

General ADU Development Standards



Size: Accessory Dwelling Units, whether attached or detached, shall not be greater than 800 square feet of living area, or 50% the size of the principle structure, whichever is greater.



Setbacks. Accessory dwelling units must meet the same setbacks as required for the primary dwelling unit. (Same as current code.)



Location. An accessory dwelling unit that is detached from the primary dwelling unit must be located so that the front façade of the accessory unit is behind the rear façade of the primary dwelling unit. (See attached graphic.)

An accessory dwelling unit that is attached to the primary dwelling must be located to the rear of the primary unit. (See attached graphic.)

Location of Entrances. Only one entrance may be located on the front façade of the primary dwelling unit.

If the accessory unit is an attached unit, the entrance must be located on the side or rear façade.

Entrances on a detached accessory unit may face toward the street or toward the interior of the lot, but may not face toward the exterior of the lot. (Avoid the appearance of duplex or multi-family.)

Location of balconies, porches, stairs. Exterior active accoutrements to an ADU shall be located to face the interior of the principle property and shall not be located to impact abutting properties to the sides or rear of the lot.



Parking. One (1) parking space shall be provided for the exclusive use of the accessory dwelling unit. This space is in addition to the parking space(s) required for the primary dwelling unit. The parking space shall not be located in the required front yard setback. A tandem parking space (one car parked behind another) with the spaces for the primary dwelling unit shall not be allowed.

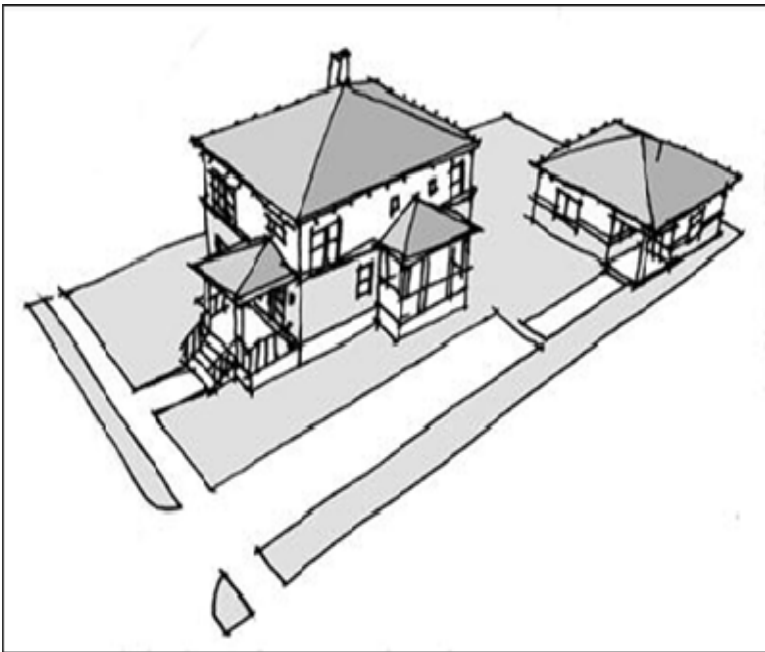


Driveway. Both the primary dwelling unit and the accessory dwelling unit shall be served by one common driveway connecting the secondary dwelling unit to a public or private road. The requirement for a single driveway connection may be waived to allow application for another driveway connection by the Zoning Enforcement Official if it is determined that the waiver would not be detrimental to the public health, safety or general welfare, subject to one of the following circumstances being present:

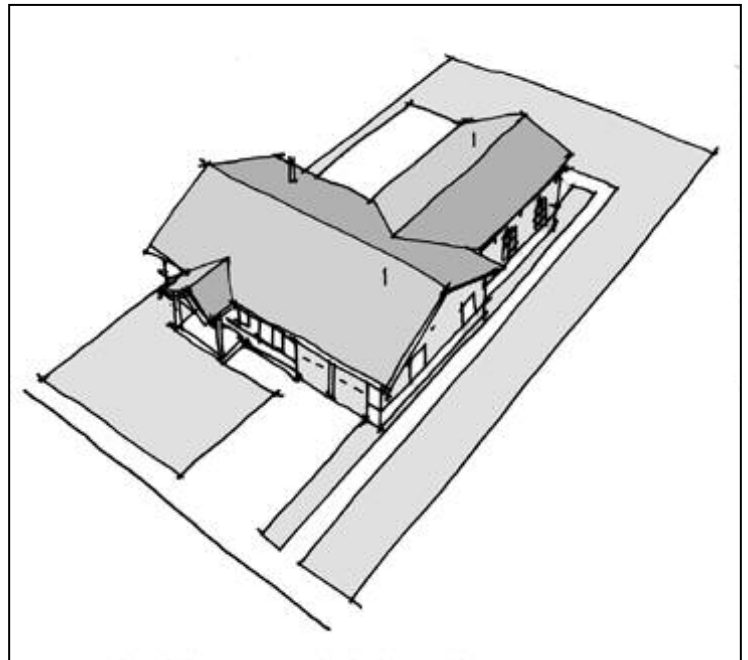
- Where an applicant seeks to convert an existing structure to use as an accessory dwelling unit, and that structure was served by an access driveway separate from the primary dwelling; or
- Where the applicant can show that there are already two (2) legally established access driveways to the parcel that are available to serve the primary and accessory dwelling units separately; or
- Where the parcel is split by a public or private road, or where the parcel has frontage on two (2) roads; or
- Where the applicant demonstrates an alternative access design that provides an overall reduction in the expanse of driveway area is preferable.



Architecture. The accessory dwelling unit shall be similar in character to the primary residence on the site and to the surrounding residences including roof pitch, eaves, building materials, windows, trim, colors, and landscaping.



Detached Accessory Dwelling Unit



Attached Accessory Dwelling Unit

Discussion Item – ADU Occupancy Regulation

As we formulate the regulations governing ADUs, the issue of density and the imposition of impact fees remains an uncertainty. Currently our code is silent with regard to whether ADU's are to be counted toward density limitations. With regard to impact fees, a garage

The total number of residents that can live in both units (the ADU and the primary house) is limited to the total allowed for a household. Under the Zoning Code, a household is defined as follows:

Household. *One or more persons related by blood, marriage, legal adoption or guardianship, plus not more than 5 additional persons, who live together in one dwelling unit; or one or more handicapped persons as defined in the Fair Housing Amendments Act of 1988, plus not more than 5 additional persons, who live together in one dwelling unit.*

apartment must pay the full residential fee, while a guest house is charged no fee. While researching other codes, I came across a regulatory method that would address both issues - a restriction on the number of people that would be allowed to occupy both the principle house and the ADU on a single property. Basically the control is simply the number of people allowed to occupy a single house would be applied to both the house and the ADU.

Including this type of occupancy restriction in our revised ADU regulations would provide justification for reducing or eliminating impact fees for secondary dwellings. It would similarly support not counting the secondary units toward density calculations relating to future land use designations or zoning classifications. With this type of occupancy limitation, it can be argued that a single-family home with an ADU has no more potential impact than a single-family home without an ADU. Further, this type of occupancy control may quell concerns that the allowance of ADUs in all residential zoning classifications may create more densely populated areas and thereby change the characteristics of neighborhoods.

Volusia County limits the number of people that can occupy an individual house by the definition of family.

Family: One or more persons living together, interrelated by marriage, birth or legal adoption, and occupying one dwelling.
A family may also include up to six unrelated persons.

Staff requests the Smart Growth Committee consider including an occupancy limitation to the revised ADU regulations.