ACCESSORY DWELLING UNITS (ADU’S)

19OA007 OVERVIEW
WHAT IS AN ADU?

An ADU is a dwelling unit with its own eating, sleeping, and sanitation facilities.

ADU’s are also called “granny flats,” “mother in law units,” “backyard cottages,” and “basement apartments.”

ADU’s can be Internal, Attached, or Detached.
TYPES OF ADU’S

- Internal/Above Garage
- Detached
- Internal/Basement
- Attached
PLAN RAPID CITY GOALS

- **Goal BPG-3.2**: Expand housing variety to meet the community’s changing needs.
- **BPG-3.2A**: MIX OF HOUSING TYPES: Encourage the development of a range of housing types, sizes, prices, and densities within individual neighborhoods and throughout the community to satisfy current demand and future needs.
- **Chapter 4 Overview**: “…High priority housing needs that have been identified are primarily focused on increasing the amount and quality of housing affordable and available to low and moderate income residents.”
Implementation Toolbox - Housing Diversification “Allow for accessory dwelling units (granny flats) specifically in areas with high demand from students or season tourism workers. These units can provide an income source for home owners and contribute to the supply of rental housing. They also provide an opportunity for elderly residents to live close to family members and age in place.”

Zoning Diagnosis - Remove existing barriers to housing diversity
Allow accessory dwelling units as an affordable housing option in Urban Residential Neighborhoods (in conjunction with clear standards to guide size, occupancy limitations, etc.)
• Resolution adopting the **Rapid City Affordable Housing Policy** for promotion and provision of increased and improved safe, affordable housing options in the community.

• “The City will pursue providing as many practical and necessary strategies as possible to promote affordable housing situations”
ADU’S & HOUSING POLICY

Strategy in the Comprehensive Plan

ADU’s appeal to a broad segment of the population

Ability to age in place

Provide an income source for homeowners.

Life Cycle Diagram: for family and housing needs
Residential Districts, the General Agricultural District, and The Park Forest District (with stricter limitations) are eligible for ADUs.

Several ADU structures exist in Rapid City today. Alley Houses and Carriage Houses were common in the West Boulevard neighborhood, shown in the photos below.
PROPOSED ADU ORDINANCE

- A subordinate dwelling which has its own cooking, sleeping, and sanitation facilities and which is:
  - Within or attached to a single family residential building; or
  - Within a detached accessory structure associated with a single family dwelling that is smaller than the primary structure and is on a permanent foundation.
OCCUPANCY

• One of two units must be owner occupied as shown on the Pennington County tax assessment rolls.
• Dwelling occupancy shall be limited to a family as described in the code.
ZONING DISTRICTS

Residential Districts, the General Agricultural District, and The Park Forest District (with stricter limitations) are eligible for ADUs.

Many new neighborhoods restrict ADU’s through covenants.

West Boulevard area is subject to historic review.

Neighborhoods with non-conforming streets would not generally be eligible for parking reductions (Old Canyon Lake area).

In all districts, only 1 ADU is allowed per property.
AREA REGULATIONS

• Detached units may not be in the front yard.
• Lot coverage may not exceed maximum lot coverage in underlying zoning district
• A detached ADU shall not cover more than 10% of the lot area
  • Deviations from ADU standards require a variance from the zoning board of adjustment.
• Detached ADU must be smaller than the primary structure minus any attached garage.
• ADU’s on lots less than 6,500 square feet may not be detached.
RESIDENTIAL CHARACTER

• The principal unit and ADU shall have different address numbers.
• ADU’s exceeding 500 square feet shall have a residential appearance.
PARKING

• A minimum of one off street parking space must be provided for the ADU.
  • (3 total since the primary dwelling is required to have 2)
CITY CODES

• All new construction and remodeling shall comply with ordinances, regulations, and requirements including building and fire code in effect at the time of construction/remodeling.
• If applicable, construction shall comply with procedures for historic preservation.
ADU’s are not to be used for short term rentals under this ordinance.

- Proposed Minimum rental term of 28 days
- Proposed ADU registration
- Enforcement

Violation is subject to Section 1.12.010

- City may pursue action, including fines up to $500
EXISTING ADU’S

(Section O): In order to register, an existing ADU must meet

• Definition
• Owner occupancy
• Zoning district
• # of units (only 1)
• Parking
REGISTRATION

Existing, remodeled, and new units must register with Community Development Department.

- Submit fee set by resolution (not yet determined).
- Submit Site Plan + Floor Plan
- Pay building permit fees, if applicable
- Demonstrate requirements in Section O

Failure to register is not considered legal/approved.

- Violation of Section 1.12.010
- City may pursue action, including fines up to $500
RAPID CITY ADU’S: FAQ

Who can develop, operate, & occupy an ADU?

The owner of the property must reside full time on the property, either in the primary structure or the ADU.

The ADU cannot be sold or detached by deed.

ADU’s must be rented for periods of 28 days or more. ADU’s are not to be used for short term (vacation) rentals under this ordinance.

How will they look within the neighborhood?

New ADU’s exceeding 500 square feet must have a residential appearance.

The intent is to maintain the character of existing neighborhoods while allowing for increased housing supply.

Where can they be located?

ADU’s are intended to fit in with the density and character of existing and new residential neighborhoods.

ADU’s cannot be located at the front of a lot.

See map for specific zoning districts which may allow the development of ADU’s.

What are the criteria to be eligible for a new ADU?

Not all lots will be a good fit for an ADU. Zoning criteria must be met for new ADU’s (lot size, lot coverage, setbacks, etc.).

Only internal ADU’s are allowed on lots less than 6,500 sq. ft.

Each new ADU must provide adequate parking. The standard shall be one off-street space for the ADU or obtain a variance.

How will they be regulated?

The Registration/Permitting process will require site plans and floor plans.

All construction and remodeling shall comply with City codes.

Historic Review is required for exterior alterations in a historic district.

The fee will be set by Council Resolution.

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RECOMMENDATION

• Approve 19OA007