

Summary of regulations of eight other cities regarding “stand alone” ADUs¹
(4 cities over 300,000 pop. and 4 cities under 50,000 pop.)

- 1) The regulations in a majority of other cities (n=6 of 8) do not permit ADUs to be taller than the main house or are limited to one story. Of the other two, one has zone specific limits and one requires approval by their Planning Board.
- 2) All but one city (Minneapolis) takes into consideration the size of the footprint of the main house (e.g., a % of the house footprint) or limits the maximum to 800 sq. ft. or less (Northfield proposal specifies a 1,000 square ft. maximum with no percentage of principal building).
- 3) All four cities under 50,000 have some compatibility standards or review process.
- 4) All four cities under 50,000 have an off-street parking requirement.
- 5) Four of the 8 cities specify the number of persons who may occupy the ADU.
- 6) Five of the 8 cities require that the owner occupy either the ADU or primary residence; an additional city is currently holding hearings and is expected to pass such an ordinance. Two of five cities in which it is in effect revised in recent years their original ordinances that did originally not have such a requirement.

Other regulations that were addressed/clarified by one or two of the cities:

- 1) Parking area cannot exceed a certain % of front yard (n=2; 15% and 25%).
- 2) Shall not create additional entrances to public street for ADU (n=2).
- 3) The side of the ADU facing a public street shall have a percentage of windows (n=2; 5% and 20%)
- 4) A “stand alone” ADU, requires a provisional use/conditional use permit (n=2)
- 5) Rooftops decks are prohibited.
- 6) Balconies facing side yard prohibited.
- 7) Required sidewalk from street to ADU primary front yard entrance.
- 8) City waives construction fee if owners agree not to use ADU as short term rental for 10 yrs.
- 9) Occupancy of more than one family or two unrelated persons requires a variance.
- 10) For cities with historic overlays or individual historic designated house, ADUs may be subject to additional design requirements.
- 11) If parking is required for the existing dwelling unit, that parking must either be retained or replaced on-site.
- 12) Ground disturbance or construction staging that impacts a root protection zone of an existing tree may trigger tree preservation requirements for trees located on private property and/or in the public right-of-way.
- 13) ADU setbacks must provide adequate supply of sunlight and air to adjacent property.
- 14) Procedure for discontinuance of an accessory dwelling unit is prescribed.
- 15) Citizens are encouraged to consult their county assessment and taxation office for questions about how property taxes will be affected by the addition of an ADU to the property (clarified in regulations).

¹The proposed Northfield regulations in the matrices reflect those submitted by the Planning Commission to the City Council. Alternative options have subsequently been proposed by staff and a council member that contain a modification of a component of the Planning Commission proposal.

Note: Cities over 300,000 population included in this analysis included Minneapolis and St. Paul (Minneapolis has been cited as a source of some of the proposed regulations); and Colorado Springs and Portland (these cities served as best practice regulations for environmental issues when the Northfield Land Development Code was updated). Cities under 50,000 population included those closer to our size but were more difficult to find. They include those that experience some of our weather (Charlottesville and Glenwood Springs) and also a significant college student population (Ithaca).

I have made every attempt to accurately reflect the information I found on the web; I would appreciate any corrections that need to be made.

Alice Thomas, March 18, 2019

**Comparison with Northfield’s Proposed “stand alone” ADUs Ordinance
with regulations of “stand alone” ADUs in other cities - over 300,000 population**

	Northfield 20,000	St. Paul¹ 306,000	Minneapolis² 422,000	Colorado Springs³ 464,000	Portland⁴ 658,000
ADUs/lot	One ADU/lot	One ADU/lot	One ADU/lot	One ADU/lot.	One ADU/lot
Minimum lot size	No minimum	At least 5,000 square ft.		To align with min. lot size for single family home (proposed – currently is 6-7,000 sq. ft.& not allowed in R1).	
Maximum height	24 ft. high (enough for two story option)	The lesser of 25 ft. or height of principal structure.	Cannot exceed the height of the principal structure or 20 ft., whichever is less.	Depends on zone district, home size & alley access: 20, 25 or 28 (proposed – currently is 25 max).	20 ft. if located outside of required setbacks; 15 ft. if within the required setback.
Maximum sq. ft footprint	1,000 square ft.	800 sq. ft. Min.: 300 sq. ft.	Combined footprint of ADU and its parking shall not exceed 1,300 sq. ft. or 16% of lot area, whichever is greater (up to maximum of 1,600 sq. ft.). Minimum of 300 sq. ft.	Sized according to size of principal home using 40%-50% of floor area of principal home up to max. of 1,500 sq ft. (proposed – currently is 750 sq. ft.).	No more than 75% of the living area of the main house or 800 sq ft., whichever is less.
Lot coverage max.	Exempt from being counted in 30% max. lot coverage.	All accessory buildings on lot may occupy up to 35% of the rear yard; no more than 1,000 sq. ft.		Counts towards maximum building coverage.	Combined building coverage for all detached accessory structures may not exceed 15% of total site area.
Location on lot	Minimum of 10 ft. from primary dwelling.	Must be located in rear yard and shall be set back from the interior lot line a distance equal to the minimum side yard required of the principal structure.	Must be located to rear of main house and 20 ft. from house. Balconies cannot face interior side lot line. Rooftop decks are prohibited.	Within rear 50 ft, behind the rear corners of the principal residence. 20-foot setback from the principal residence (current reg.) Setback from main house: per building code (proposed).	Must be set back 40 ft. from a front lot line or behind the rear wall of the house plus other setback regulations.
Compatibility standards.	No compatibility standards re: materials, scale, etc. Must meet building code.		Must be durable, including but not limited to masonry, brick, stone, wood, cement-based siding or glass. No less than 5% of the entire elevation facing public street or alley shall be windows.		If more than 15 ft. high, regulations apply to exterior finish materials, roof pitch, trim, eaves, and window orientation.
Parking	No requirement for ADU unit.	No requirement. Off-street parking spaces for ADU shall not be located within the front yard.	No requirement	One off-street parking space required (currently; no change).	No requirement
Included in rental density max.	Not subject to 20% cap on rental density.	No more than one family in both principal unit and accessory unit together. Family = linearly related family plus 2 or up to 4 unrelated persons.			Total number of residents living in both units (ADU & primary house) limited to total allowed for a household = one or more persons related by blood, marriage, legal adoptions or guardianship + 5 additional persons.
Owner occupied	Owner does not have to live in primary dwelling nor ADU.	Owner must permanently reside in either principal unit or ADU (added in 2018).	Either ADU or main bldg. owner occupied for entire calendar year.	In single family zones, owner required to occupy either principal home or ADU (proposed - currently no requirement).	
Other:		Required sidewalk from street to ADU primary front yard entrance.	Shall not create additional entrances to public street for ADU.		(2018) City waives construction development fee (~\$15,000) if owners agree not to use ADU as short term rental for 10 yrs.

