



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Informal Public Hearing Date:** June 9, 2021

**Common Council Public Hearing Date:** July 7, 2021

**Item:** Resolution #1-R-21 Accessory Dwelling Units. Create Article III., Sec. 23-55. Accessory Dwelling Units (Attached and Detached) and Sec. 23-56. Junior Accessory Dwelling Units (JADU) and amend Sec. 23-43 Accessory uses, building and structures, Sec. 23-92 R-1A Single-Family District, Sec. 23-93 R-1B Single-Family District, Sec. 23-94 R-1C Central City Residential District, Sec. 23-95 R-2 Two-Family District, Sec. 23-96 R-3 Multifamily District of Chapter 23 Zoning Ordinance of the Municipal Code.

**Case Manager:** Don Harp

### **BACKGROUND**

---

Resolution #1-R-21 Accessory Dwelling Units was introduced at the January 20, 2021 Common Council meeting which reads as follows:

*Submitted By: Alderpersons Brad Firkus - District 3, Vered Meltzer - District 2, and Denise Fenton - District 6*

*Referred To:*

*WHEREAS Accessory Dwelling Units, or ADUs offer communities a simple alternative for providing affordable housing solutions without the need for large scale redevelopment of existing neighborhoods; and*

*WHEREAS ADUs can provide a way for people to live closer together while maintaining their own independent and affordable living quarters that is denser than stand-alone single family properties, but less dense than are apartment or condominium complexes; and*

*WHEREAS construction of ADUs does not come from tax dollars, creates more work opportunities for construction workers, and can increase home values in neighborhoods where these are constructed.*

*THEREFORE, Be It Resolved that the city of Appleton allow the construction of accessory dwelling units(ADU) on properties of all single family zoning. ADUs must meet all building and zoning codes to be inhabitable, including heating, electrical, and plumbing.*

*BE IT FURTHER RESOLVED that a lot may have a maximum of two accessory dwelling units. A maximum of one accessory dwelling unit may be detached or attached and a maximum of one attached*

*junior accessory dwelling. ADUs cannot be mobile and cannot exceed the size of the principle building of the lot.*

*BE IT FURTHER RESOLVED that this resolution be referred to Community and Economic Development to review and amend the municipal code.*

At the January 26, 2021 Plan Commission meeting, Resolution #1-R-21 Accessory Dwelling Units was referred to staff.

Between February 2021 and May 2021, the Community and Economic Development staff collaborated with Alderpersons Brad Firkus - District 3, Vered Meltzer - District 2, and Denise Fenton - District 6, the City Attorney, Director of Public Works, Director of Community and Economic Development, Inspection Supervisor and other City staff from the City Attorney's Office, Department of Public Works, Finance Department, and Inspection Division on the draft the Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) text amendments.

### **STAFF ANALYSIS (Ordinance Summary)**

---

In response to Resolution #1-R-21 Accessory Dwelling Units, the proposed text amendments have been drafted to satisfy the intent of Resolution #1-R-21 Accessory Dwelling Units, the purpose and intent of the Zoning Ordinance, and the goals and objectives of the City's *Comprehensive Plan 2010-2030*.

The proposed text amendments include:

- Definitions.
- Permitted locations within specified zoning districts.
- Options to allow the creation of a detached, attached or junior accessory dwelling within combination limits.
- Site development standards including: height, setbacks, unit size, exterior design and lot coverage.
- Construction standards including: building and foundation design, plumbing, electrical and fire separation requirements, i.e. Uniform Dwelling Codes regulations shall be satisfied.
- Deed restriction requirement: ADUs and JADUs shall be sold together with the principal dwelling unit and on the same lot.
- Permit procedures.

### **ATTACHMENTS**

---

1. Text amendment summary: Accessory Dwelling Unit (Attached/Detached) & Junior Accessory Dwelling Unit Comparison Chart.
2. Text amendments with staff commentary in *italics* to provide insight regarding the specific purpose of the proposed regulation(s). The text recommended to be added is underlined.
3. Text amendments without staff commentary for ease of reading.

## **RECOMMENDATION**

---

Staff recommends, pending public comments, that the proposed text amendments to Chapter 23 Zoning Ordinance of the Municipal Code, **BE APPROVED** as noted and attached to this staff report for the following Articles and Sections:

1. Create Article III., Sec. 23-55. Accessory Dwelling Units (Attached and Detached) and Sec. 23-56. Junior Accessory Dwelling Units (JADU).
2. Amend Sec. 23-43 Accessory uses, building and structures, Sec. 23-92 R-1A Single-Family District, Sec. 23-93 R-1B Single-Family District, Sec. 23-94 R-1C Central City Residential District, Sec. 23-95 R-2 Two-Family District, Sec. 23-96 R-3 Multifamily District of Chapter 23 Zoning Ordinance of the Municipal Code.