

Staff Report

**ACCESSORY DWELLING UNIT (ADU) & DUPLEXES
DRAFT STANDARDS**

June 27, 2023

BACKGROUND

On March 21, 2023, a workshop was held regarding infill opportunities as in implementation measure of Ames Plan 2040. The workshop included a review of a wide range of aesthetic, orientation, and size issues related to infill compatibility. The primary focus of the discussion was regarding allowing to two-family units (duplexes) and accessory dwelling units (ADU)s within single family zoning districts city-wide as an opportunity to create additional housing options within the City. The [staff report from March 21 is at this link](#) and the [presentation is at this link](#).

One of several motions adopted by the Council was to ask staff to provide more information regarding feasibility of allowing for ADUs and duplexes within existing single-family areas by mapping of neighborhoods related to covenant restrictions, impervious area, and single-family rental properties as they relate to the concept of allowing for ADUs or duplexes.

On April 25, 2023, Council received a staff report follow-up to the March workshop ([available at this link](#)). The staff report provided information on the feasibility of allowing ADUs and duplexes within existing single-family areas. Maps were included that illustrated areas with active subdivision covenant restrictions, single family lots having high impervious area, and single-family rental properties to better inform the Council where ADUs or duplexes might occur if allowed under City Code.

The April staff report requested additional guidance from Council, in order to focus on Council priorities for infill. The City Council provided the following directive to proceed with changes within framework described below:

- Allow for ADUs and Duplexes as new construction only city-wide (rather than conversion of existing homes)
- Allow properties with ADUs to have only one rental Letter of Compliance (LOC) for either the primary home or accessory unit
- Within Near Campus Neighborhoods treat ADUs as accessory only (not a new unit) regarding rental occupancy calculations
- Allow for ADUs to have a maximum of one bedroom, meaning no dens, office, or extra rooms that would qualify as a bedroom. *This allows for a maximum of three adults per ADU*

- Require 1 parking space per ADU and require the property overall to comply with total required parking for the home and ADU, meaning three paved parking spaces
- Apply design standards to duplexes for single-family compatibility
- Apply standards uniformly for all buildings rather than create exceptions uniquely for ADUs.

Now that staff has a better understanding of Council's intent to facilitate the creation of additional units, staff has drafted standards for ADUs and duplexes, based upon the directives identified above (see Attachment A & B).

ADU CONCEPT:

ADUs will be treated uniformly to other accessory buildings for maximum size of 900 square feet, setbacks, rear coverage, and lot coverage. Therefore, one-story ADUs may be located as close as 3 feet to the property line, within the rear yard, as allowed by zoning. There are different building standards that apply to a detached garage that is not considered a habitable structure compared to an ADU.

Compliance with fire and building code requirements will likely result in units being placed slightly further from the property line (at least 5 feet) to avoid the added cost of fire rated construction. A two-story structure will only be permitted if the primary home is two stories, and it complies with side setbacks of eight feet. Rear setbacks of 20 feet would still be allowed.

Direction from Council in April indicated a desire to maintain the integrity of existing homes by not allowing the conversion of a portion of a principal residence into an ADU. ADUs may only be created as new construction that results in a dwelling that is detached from the principal building. **The draft ADU standards consider "New Construction" to be a new detached unit or conversion of or addition to an existing detached accessory structure.** The proposed language does not allow for an addition to an existing home or conversion of existing floor area within an existing residence. This differs from the duplex option where an addition of substantial size or a wholly new structure would be permissible, but not the conversion of an existing building. See the duplex section for more discussion.

ADUs would be allowed city-wide on a single-family home property as long as private restrictive covenants do not prohibit such structures. The City, however, does not enforce covenants and it would be the responsibility of a property owner to secure permission.

The staff's proposed standards reflected on Attachment A does not allow ADUs with duplexes or any other type of housing that is not single family dwelling. If Council intended to allow a duplex with an ADU, a change to the draft standards would be necessary.

No architectural or other design requirements are proposed because constraints within established neighborhoods will likely direct the placement of ADUs into the rear yard,

especially since additions are not permitted. Rear yard ADUs are often obscured from the street with little visual impact to the neighborhood. Therefore, no design standards have been included. Modular or manufactured buildings could be used, but will require placement on a foundation. **However, if a concern regarding neighborhood compatibility is voiced, a requirement could be added that the ADU replicate the building materials and color of the principal building.**

Staff reviewed the owner-occupied standard with the City Attorney. Current statute limiting rental regulations related to familial status would not apply, nor would the language prohibiting the “capping” of rental properties. A statement by the property owner understanding the limitations of use of the ADU or the primary residence to being owner occupied will be required to be completed and recorded before a building permit would be issued.

