STUDY SESSION

1. Zoning amendment – Accessory dwelling units (45 min.)

If you cannot attend the meeting, please call the Community Development office: 952.924.2575.

Auxiliary aids for individuals with disabilities are available upon request. To make arrangements, please call the administration department at 952.924.2525 (TDD 952.924.2518) at least 96 hours in advance of meeting.
1. **Accessory dwelling units**

**Recommended Action:** No action at this time. Provide feedback to staff on the proposed zoning amendment to allow Accessory Dwelling Units (ADUs).

**Background:** Staff has been using the discussion from the November Planning Commission meeting to develop the attached draft ordinance to allow for accessory dwelling units (ADUs). As reference, the Planning Commission discussed ADUs at their April 17th Study Session, October 2nd Study Session, and November 20th Study Session.

As can be seen in the draft ordinance, Staff is recommending that this initial ADU ordinance be simplified to focus on allowing ADUs in single-family homes and defining ADUs as self-contained units that are fire-separated from the principal single-family dwelling. In conjunction with the adoption of the ADU ordinance, the City policy regarding second kitchens will change so that they are allowed. This change will provide for homeowners to have family or friends stay in their single-family dwelling without having to create a formal ADU.

Also, in the interest of simplification the ordinance does not include specific requirements related to rental licensing or sewer and water connections as those provisions are already addressed in other parts of the City Code. Information about this requirement would be included in any handouts prepared about ADUs. Staff has followed up with the Building and Energy Department to confirm when there will be a SAC and WAC charge when a new ADU is constructed. In addition, Staff confirmed that there is at least five feet needed between building openings for two buildings on the same lot.

**Next steps:** Staff will use the direction discussed to prepare a complete draft ordinance for planning commission review and consideration.

**Attachment:** Attached for your review is the proposed ordinance to allow ADUs.

**Prepared by:** Rita Trapp, HKGi
Jacquelyn Kramer, Associate Planner

**Reviewed by:** Sean Walther, Planning and Zoning Supervisor
Ordinance No. ___-19

Ordinance regarding accessory dwelling units

The City of St. Louis Park does ordain:

Whereas, the City Council has the strategic priority “St. Louis Park is committed to providing a broad range of housing and neighborhood-oriented development,” and

Whereas, the Housing Plan in Chapter 5 of the 2040 Comprehensive Plan identifies the following strategies related to increasing the diversity of housing types:

- Create a broad range of housing types to provide more diverse and creative housing choices to meet the needs of current and future residents.
- Review existing policies, programs and regulations to remove barriers to innovative and creative housing options.
- Ensure new housing policies promote fair and equitable housing choices.
- Allow for Accessory Housing Units (AHUs) in all low-density residential areas.

Now, therefore be it resolved that the following amendments shall be made to the City Code:

Section 1. Chapter 36, Section 36-142 (a) of the St. Louis Park City Code is hereby amended to add the following underlined text to the list of land use descriptions.

(9) Accessory dwelling unit means a self-contained, fire-separated dwelling unit that typically has a separate entrance, kitchen, sleeping area, and full bathroom facilities; which is located within a principal single-family residential dwelling or in an accessory structure to a single-family residential dwelling; and which is not used for short-term rental purposes. The types of accessory dwelling unit include the following:
   a. Internal means an accessory dwelling unit located within the walls of an existing or newly constructed residential dwelling.
   b. Attached means an accessory dwelling that is located within an addition to an existing residential dwelling.
   c. Detached means an accessory dwelling that is located as a freestanding structure on the same lot as the principal residential dwelling.

Section 2. Chapter 36, Section 36-162 (d) Accessory Structures of the St. Louis Park City Code is hereby amended to add the following underlined text.

(d) Accessory structures. Accessory structures shall comply with the following regulations. Detached accessory dwelling units shall also comply with the regulations set forth in the accessory uses section of the applicable residential zoning district:
Section 3. Chapter 36, Section 36-162 (d) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(5) Accessory buildings as part of the principal building – Accessory buildings located less than six feet eave to eave from a principal building on the same lot shall be considered part of the principal building for the purpose of applying provisions of this chapter.

Section 4. Chapter 36, Section 36-162 (d) (1) of the St. Louis Park City Code is hereby amended to delete the strikethrough text and add the following underlined text.

(a) Accessory buildings shall be erected or located within the back yard or side yard as defined in subsection (b) above, except that an accessory building designed and used as a garage may be located within a side yard unless it abuts a street. No accessory building shall be located in the front yard as defined in subsection (b) above.

