

..TITLE

Vote on a request to approve the Chatham County Zoning Impact Fee Ordinance, Section II, Definitions, to modify the definition of accessory dwelling unit for ordinance consistency.

..ABSTRACT

Action Requested:

A request to amend the Chatham County Impact Fee Ordinance, Section II, Definitions, to modify the definition of accessory dwelling unit for ordinance consistency.

Introduction & Background:

Staff is proposing several text amendments to promote consistency between the Zoning, Subdivision, Impact Fee and Watershed Ordinances. A specific area of these amendments is to address the definition for accessory dwelling units. Currently, the Impact Fee Ordinance definition for accessory dwelling units is inconsistent with the above mentioned ordinances. This amendment will align all ordinances with the same definition for accessory dwelling unit.

Discussion & Analysis:

The amendment was brought for discussion with the Board of Commissioners April 2014 with a staff follow up August 18th. A public hearing on was held September 15th and no input from the public was received. The Technical Review Committee also reviewed these amendments with no additional comments October 15th.

The current definition for accessory dwelling unit within the Impact Fee Ordinance is as follows:

Accessory Dwelling Unit A guest house, garage apartment, in-house apartment, a dwelling unit that is smaller than the principal residential dwelling, but is secondary and incidental to the principal residential use of the property. The accessory dwelling unit is situated on the same lot as the principal residence and may be located within the principal residence or in a separate building. An accessory dwelling unit shall contain no more than 1,000 square feet of heated space and shall not be larger than 2/3 the size of the heated space of the principal residence, whichever is less. An accessory dwelling unit may not be the residence of more than two adult occupants. An accessory dwelling unit must be constructed at the same time as, or subsequent to, the principal residential dwelling unit.

The proposed revision to the language, which will be consistent with all other applicable ordinances is as follows:

~~*Accessory Dwelling Unit A guest house, garage apartment, in-house apartment, a dwelling unit that is smaller than the principal residential dwelling, but is secondary and incidental to the principal residential use of the property. The accessory dwelling unit is situated on the same lot as the principal residence and may be located within the*~~

~~principal residence or in a separate building. An accessory dwelling unit shall contain no more than 1,000 square feet of heated space and shall not be larger than 2/3 the size of the heated space of the principal residence, whichever is less. An accessory dwelling unit may not be the residence of more than two adult occupants. An accessory dwelling unit must be constructed at the same time as, or subsequent to, the principal residential dwelling unit.~~

Accessory Dwelling Unit (i.e. guest house, pool house, garage apartment, in-house apartment) -An accessory dwelling unit that is smaller than the principal residential dwelling. The accessory dwelling unit is situated on the same lot as the principal residence and may be located within the principal residence or in a separate building with a separate access. The accessory dwelling unit is restricted to 1,500 square feet of heated living space. The use is to conform to the character of the existing structures and neighborhood, i.e. mobile homes are not allowed as an accessory dwelling unit on lots smaller than 80,000 square feet.

PLANNING BOARD ACTION

The Planning Board met during their regularly scheduled meeting on November 4th, 2014. Discussion was raised concerning the accessory dwelling unit size, however the Board settled on the proposed increase to 1,500 heated square feet and recommended approval of the proposed text amendments in a 7-3 vote.

Recommendation:

The Planning Board by a 7-3 vote and staff recommends approval of the amendment to the Accessory Dwelling Unit definition within the Impact Fee Ordinance.