

Agenda Item Summary

Item No. 9a

Council Meeting Date	April 02, 2019
Department	Planning
Submitted By	Forrest Cotten
Agenda Section	Ordinances

Name and address of person(s) or business(es) this item affects:

City of Auburn
Planning Department
171 North Ross Street
Suite 100
Auburn, AL 36830

Description of item under consideration

This request is for approval of amendments to Article II (Definitions), Article IV (General Regulations), and Article V (Detailed Use Regulations) of the City of Auburn Zoning Ordinance for purposes of creating a new performance development housing type to be termed “academic detached dwelling unit” along with its accompanying regulations (Case PL-2018-00762). The Planning Commission unanimously recommended approval at its January 10, 2019 meeting. The attached Planning Commission staff report provides a detailed summary of the amendments.

This item has appeared twice before the City Council. On February 19, 2019, unanimous consent was denied. On March 5, 2019, the Council tabled the item until April 2, 2019. The public hearing has been held.

Why is Council action needed?

City Council action is necessary for all amendments to the City of Auburn Zoning Ordinance. Unanimous consent is necessary.

Are there deadlines involved with this item?

No

Is this a budgeted item?

N/A

City of Auburn Planning Commission
PL-2018-00762 'Zoning Ordinance Text Amendment–Academic Detached Dwelling Units (ADDUs)

Review Date: December 31, 2018
Amended March 25, 2019

Applicant: City of Auburn
Planning Department
171 North Ross Street, Suite 100
Auburn, AL 36830

Case Staff: Forrest E. Cotten, AICP, Planning Director

Request: Recommendation to amend Article II-Definitions (Section 203), Article IV-General Regulations (Table 4-1, Table of Permitted Uses), and Article V-Detailed Use Regulations (Section 502) of the *City of Auburn Zoning Ordinance*.

Purpose: The purpose of this text amendment is to create, define and regulate a new performance housing type to be termed “academic detached dwelling unit.”

Recommendation: **Approval**

History and Analysis

In Spring 2018, multiple building permits were issued for “single-family” residences on single lots of record along Canton Avenue at its intersection with Frazier Street. Considered as single dwellings on individual lots of record, these structures only required review and approval of the Inspection Services Department. Once construction of the residences commenced, however, signage was placed at the development site marketing the residences for student occupancy.

This was brought to the attention of the City and the Planning Services Department, specifically. The Department reviewed the floor plans for the subject units and determined that the configurations were strikingly similar to the floor plans of “private dormitory” uses, but just in single unit form. By way of background, regulations were created for private dormitories during the final stages of the Downtown Master Plan (DMP) process at the end of the 2015 calendar year. This was done largely in response to the emergence of multiple urban-form “purpose-built” student housing developments seeking entitlements and development approvals in the Urban Core. It was also done in recognition of the fact that the impacts and characteristics of this housing type are distinctly different than other types of multi-family housing offerings. The private dormitory regulations were adopted and codified along with the zoning implementation component of the DMP in March 2016.

Not surprisingly, staff research quickly revealed that other peer university communities in the southeast were experiencing the emergence of this housing type in their cities as

well. Communities queried and surveyed by the Planning Services Department included Athens, Georgia (University of Georgia); Oxford, Mississippi (University of Mississippi), Tuscaloosa, Alabama (University of Alabama); Gainesville, Florida (University of Florida); and College Station-Bryan, Texas (Texas A&M University).

In the case of Texas A&M, the University sits right in between the cities of College Station and Bryan and, therefore, both communities have experienced and been impacted by this use type moving into largely single-family neighborhoods. College Station informally refers to them as “Ag Shacks,” while Bryan has coined the term “Stealth Dorms.”

Regulating this type of use carefully and appropriately is particularly important because the ADDU use seeks areas on the fringe of the Urban Core that are largely comprised of older and established lower density neighborhoods and in many cases, single family neighborhoods. This is in contrast to private dorms which tend to seek more urban, higher density areas that are largely comprised of existing student housing stock already [the Urban Neighborhood (UN) Districts (formerly University Service District) and the Urban Neighborhood-West in particular]. This difference can create compatibility issues in terms of the size and scale of development, but also in terms of the lifestyle differences between students and non-students that the City of Auburn’s long-standing unrelated occupancy regulations were designed to address.

The proposed regulations are provided at the end of this report and, in summary, provide for the following:

- 1) ADDUs are to be permitted by right only in the UN Districts.
- 2) ADDUs are required to obtain conditional use approval in the Redevelopment District (RDD), the Corridor Redevelopment District-Suburban (CRD-S) and the Corridor Redevelopment District-Urban (CRD-U) Districts.
- 3) Floor Plans will now be required to be reviewed by Planning Services for most performance housing types including: single-family detached, townhouse, twin house, duplex, multiple unit development, private dormitory, and academic detached dwelling unit.
- 4) Development regulations for ADDUs will be similar to that of performance single-family detached units with the exception of an increased floor to area ratio (from .35 to .45) and an increased off-street parking requirement (~~1.1 spaces~~ 1 space per bedroom versus 2 spaces per unit for single-family detached units).

