

Housing and Community Development Advisory Board (HCDAB)

Summary of Recommendations

Below is a summary of the recommendations from the January 5, 2017 HCDAB meeting. In summary the HCDAB recommends approval of Zoning Ordinance Amendment #32 to allow accessory apartments with the changes and provisions listed below.

Zoning Districts/§1271(a) - The HCDAB recommends not adding single family homes in the R-5 zoning district as eligible for accessory apartments and only allowing accessory apartments in RR-1, RR-2, and R-4 zoning districts.

Non-Conforming Lots/§1271(b) - The HCDAB supports allowing accessory apartments on non-conforming lots. Any single family home in a qualifying zoning district that is non-conforming with regard to lot size could have an accessory apartment. However, any new construction would be required to comply with the development standards for the district and could not exacerbate any other existing non-conformity such as non-conforming setbacks, non-conforming lot coverage or non-conforming floor area ratio.

Owner Occupancy/§1271(c) - The HCDAB recommends allowing the property owner to occupy either the primary structure or the accessory apartment with no restriction.

Owner Residency /§1271(d) - The HCDAB supports striking the wording that limits an owners absence at any one time to 30 days in a calendar year. The other restrictions on residency are sufficient to address the issue.

Occupancy Limit/§3023(f) - The HCDAB recommends keeping the occupancy limits of the proposed draft ordinance and not allowing any provisions for greater occupancy if individuals in the accessory apartment are related to each other. The HCDAB felt this would be easier for staff and residents to understand as the occupancy limits would not differ if an accessory apartment was in place.

Unit Size/§4201(b)(2) – After discussion the HCDAB was comfortable leaving the 800 square foot size limitation. The HCDAB felt the limit was sufficient for various circumstances and was easy for staff to calculate and citizens to understand (as opposed to calculating percentages of the main houses square footage).

Safety Measures/§4201(b)(3) – The HCDAB agrees that carbon monoxide detectors should be required in any accessory apartment with gas heat or appliances. The HCDAB also supports further conversation with the Building Official regarding any other pertinent safety features that may be needed for the accessory apartment to meet the building code.

Height, Setbacks and Floor Area Ratio/§4201(b)(6) – The HCDAB recommends that accessory apartments be subject to the same setbacks as the main structure. The applicable setback would be those in the underlying zoning district in which the accessory apartment is proposed. The HCDAB agrees with the recommendation developed by the Zoning Review Committee (ZRC) that accessory apartments

be limited in height to 10' at the eave of the structure and that an additional one foot of setback be provided for every additional foot of height above 10'. The HCDAB also agrees with the ZRC that in no case shall the accessory apartment exceed the maximum height of structures allowed in the zoning district. The HCDAB concurs with the ZRC recommendation that the entrance to the apartment may not be located on the property line side of the structure to aid in privacy with adjoining neighbors. The HCDAB also agrees with the ZRC that no patios or decks are allowed on the property line side of the structure.

The HCDAB recommends that if the accessory apartment is detached from the primary structure that it is considered in the calculation of Floor Area Ratio. The HCDAB feels this is easier for staff to calculate and enforce and follows the rules of the underlying zoning and is not in agreement with the ZRC on this matter.

Lastly, the HCDAB agrees with the ZRC recommendation that lot coverage be added to (b) (6) and the existing limit on lot coverage for the underlying zoning district include the accessory apartment.

Parking/§4201(b)(7) - The HCDAB recommends requiring one additional parking space for the accessory apartment as proposed in the draft ordinance. The HCDAB does not concur with the ZRC recommendation to eliminate the parking requirement. The HCDAB would like to see less auto use in town but believes this is not practical in many cases.

Universal Design Features/§4201(b)(9) – The HCDAB recommends keeping universal design features as proposed in the draft ordinance. The HCDAB feels that the universal design requirements would not negatively impact the unit size because the proposed size limit (800 square feet) can accommodate universal design.