DUPLEX CONCEPT:

Supporting selective infill development compatible with neighborhood character is an important policy of Plan 2040. Ames Plan 2040 recognizes the potential conflict with infill development and provides the following policy directives, “*On infill sites, use scale and design to respect context*” and “*Maintain single-family character on single-family residential blocks.*”

” New construction of duplexes as infill into established neighborhoods has the potential to conflict with and impact neighborhood character, for two reasons:

- 1) The existing building is being demolished to make way for new development;
- 2) Recent development patterns are quite different from those of established neighborhoods.

The staff’s proposed standards reflected on Attachment B does not allow for new construction as additions to existing homes. If Council intended to allow for additions, a change to the draft standards would be necessary. If this is the case, staff would recommend a minimum size for the expansion of 700 sq. ft. with it being located to the rear of the home.

The draft duplex standards are more comprehensive overall than those intended for ADUs. As much as possible, standards have been drafted to be applied uniformly city-wide. There is no distinction based on zoning or land use designation. However, because neighborhood character varies between neighborhoods, some analysis of the actual context of the proposed development will be essential for staff to approve a compatible duplex design for differing areas.

Staff categorized three types of sites for individual consideration of context sensitive design elements, focusing on garage prominence, orientation, and front entries. There are principally three garage/driveway patterns that emerge from review of many existing neighborhoods:

1. Front-loaded attached garage and driveway. Pre-1970s homes may have flush or nearly flush attached garages accompanied by a driveway not wider than 20 feet. Front loaded garages from the 1990s and later may or may not be flush with the home and have wider driveways.
2. An attached or detached garage located at the rear of the house or in the rear yard accompanied by a narrow driveway usually along one side of the house.
3. Attached or detached garage located at the rear of the house or in the rear yard accessed from an alley.

Following the established pattern will assist in making new construction compatible as well as helping to maintain a consistent street frontage with minimal interruptions by driveways to street trees, lighting, and on-street parking. In essence, a front-loaded garage duplex will not be permissible in many older neighborhoods and in newer areas there are proposed limits on the garage door width to address the design prominence of the home compared to the garage. The new driveway permit width limitations will also apply to new duplexes. Example graphics are included in the presentation to illustrate these relationships.

Another feature to be analyzed is the “Architectural Style and Building Height”. This will likely not apply in many areas, as most established areas of the City have a mix of architectural styles with no predominant style present. If this is the case, no special consideration will be needed. However, in some established neighborhoods, a particular architectural style might predominate.

An example might be a concentration of ranch style homes or a craftsman bungalow style of homes. Ranch style homes can have a distinguishable single-story hipped roof character just as craftsman homes have a defined gabled roof appearance. This requirement allows the neighborhood context to influence the height and roof style of the proposed duplex. This is similar to how the SF-COD overlay has design standards that apply to single-family structures and duplexes to ensure general compatibility of new structures.

Rather than have boilerplate requirements that unnecessarily add cost, the standards are intended to add flexibility in application, based upon the character of the neighborhood. The analysis described above provides assurances for both the neighborhood and the developer, that the required standards are appropriate and needed.

Staff proposes that all duplexes include at least one covered parking space. This would be consistent with most single-family homes in the City. A duplex will require a zoning permit reviewed by the Planning Division prior to approval of a building permit.

STAFF COMMENTS:

City Council is being asked to review the attached concepts to determine if they are in line with the infill design discussions from this spring and meet the goals of City Council.

With City Council's concurrence regarding the conceptual standards, staff can proceed with a public outreach effort to gain feedback on specific standards.

The proposed changes affect a large and diverse area of Ames. Public outreach is necessary to introduce the concepts to builders and neighborhoods. There should be significant public outreach to give the public an opportunity to learn of the proposed changes and to provide feedback. Staff will publicize the proposed changes to direct people to online resources and in person meetings. Staff anticipates holding open house presentations in different parts of the City and especially reaching out to those areas with active neighborhood associations that may provide direct feedback. Staff will be available for individual discussions as necessary with interested parties.

A website will be set up with detailed information about the proposals and include any information made available at in person presentations. This would follow the format of Ames Plan 2040 for documenting outreach. The website information will include prototype site layouts and FAQs to explain what is allowed and what will not be allowed.

Tentatively, staff anticipates coming back to Council in October with the results of the public outreach. With the public input, City Council can then give direction regarding whether to move forward with the formal public hearing process with the Planning and Zoning Commission and return a final ordinance to the City Council for approval.

At the March Workshop, Council also passed motions to have staff provide: 1) Options for zoning standards for Townhomes separately from apartments, 2) Zoning standards for pocket or cottage neighborhood developments, and 3) Identified areas to prioritize for implementation of infill policies related to intensification. **Responses to these items will be provided over the next few months.**

ATTACHMENT 'A' **Accessory Dwelling Units**

ADUs are permitted in the following zoning districts: R-L, R-M, UCRM, FS-RL, FS-RM, and F-PRD. ADUs are permitted on any single-family residential lot having an existing principal building, unless the use is prohibited by subdivision covenants.

