



## Legislation Text

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**File #:** 21-0589, **Version:** 1

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An Ordinance to Amend Section 5.15 (Table 5-15-2) and Section 5.16.6 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Accessory Dwelling Units) (ORD-21-14)

On August 4, 2016, the City Council adopted Ordinance 16-16, which amended the Zoning Ordinance to convert Accessory Apartments into Accessory Dwelling Units and create additional standards. Component to this ordinance was the establishment of ADUs as an Accessory use in the R1A through R1E, and R2A Zoning Districts.

To date, realization of such units in the City has been minimal. In 2019, the City Council defeated a series of proposed amendments to the ordinance, that were considered in response to City Council direction. Subsequently, the City Planning Commission maintained proposed amendments to the Ordinance on its work program, which resulted in the following recommended amendments to the Unified Development Code:

- Addition of more zoning districts where ADUs are allowed. The proposed amendments add the option to all residential zoning districts, excepting R6 Mobile Home Parks. The addition of ADUs to other zoning districts does not eliminate the requirement of any location being a single-family property.
- Amend the requirements that previously limited detached ADUs on those properties that had an existing accessory structure prior to December 31, 2016. The amendments allow a detached ADU in any legally conforming detached accessory structure.
- Removal of requirement that any new entrance be located on the side or rear of a structure.
- Removal of minimum 5,000 square feet lot size requirement.
- Reordering of the requirements into more logical groupings
- Removal of additional parking requirements as the majority of proposed ADU's are within ¼ mile of a bus stop.
- Removal of the requirement that the owner of the property resides on the property, and removal of the corresponding deed restriction requirement.
- Ensure the maximum occupancy is maintained.

Other proposed amendments were discussed by the Planning Commission previously, but are not included into this proposed amendment:

- Increasing the minimum required side and rear setback from 3 feet to 5 feet. This may make existing accessory structures non-compliant.
- The creation of other mechanisms to support development of ADUs including financing, tax benefits, or other technical assistance to property owners.

On March 16, 2021, the Planning Commission recommended approval of the proposed amendments.

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Approved by: Tom Crawford, City Administrator

(See Attached Ordinance)