Proposed Text Amendment

Article II, Section 203. Definitions.

Academic Detached Dwelling Unit (ADDU): Freestanding structure, completely separate from all other structures, and intended to be used by no more than five (5) residents of academic institutions. The typical unit configuration includes common space for living and cooking and private bedrooms, each with a dedicated bathroom. The typical unit is distinguished from a single family detached dwelling unit (SFDDU) in one or more ways including, but not limited to: 1) it may not have a master bedroom/master bath; 2) bedrooms are typically smaller in floor area than they are in a SFDDU; 3) common spaces are typically smaller than those found in a SFDDU.

Boarding/Rooming House: An establishment other than a hotel, motel, or restaurant where lodging is provided for compensation to no more than five (5) persons at least six ~~(6) persons~~.

Article IV, Table 4-1. General Regulations – Table of Permitted Uses.

Performance Residential Development***	UN-E	UN-W	UN-S	NRD	RDD	CRD-S	CRD-U
<u>Academic Detached Dwelling Unit</u>	<u>P</u>	<u>P</u>	<u>C</u> <u>P</u>	<u>C*</u>	<u>C*</u>	<u>C</u>	<u>C</u>

***East of North Donahue Drive**

Special Residential	UC/CEOD	UN-S	RDD	CDD	CRD-S	CRD-U
Boarding/Rooming House	<u>C</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>P</u>	<u>C</u>	<u>C</u>

Article V, 502.02. Performance Residential Developments.

General requirements for the various performance development types are summarized below:

Housing Type	S/D Plat Required	<u>Floor Plan Required</u>	Units per Lot	Units per Structure	Platted Open Space
SF Detached	X	<u>X</u>	1	1	X
Town House	X	<u>X</u>	1	3-10	X**
Twin House	X	<u>X</u>	1	2	X
Duplex Subdivision	X	<u>X</u>	2	2	X
Multiple Unit Development		<u>X</u>	3+	*	
Private Dormitory		<u>X</u>	<u>2+</u> <u>3+</u>	***	
<u>Academic Detached Dwelling Unit</u>	<u>X</u>	<u>X</u>	<u>1</u>	****	<u>X</u>

**** See Section 502.02(l)

- H. Private Dormitory Development.** This development type consists of two (2) attached or unattached or any arrangement of three (3) or more dwelling units on ~~an~~ a divided or undivided lot.
- I. Academic Detached Dwelling Unit (ADDU).** This development type consists of freestanding structures on individual lots, and intended to be used by no more than five (5) residents of academic institutions. The typical unit configuration includes common space for living and cooking and private bedrooms, each with a dedicated bathroom. The typical unit is distinguished from a single family

detached dwelling unit (SFDDU) in one or more ways including, but not limited to: 1) it may not have a master bedroom/master bath; 2) bedrooms are typically smaller in floor area than they are in a SFDDU; 3) common spaces are typically smaller than those found in a SFDDU.

ADDUs shall not take access from an arterial road. In addition to the bufferyard standards of Sections 420 through 428, ADDUs shall meet the following development criteria:

<u>Minimum Lot Area</u>	<u>5,000 s.f.</u>
<u>Maximum I.S.R. on individual lots</u>	<u>.50</u>
<u>Maximum F.A.R.</u>	<u>.45</u>
<u>Minimum Yards:</u>	
<u>Front</u>	<u>20 ft.</u>
<u>Side</u>	<u>5 ft.*</u>
<u>Side on Street</u>	<u>15 ft.</u>
<u>Rear</u>	<u>20 ft.</u>
<u>Minimum Lot Width</u>	<u>50 ft.</u>
<u>Off-Street Parking Spaces</u>	<u>1.1 per bedroom</u>

* or width of any easement along the side lot line, whichever is greater.

Sufficient open space shall be provided to protect any of the resource types specified in Sections 412-417.

Staff recommends that this amendment be approved.

**RESOLUTION
OF THE
AUBURN PLANNING COMMISSION**

Case: Zoning Ordinance Amendment – Academic Detached Dwelling Units (ADDUs) (PL-2018-00762)

Subject: Recommendation to City Council for approval of amendments to Article II (Definitions), Article IV (General Regulations), and Article V (Detailed Use Regulations) of the *City of Auburn Zoning Ordinance* for purposes of creating a new performance development housing type to be named “academic detached dwelling unit” and its accompanying regulations

Commission Action

BE IT RESOLVED by the Planning Commission of the City of Auburn that the request for a recommendation to City Council for approval of amendments to Article II (Definitions), Article IV (General Regulations), and Article V (Detailed Use Regulations) of the *City of Auburn Zoning Ordinance* for purposes of creating a new performance development housing type to be named “academic detached dwelling unit” and its accompanying regulations, Auburn Planning Commission Case PL-2018-00762, is hereby **APPROVED**.

