



City of Ann Arbor Planning & Development Services

Memorandum

TO: Planning Commission

FROM: Brett Lenart, Planning Manager

RE: Proposed Accessory Dwelling Unit (ADU) Ordinance Amendments

DATE: February 7, 2019

After preliminary discussion, the attached are proposed Unified Development Code Amendments that are proposed in response to City Council's direction to evaluate the Ordinance. The following is a summary of proposed changes considered:

Proposed Amendments:

- Add ADUs as a permitted accessory use in the R2A District. The R2A district was originally included, but was mistakenly left out from during the adoption of the UDC.
- Remove the requirement that a detached ADU is only permissible in an accessory structure that was in existence as of December 31, 2016. The proposed amendment would allow any detached accessory structure, regardless of establishment date, to house an ADU so long as it meets the current ordinance requirements relating to accessory structures.
- Clarify that the requirement that any new entrances to an ADU be placed on the rear or side of the structure apply to attached ADUs, not detached. This would not prevent a detached ADU from incorporating an entrance on the front.
- Remove the restriction that limits the size of an ADU relative to the ground floor footprint of the primary structure.
- Remove any minimum lot size requirement.
- Clarify that the occupancy limits for a single-family home are intended to remain and apply to the combination of home and ADU.
- The proposed amendments also reorganize and reorder requirements.

Considered, but not recommended:

- The proposed amendments do not add ADUs to all zoning districts. While many other districts do provide for single-family uses, no change is proposed.
- Potential relaxation of permitting standards to enable property owners to oversee more work (vs. any licensed contractor requirements) on potential rental units is not recommended.
- Some communities have created financial incentives for development of ADUs, but at this time, staff believes that more can be accomplished through regulatory approaches.
- The Planning Commission previously discussed, and rejected any elimination of the owner-occupancy requirement.
- Some communities have created "amnesty" programs for illegal ADUs. Staff does not recommend this as the provisions of ADUs should stand on their own balancing the goals of the City.