- One accessory dwelling unit is allowed per lot.
- Property owners of a lot with a two-family dwelling lot cannot add an ADU.

Accessory dwelling units may only be created as new construction that results in a dwelling that is detached from the principal building. The detached accessory dwelling may be created from a garage retrofit or may be new construction creating a new standalone building.

Independent Dwelling Unit. The ADU must function independently from the principal building. It must include its own bathroom and kitchen facilities and be connected to public utilities, including water and sanitary sewer. Separate metering is not required but is allowed.

Foundation. Whether constructed on site or premanufactured, a dwelling must be placed upon a foundation.

Lot size. There is no minimum lot size, a nonconforming lot would be subject to the underlying zoning standards for construction of a new structure.

Setbacks and Separation. Detached ADUs have the same setbacks as other accessory buildings: A one-story ADU in the rear yard may be located 3 ft. from the rear or side property line; A two-story ADU side setback of 8 ft., but still may be 3 feet from the rear. ADUs may not be located in the front yard. Corner properties generally require a 15 ft. setback. A 10 ft. separation is required between buildings internal to the lot to meet building code.

Nonconforming Setbacks. An existing accessory building that does not meet the required setbacks may be converted into an accessory dwelling unit, as long as degree of non-compliance is not increased as defined within Article III of the Zoning Ordinance.

Size. ADUs have the same gross floor area limitations as other accessory buildings: maximum of 900 square feet. If an ADU is attached to an existing garage, the entire building cannot exceed 900 square feet. There is no minimum unit size.

Rear Yard Coverage. The total footprint of all accessory buildings may not occupy more than 25% of the rear yard. The rear yard is the entire area between the primary dwelling and the rear property line, not just the rear setback area.

Height/Stories. ADUs have the same height requirements as other accessory buildings, based upon the height of the principal building:

- The ADU may not exceed the height of the principal building.

- Accessory buildings on the same lot with a principal building that is taller than one story shall not exceed 80% of the height of the principal building or 20 feet, whichever is lower.
- Height is measured to the mid-point of sloped roof or the highest point of a parapet or flat roof.
- The ADU may only two-stories if the principal residence is two-stories

One Bedroom. The accessory dwelling may only have one bedroom. Any area separated from the one bedroom, living area, kitchen, and bathroom that exceeds 70 square feet will be counted as a bedroom per the definitions of the Zoning Ordinance.

Garage Conversions. Garages may only be converted to an accessory dwelling if parking requirements are met.

Parking. One off-street parking space is required for the accessory dwelling in addition to the two spaces required for the principal building. Tandem style parking spaces (where access to a given space may be blocked by the designated parking space of another vehicle) may count toward meeting the parking requirements of this section as long as not more than two cars are in tandem. All parking spaces must be paved. Paving in the front yard is not permitted per 29.406 of the Zoning Ordinance.

Driveway. A paved driveway is required. For lots accessible from an alley, any new driveway shall be constructed in the rear yard with access only from the alley. The driveway leading from an alley to the entrance of a garage shall be either 8 feet from the property line abutting the alley or a minimum of 20 feet from the property line abutting the alley.

Sidewalk. A sidewalk is required to connect the primary exterior entrance of the accessory dwelling with the paved parking area.

Owner Occupied for One Dwelling. The property owner's primary residence shall be in either the principal building or the accessory dwelling. A notice of limitation on rental shall include a recorded affidavit from the property owner confirming their understanding of rental and occupancy requirements. **This language will not permit a LLC or other non-natural person to be considered owner-occupied.**

Rentals. Only one of the two units may be a rental. Any ADU or principal building that is intended for use as a rental must be registered with the city and have a valid rental permit. All requirements of the Rental Code (Chapter 13) apply.

Occupancy in Near-Campus Areas. In Near-Campus Areas, the principal building and accessory dwelling together are considered one dwelling unit for the purposes of determining occupancy requirements related to bedroom counts.

Lot Coverage: Development of the site is subject building coverage limitations (35%), impervious area limitations (60%), and rear yard coverage limitations (25%).

Overlay Zone. If the property is located in an overlay zone, such as SF-COD, it may be subject to additional design standards. In the event of conflict between overlay

regulations and the regulations included herein, the more prescriptive regulations shall control. In the event of conflict between these regulations and the historic preservation regulations, the historic preservation regulations shall control.

Within the Old Town Historic District, additions to existing garages or demolition and replacement of garages is subject to approval from the HPC. Many of these situations may not support changes to contributing historic garages in order to facilitate ADUs.

ATTACHMENT 'B'

Two-Family or Duplex Units

Allowed Use. Two-family dwellings are permitted on any residential lot, unless the use is prohibited by existing subdivision covenants. Two-family dwelling units only may be built as a newly constructed structure, conversions and additions are prohibited.