STATE OF ALABAMA
LEE COUNTY

I, Forrest E. Cotten, Director of Planning for the Auburn Planning Commission, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Auburn Planning Commission at its meeting held January 10, 2019 and as same appears of record in the Official Minutes of said Commission.

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Auburn Planning Commission this the 4th day of February, 2019.



Forrest E. Cotten, AICP, Director of Planning

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND ORDINANCE NUMBER 1883 OF THE CITY OF AUBURN, DATED DECEMBER 21, 1999, THE OFFICIAL ZONING ORDINANCE, AS AMENDED BY SUBSEQUENT AMENDMENTS, BY INCORPORATING THE FOLLOWING CHANGES:

Section 1. That Ordinance No. 1883 of the City of Auburn, Alabama dated December 21, 1999, as amended by subsequent amendments is further amended to read as follows:

Article II, Section 203. Definitions.

Academic Detached Dwelling Unit (ADDU): Freestanding structure, completely separate from all other structures, and intended to be used by no more than five (5) residents of academic institutions. The typical unit configuration includes common space for living and cooking and private bedrooms, each with a dedicated bathroom. The typical unit is distinguished from a single family detached dwelling unit (SFDDU) in one or more ways including, but not limited to: 1) it may not have a master bedroom/master bath; 2) bedrooms are typically smaller in floor area than they are in a SFDDU; 3) common spaces are typically smaller than those found in a SFDDU.

Boarding/Rooming House: An establishment other than a hotel, motel, or restaurant where lodging is provided for compensation to no more than five (5) persons

Article IV, Table 4-1. General Regulations – Table of Permitted Uses.

<i>Performance Residential Development***</i>	UN-E	UN-W	UN-S	RDD	CRD-S	CRD-U
Academic Detached Dwelling Unit	P	P	P	C	C	C

<i>Special Residential</i>	UC/CEOD	UN-S	RDD	CDD	CRD-S	CRD-U
Boarding/Rooming House		C	C		C	C

Article V, 502.02. Performance Residential Developments.

General requirements for the various performance development types are summarized below:

Housing Type	S/D Plat Required	Floor Plan Required	Units per Lot	Units per Structure	Platted Open Space
SF Detached	X	X	1	1	X
Town House	X	X	1	3-10	X**
Twin House	X	X	1	2	X
Duplex Subdivision	X	X	2	2	X
Multiple Unit Development		X	3+	*	
Private Dormitory		X	2+	***	
Academic Detached Dwelling Unit	X	X	1	****	X

**** See Section 502.02(I)

- H. **Private Dormitory Development.** This development type consists of two (2) attached or unattached or any arrangement of three (3) or more dwelling units on a divided or undivided lot.
- I. **Academic Detached Dwelling Unit (ADDU).** This development type consists of freestanding structures on individual lots, and intended to be used by no more than five (5) residents of academic institutions. The typical unit configuration includes common space for living and cooking and private bedrooms, each with a dedicated bathroom. The typical unit is distinguished from a single family detached dwelling unit (SFDDU) in one or more ways including, but not limited to: 1) it may not have a master bedroom/master bath; 2) bedrooms are typically smaller in floor area than they are in a SFDDU; 3) common spaces are typically smaller than those found in a SFDDU.

ADDUs shall not take access from an arterial road. In addition to the bufferyard standards of Sections 420 through 428, ADDUs shall meet the following development criteria:

Minimum Lot Area	5,000 s.f.
Maximum I.S.R. on individual lots	.50
Maximum F.A.R.	.45
Minimum Yards:	
<i>Front</i>	20 ft.
<i>Side</i>	5 ft.*
<i>Side on Street</i>	15 ft.
<i>Rear</i>	20 ft.
Minimum Lot Width	50 ft.
Off-Street Parking Spaces	1.1 per bedroom

* or width of any easement along the side lot line, whichever is greater.

Sufficient open space shall be provided to protect any of the resource types specified in Sections 412-417.

Section 2. If any section or provision of this ordinance be declared invalid or unconstitutional by judgment or decree of a court of competent jurisdiction, such judgment or decree shall not affect any other section or provision of this ordinance.

Section 3. This ordinance shall take effect upon its approval by the City Council or upon its otherwise becoming law, but shall be published as required by law and codified as part of the Code of Auburn, Alabama.

ADOPTED and approved by the City Council of the City of Auburn, Alabama, this the 2nd day of April, 2019.

Mayor

ATTEST:

City Manager