Section 5. Chapter 36, Section 36-162 (e)(3)a. of the St. Louis Park City Code is hereby amended to delete the strikethrough text and add the underlined text as follows.

a. No more than three vehicles can be parked or stored outside an enclosed building at a single-family residence on a lot that contains a single-family residence. For a duplex, six vehicles can be parked or stored outside. If there are more than three persons residing at a single-family dwelling, inclusive of an accessory dwelling unit or a boarder, who have valid state driver’s licenses showing the residence addresses on the lot, then the total number of vehicles allowed to be parked outside is increased to a number equal to the number of licensed drivers residing at the property not to exceed five vehicles. The provisions of this subsection shall not apply during snow emergencies.

Section 6. Chapter 36, Section 36-162 (. of the St. Louis Park City Code is hereby amended to add the underlined text as follows.

(f) Short-term rentals prohibited. No person shall offer for occupancy or enter into an agreement to allow a dwelling unit, or any other portion of their property, to be used as a short-term rental in any residential or mixed-used zoning district within the City.

Section 7. Chapter 36, Section 36-163. R-1 single family residence district (e) Accessory Uses of the St. Louis Park City Code is hereby amended to add the following underlined text.

(16) Accessory dwelling units complying with all the following conditions:

a. An accessory dwelling unit shall be allowed on any buildable lot of record as defined by Section 36-71 (b).

b. There shall be no more than one (1) accessory dwelling unit per single-family lot.
c. Occupancy of the accessory dwelling unit shall be limited to two (2) people over the age of eighteen (18). The number of people under the age of eighteen (18) shall not be limited.
d. The accessory dwelling unit shall not be sold independently of the principal residential dwelling and may not be a separate tax parcel.
e. Parking for the parcel shall meet the requirements of Section 36-361 with no additional off-street parking required for the accessory dwelling unit.
f. The accessory dwelling unit, and the structure housing the accessory dwelling unit, shall meet all applicable fire and building codes, as well as any other City, County, State, or Federal Regulations.
g. Accessory dwelling units that are internal or attached to the principal dwelling unit shall be no more than 40% of the gross floor area of the single-family dwelling.
h. Accessory dwelling units that are detached from the principal residential structure shall also comply with the following requirements:
   a. The regulations for accessory structures in Division 4 Residential District Regulations.
   b. 
   c. Detached accessory dwelling units shall be located a minimum of five (5) feet from any side property line or a rear property line adjacent to any alley or street. A detached accessory dwelling unit shall be located a minimum of fifteen (15) feet from a shared rear property line.
   d. Detached accessory dwelling units shall have a minimum of 300 square feet of floor area.
   e. Balconies and decks above the ground floor shall not face an interior side yard or a rear yard not abutting an alley. Rooftop decks for an accessory dwelling unit shall not be allowed.

Section 8. Chapter 36, Section 36-164. R-2 single-family residence district (e) Accessory Uses of the St. Louis Park City Code is hereby amended to add the following underlined text:

Insert agreed upon standards from above section 4

Section 9. Chapter 36, Section 36-165. R-3 two-family residence district (e) Accessory Uses of the St. Louis Park City Code is hereby amended to add the following underlined text:

Insert agreed upon standards from above section 4

Section 10. Chapter 36, Table 36-361 (a) Off-Street Parking Areas of the St. Louis Park City Code is hereby amended to delete the strikethrough text and add the underlined text as follows:

<table>
<thead>
<tr>
<th>Use</th>
<th>Number of Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single family dwelling</td>
<td>Two spaces per dwelling unit. Additional spaces are not required for a boarder or an accessory dwelling unit.</td>
</tr>
</tbody>
</table>
Two family

Two spaces per dwelling unit. Additional spaces are not required for a boarder or an accessory dwelling unit.

Section 11. This ordinance shall take effect (insert text)

<table>
<thead>
<tr>
<th>First Reading</th>
<th>(date)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Second Reading</td>
<td>(date)</td>
</tr>
<tr>
<td>Date of Publication</td>
<td>(date)</td>
</tr>
<tr>
<td>Date Ordinance takes effect</td>
<td>(date)</td>
</tr>
</tbody>
</table>

Reviewed for administration: Adopted by the City Council (insert date)

Thomas K. Harmening, City Manager

Jake Spano, Mayor

Attest: Approved as to form and execution:

Melissa Kennedy, City Clerk

Soren Mattick, City Attorney