Independent Dwelling Units. Each dwelling unit must function independently from one another. Each must include its own bathroom and kitchen facilities and be connected to public utilities, including water and sanitary sewer. Separate metering is not required but allowed. Conversion of an existing single-family home to two units is not permitted.

Lot size. Minimum of 7,000 square feet.

Setbacks. Two-family dwellings are subject to the building setbacks for the zoning district where the property is located. Generally, these are: 25 ft. (front); 25/15 ft (corner front); 6 or 8 ft. (side); and 20 ft. (rear).

Nonconforming Setbacks. An existing principal building that does not meet the required setbacks may have an addition constructed to include a second unit, as long as the degree of non-compliance is not increased.

Lot Coverage. The total impervious area (buildings and paving) may not exceed 60% of the lot.

Bedrooms. Duplexes do not have a limitation on bedroom counts.

Architectural Style and Building Height. To determine this requirement, the block face must be evaluated to define any particular character defining features for entries, roofs, orientation, and garages. Does the block face have a uniform architectural style that is prevalent? If so, describe what features the duplex design has incorporated.

Roof Design. Incorporate roof forms from the block face evaluation that represent compatible styles, this can include hipped roofs, gables, and dormers.

Entrances. Each dwelling unit shall have its own entrance.

- One primary entrance of the duplex shall be clearly identifiable and not set substantially behind the front façade. The main entrance location(s) and design shall create either the appearance of definable unit(s) or shall be situated in a way that assists in the appearance of the structure as one unit with a side or rear entry for the second duplex unit.
- It is recommended that corner lots have one entrance facing each street.

Windows & Transparency.

- Street facing façades shall include at a minimum 15% solid to void ratio for the front facade. This prevents blank walls that create a blocked-off street frontage. This is the solid to void ratio requirement in the SF-COD overlay.
- Window patterns shall logically designed to the proportions and spacing of single family homes in area, for example second floor windows shall generally be aligned with first floor windows. Placement of closets, stairwells, bathrooms and other floor plan elements must be designed to accommodate this standard.

Parking.

- Two paved parking spaces are required per unit (four spaces in total) with one of the two spaces provided in a garage.
- A paved driveway is required.
- Tandem style parking spaces (where access to a given space may be blocked by the designated parking space of another vehicle) may count toward meeting the parking requirements of this section as long as not more than two cars are in tandem.
- If creating a parking lot of more than four spaces, landscape buffering is required.

Garage and Driveway Placement Patterns. In established neighborhoods, the placement of garages and driveways must match the predominant pattern found on the street block. However, in all areas side loading and rear placed garages are allowed. The intent is for new construction to be compatible with the existing neighborhood by replicating these features. Within established neighborhoods, there are three garage/driveway patterns that emerge:

1. A flush or nearly flush front-loaded garage accompanied by a driveway not having a width greater than 20 feet (most predominant pattern).
 - Garages that protrude from the front façade are not allowed, unless it can be documented that this pattern is existing and prevalent on the street block.
 - The garage face shall not exceed in width more than 50 percent of the width of the front façade.
 - Driveways widths must conform to the garage standards, of minimum and maximum widths. Such as 1 car up to 14 feet, 2-car up to 20 feet, and 3-car+ up to 24 feet.
2. An attached or detached garage located at the rear of the house or in the rear yard accompanied by a narrow driveway usually along one side of the house.
 - Locate the garage at the rear of the duplex or as a detached garage in the rear yard.
 - Alternatively, the garage may be located a minimum of 18' from the front of the duplex.

- Driveways widths must conform to the garage standards, of minimum and maximum widths. Such as 1 car up to 14 feet, 2-car up to 20 feet, and 3-car+ up to 24 feet. The driveway width may be expanded in the rear yard.
3. Attached or detached garage located at the rear of the house or in the rear yard accessed from an alley.
- Garages shall be located either at the rear of the duplex or as a detached garage in the rear yard.
 - Any new driveway shall be constructed with access only from the alley. The driveway leading from an alley to the entrance of a garage shall be either 8 feet from the property line abutting the alley or a minimum of 20 feet from the property line abutting the alley.

Additionally, detached garages shall comply with the accessory building regulations described in Sec. 29.408(7), for location within setbacks, and building height and size.

Sidewalk(s). Entrances must connect to public sidewalks.

Rentals. Any dwelling unit that is intended for use as a rental must be registered with the city and have a valid rental permit. All requirements of the Rental Code (Chapter 13) apply.

Lot Coverages: All development must meet lot coverage and building coverage limitations.

Overlay Zone. If the property is located in an overlay zone, it may be subject to additional design standards. In the event of conflict between overlay regulations and the regulations included herein, the overlay regulations shall control.