

Case No. PZ-21-00066 Updates to Zoning Code 2021 – Accessory Dwelling Unit and Accessory Structure Encroachments Requirements

Narrative and Regional Plan and Specific Plan Conformance Analysis

Narrative

To encourage the development of Accessory Dwelling Units on detached single-family lots, the objective of the proposed amendment is to add additional flexibility and remove barriers that are contained within the existing Accessory Dwelling Unit provisions. To achieve this objective, new provisions are proposed to be added and existing provisions are proposed to be modified to allow additional flexibility. The proposed modifications include allowing Detached Accessory Dwelling Units to be located in the required rear and interior setbacks, provided that the building height of the structure does not exceed a maximum building height of 16 feet. In addition, the maximum building height of the Attached and Interior Accessory Dwelling Units are proposed to be increased from 24 feet to the maximum height allowed by a property's zone. Also, the proposed modifications include allowing detached garages that were constructed prior to February 16, 2016, and are within the required setbacks to be converted to an Accessory Dwelling Unit. Furthermore, the proposed modifications include provisions to allow both the Accessory Dwelling Unit and the Single-family Dwelling Unit to be rented separately, as long as the property owner records a restrictive covenant that prohibits renting any unit as a short-term/vacation rental (i.e., less than 30 days).

In addition to the above modifications, the proposed Zoning Code Text Amendment includes consolidating the accessory structure encroachment allowances of Table 10-40.60.020.B.7.d. into Table 10-50.40.020.A.: Allowed Encroachments into Setbacks.

Regional Plan Conformance

Chapter VIII - Community Character

- Policy CC.3.1. Encourage neighborhood design to be respectful of traditional development patterns and enhance the overall community image.
- Policy CC.3.2. Maintain and enhance existing buildings and blend well-designed new buildings into existing neighborhoods.

The proposed modifications of the Accessory Dwelling Unit requirements are intended to maintain building heights and setbacks that match the provisions for other accessory structures (e.g., garage, sheds, etc.) and the allowed height of a property's zone. The proposed revisions are intended to maintain a consistent development pattern that blends newly constructed Accessory Dwelling Units in a manner that is compatible with the existing traditional neighborhood environment.

Chapter IX - Growth Areas & Land Use

- Policy LU.1.6. Establish greater flexibility in development standards and processes to assist developers in overcoming challenges posed by redevelopment and infill sites.
- Goal LU.3. Continue to enhance the region's unique sense of place within the urban, suburban, and rural context.

- Policy LU.5.3. Promote compact development appropriate to and within the context of each area type: urban, suburban, and rural.
- Goal LU.13. Increase the variety of housing options and expand opportunities for employment and neighborhood shopping within all suburban neighborhoods.
- Policy LU.13.4. Plan suburban development to include a variety of housing options.

The proposed modifications of the Accessory Dwelling Unit provisions will assist in maintaining Flagstaff's unique sense of place that is consistent with the older and historic neighborhoods throughout the city. The revised standards are intended to provide property owners additional flexibility to develop Accessory Dwelling Units on single-family lots to promote compact and intensified development that is compatible within new and existing neighborhoods. Furthermore, the modified standards are intended to allow for an increase in housing options within new and existing neighborhoods in a manner that is consistent with the older and historic neighborhoods.

Chapter XIII - Neighborhoods, Housing, & Urban Conservation

- Goal NH.3. Make available a variety of housing types at different price points, to provide housing opportunity for all economic sectors.
- Policy NH.3.1. Provide a variety of housing types throughout the City and region, including purchase and rental options, to expand the choices available to meet the financial and lifestyle needs of our diverse population.
- Policy NH.3.2. Promote accessory dwelling units, where appropriate.
- Policy NH.3.5. Encourage and incentivize affordable housing.

One of the primary purposes of the proposed modifications to the Zoning Code is to remove barriers to developing Accessory Dwelling Units and to increase the variety of housing options available to a diversity of income ranges. In addition, the proposed modifications are intended to incentivize Accessory Dwelling Units by providing additional flexibility in the locations that Detached Accessory Dwelling Units are allowed. Also, the revised provisions increase the allowed height of an Attached and Interior Accessory Dwelling Unit to match a property's zone. Furthermore, the modifications include provisions that would allow both the Accessory Dwelling Unit and the Single-family Dwelling Unit to be rented to separate households. To rent both the Accessory Dwelling Unit and the Single-family Dwelling Unit to separate households, the property owner would need to agree to record a restrictive covenant prohibiting the units from being rented as short term/vacation rentals (i.e., less than 30 days).

Specific Plans

Southside Community Plan

- Policy S 4.1. Encourage housing types and prices for people with a variety of income levels and housing needs.
- Policy SLW 1.1. The appropriate mix of uses in the Live/Work Neighborhood are:
 - Single family homes and duplexes with accessory dwelling units,
 - Multiunit clusters, often including a cottage in front with medium to high density on site and one to two story buildings,
 - Clusters of apartment buildings on lots less than one-half block in size,

- Live/work units, and
- Small studios and shops that support self-employment and neighborhood services.
- Policy S 2.4. Replicate patterns, materials, and architectural features of historic building in new construction.
- Policy SNC 1.1. The appropriate mix of uses in the Southside Neighborhood Core are:
 - Single family homes and duplexes with or without accessory dwelling units,
 - Small shops with housing in the rear or above,
 - Home occupation, and
 - Neighborhood uses compatible with a residential setting.

La Plaza Vieja Neighborhood Specific Plan

- Goal #6N: Preserve the neighborhood core as a predominantly single-family neighborhood. Single-family residential cottages with yards are the primary building type in the Neighborhood Core with compatibly-designed accessory dwelling units and duplexes that do not dominate the block or street as an element of the urban neighborhood.

To encourage the development of Accessory Dwelling Units on detached single-family lots, the objective of the proposed amendment is to add additional flexibility and remove barriers that are contained within the existing Accessory Dwelling Unit provisions. In addition, the proposed modification to the Accessory Dwelling Units provisions are intended to assist in providing a diversity of housing options that are available to a variety of income ranges.