City Council Item

April 14, 2025

Item	Accessory Dwelling Units (ADUs) - Review Draft Ordinances	
File No.		**Item No:** A.2
Agenda Section	**5:30 P.M. - WORK SESSION**	
Prepared By	Eric Maass, Community Development Director	
Reviewed By		

SUGGESTED ACTION

Staff recommends forwarding the attached ADU ordinance forward for Planning Commission review and public hearing.

Staff seeks feedback on the detached ADU ordinance if that is something the City Council desires to continue to pursue.

Staff seeks feedback on an interpretation of City Code as it relates to what constitutes a dwelling unit.

Motion Type	N/A
Strategic Priority	Operational Excellence

SUMMARY

Attached Accessory Dwelling Units

The City Council has previously discussed potential revisions to the city's ordinance regulating Accessory Dwelling Units (ADUs). At the March 24 work session, the Council expressed general support for allowing attached ADUs through an administrative building permit process. The staff has drafted an ordinance specifically for the regulation of attached ADUs through an administrative building permit for the Council's review. If the City Council remains supportive of the administrative review of attached ADUs, staff will begin the formal ordinance review process with the Planning

Commission.

Detached Accessory Dwelling Units

The City Council expressed concern regarding detached ADUs and requested additional time and information to consider this housing option. The staff has conferred with the City Attorney regarding the potential for a variance process to be used for the city review of detached ADUs. The City Attorney did not support a variance process and directed that a conditional use permit was the appropriate tool if the City Council desired a path to allow for detached ADUs with City Council oversight. Based on feedback from the City Attorney and prior discussion with the City Council, staff has prepared a draft ordinance related explicitly to detached ADUs that can be referenced and discussed if the Council wants to pursue further detached ADUs within the A-2, RR, or RSF zoning districts.

City Code Interpretation

The conversation regarding detached ADUs was based on citizen comments during a recent city council meeting, during which a resident expressed a desire to construct a structure in their rear yard on property located at 6450 Fox Drive.

City Code defines "dwelling unit" as follows: *one or more rooms that are connected together as a single unit constituting complete, separate, and independent living quarters for one or more persons, physically separated from any other room or dwelling unit which may be in the same building and containing permanent cooking, eating, sleeping and sanitary facilities for the exclusive use of a single-family maintaining a household*.

The plans shown for 6450 Fox Drive show sleeping and sanitary facilities as well as adequate square footage for a table for eating, but it does not contain cooking facilities. It is similar in nature to a pool house. If permitted, the building department would require a certificate of occupancy to be issued for this accessory structure.

The staff has also provided an example plan for a building project at 6605 Horseshoe Curve involving a garage addition and finished space over the new attached garage. The finished space includes sleeping, sanitation, and dining space but does not provide a kitchen. A difference between the first example at 6450 Fox Drive and the project at 6605 Horseshoe Curve is that the latter is attached to the principal structure.

In both examples, the area that includes a sink and refrigerator would be defined by zoning as a "wet bar" rather than a kitchen. In order to be considered a "kitchen," planning staff looks for appliances that facilitate the full range of cooking and meal preparation, including an oven and dishwasher, as well as a sink and refrigerator. Because both projects only show 3 of the 4 elements required to be considered a "dwelling unit" by the zoning code, the proposed projects could be viewed as a detached accessory structure (6450 Fox Drive) and as a principal structure addition (6605 Horseshoe Curve) rather than an attached or detached accessory dwelling unit.

Staff requests City Council feedback on the above city code interpretation and determination.

BACKGROUND

DISCUSSION

BUDGET

RECOMMENDATION

No formal recommendation, discussion only.

ATTACHMENTS

Attached ADU Ordinance
Detached ADU Ordinance
Permitted Building Project - 6605 Horeshoe Curve
Proposed Building Project - 6450 Fox Drive