

Accessory Dwelling Units

DCA190-007

Zoning Ordinance Advisory
Committee (ZOAC)

Thursday, August 20, 2020

Erica Greene
Senior Planner
Sustainable Development
& Construction Department



City of Dallas

Goal

- Develop an option which would allow accessory dwelling units “by-right” and form regulations for an “opt-out” process should City Council approve the “by-right” regulations



Background

- On February 24, 2020 the Housing & Homelessness Solutions Council Committee discussed ADUs.
 - Some committee members requested staff to research a “by-right” and “opt-out” process
 - Other committee members expressed a desire to maintain the existing regulations
 - Ultimately staff was asked to go to ZOAC and CPC to develop and discuss these options
- On July 23, 2020, staff presented to ZOAC a “by-right” and “opt-out” process for accessory dwelling units along with a summary from the community survey that represented all 14 districts of the City of Dallas.



Currently

- Currently, there are two different options that would allow for an ADU to be built and/or rented in the City.
 - **Accessory Dwelling Unit Overlay** – a neighborhood driven process
 - **Board of Adjustment process** – an individual may request:
 - An additional dwelling unit for non-rental
 - A rentable accessory dwelling unit
- However, action is required by the City on either option, before an ADU can be built.



Potential “By Right” Option

ADUs “By-Right”

- “By-right” option would allow accessory dwelling units in any area that allows single family uses with no action required by the city
 - Proposed effective date of seven months after approval if Council approves
 - Delayed effective date would allow neighborhoods the time to pursue the “Opt-out” process
 - Current development regulations for an ADU (yard, lot, space, etc.) would remain

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“Opt-Out” Process Option

“Opt-out” process would provide for a neighborhood driven process to occur to disallow ADUs in that neighborhood if Council were to approve a “By-right” option

- Must contain at least 50 single family structures
- Neighborhood Committee formed
- Neighborhood Committee requests petition
- Department staff holds neighborhood meeting
- Staff provides petitions to the neighborhood committee
- Neighborhood Committee collects petition signatures
 - 30 days from neighborhood meeting
 - 75% or more signatures require
- Neighborhood Committee submits petition to department
- Staff verifies and determines complete petition and application
- CPC
- City Council

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Notification requirements

Property owner notification prior to public hearings at CPC and City Council would be required to zoning districts that allow single family use.

- A(A), R-1 ac(A), R-½ ac(A), R-5(A) R-7.5(A), R-10(A), R-13(A), R-16(A)
- Planned Development Districts that allow single family but not duplex

This change is fundamentally altering the classification of the zoning district from single family to, essentially what is, a duplex district.

- Notices would be required to be mailed to property owners within the affected districts and within 500 ft buffer

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ADU “Opt-Out”/ “Opt-In” Post Effective Date of the “By-Right” Ordinance

Options neighborhoods could pursue after the effective date of the “By-right” option and “Opt-out” process

Opt-Out Overlay:

- A neighborhood could go through the process
 - However, could not pursue process if neighborhood contained existing legal ADUs, as it would make them nonconforming

• Opt-In By Right:

- The process to reverse an “opt-out” overlay would be a neighborhood driven process and require 75% of signatures from the neighborhood just as the “opt-out” process had.

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Additional and Updated Research

Boston

An initial pilot program to allow ADUs was introduced in November 2017



Vancouver

Ordinance to adopted to re-legalize duplexes citywide



Maryland

State Bill 81-0188 was introduced to allow ADUs



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Additional and Updated Research

Portland

On August 12, 2020, Portland City Council adopted the [Residential Infill Project](#) for accessory dwelling units



★ Designed by TownMapsUSA.com

Atlanta

Revised city code in 2019 to allow for accessory dwelling units in three zoning districts



★ Designed by TownMapsUSA.com

Plano

Approved an ordinance change to allow accessory dwelling units/backyard cottages on February 25, 2019.



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Additional Information

- The Quality of Life, Arts, and Culture (QLAC) Council Committee, during their meeting in February, requested a Short Term Rental (STR) task force be created to look into all aspects of short term rentals
- STR Task Force had their kick-off meeting in June and are having on-going discussions



Community Engagement

Staff is organizing a series of community meetings to continue the dialogue and receive community input on allowing accessory dwelling units “by-right”.



Website

Throughout the process, updates will be on the City's website:

https://dallascityhall.com/departments/sustainabledevelopment/planning/Pages/Accessory_Dwelling_Units.aspx



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Additional questions:

Erica Greene
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erica.greene@dallascityhall.com
214-671-7930

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