastewater services of the primary dwelling unit and may not have separate services.
13. *Other Code Requirements.* The accessory dwelling unit must meet all other applicable City codes before occupancy.

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