Note: Address of chief website used is provided below; others were also used; some phone calls were made to verify. A. Thomas, March, 18. 2019

¹ St. Paul authorized ADUs in 2004, later dropped; reintroduced in 2013; enacted in 2016 in only a few neighborhoods; revised in 2018 for all neighborhoods.

² Minneapolis authorized ADUs in 2014; <http://www.ci.minneapolis.mn.us/cped/projects/ADU> revised 2017

<http://www.ci.minneapolis.mn.us/www/groups/public/@cped/documents/webcontent/wcms1p-136454.pdf>

³ Colorado Springs authorized ADUs in 2003, but did not allow in single family zones. They are currently holding hearings regarding the proposed revised code; proposed provisions are reflected above which includes allowing ADUs in single family zones. <https://coloradosprings.gov/adu>

⁴ Portland authorized ADUs in 1997 and “has set about creating the most ADU-friendly policies in the country”. In 2010, it waived impact fees for developers building ADUs. <https://www.portlandoregon.gov/bds/index.cfm?a=68689>

**Comparison with Northfield’s Proposed “stand alone” ADUs Ordinance
with regulations of “stand alone” ADUs in other cities - under 50,000 population**

	Northfield Pop. 20,000	Charlotteville. NC¹ Pop. 46,900	Ithaca, NY ² Pop. 31,000	Portsmouth, NH³ Pop. 21,000	Glenwood Springs, CO⁴ Pop. 9,900
ADUs/lot	One ADU/lot	One ADU/lot	One ADU/lot	One ADU/lot	One ADU/lot
Minimum lot size	No minimum			Min. lot area/dwelling unit for district	
Maximum height	24 ft. high (enough for two story option)	The lesser of 25 ft. or height of the primary residence (measured to highest point of roof).	Zone specific: Limited to one-story and 20 ft. in height in Low and Medium Density Zones. (new regulation)	(no specified max. height; compatibility determined by Planning Bd. (PB))	Shall not exceed the principal building.
Maximum sq. ft. footprint	1,000 square ft.	Cannot exceed 40% of footprint of primary residence.	All zones: May not exceed 800 sq. ft. or 70% of floor area of main bldg., whichever is less. Must be at least 300 sq. ft. (new regulation)	Max.: 750 sq ft. or 1,000 if lot of 2 acres.	Minimum: 300 square feet Maximum: 850 square feet. May not exceed forty-nine percent (49%) of the building area of the principal dwelling.
Lot coverage max.	Exempt from being counted in 30% max. lot coverage	Total of the ADU footprint and any other structure in rear yard cannot exceed 30% of the rear yard area.			Each lot with an ADU shall retain a minimum of 500 sq. ft. of landscaped area.
Location on lot	Minimum of 10 ft. from primary dwelling.	Must be located in rear or side yard; 5 ft. from property line; and 8 ft. from any other structure on property.	Located in the rear yard and within 150 ft. of main house. Zone specific setbacks.	Located at least 20 ft. from main house.	Located in the rear yard or side yard of primary unit. A minimum of 20 ft. from main house.
Compatibility standards.	No compatibility standards re: materials, scale, etc. Must meet building code.	Desirable to use same or complementary design elements (materials, colors, roof pitch) as main house. PUP required.	If street-facing façade of ADU is visible from street, at least 20% of that façade must have window or door openings.	Must be compatible with existing residence and adjacent properties. Will not sig. reduce privacy of adjacent properties. – determined by PB.	Colors, materials and design of the accessory dwelling unit shall be substantially the same as the principal dwelling.
Parking	No requirement for ADU unit.	One (1) off-street parking space at least 9x18 ft. within any yard, and at least 3 ft. from adjacent property. Parking area cannot exceed 25% of front yard.	All zones: One off-street parking space shall be provided. Parking cannot exceed 15% of front yard.	One parking space provided for ADU up to 400 sq. ft; two spaces for ADU over 400 sq. ft.	One (1) off-street parking space (9’ x 19’) shall be provided. Space in driveway counts. Parking should be on the side or rear yard of the principal dwelling unit.
Included in rental density max.	Not subject to 20% cap on rental density.	No more than two unrelated person may live in the ADU.	ADU limited to one family or two unrelated persons. Other compositions require hearing for variance.		.
Owner occupied	Owner does not have to live in primary dwelling nor ADU	Owner must live in ADU or primary residence.	Owner occupancy required in all zones except High Density Zone. (new regulation)	Owner must live in ADU or primary residence.	Owner does not have to live in primary dwelling nor ADU
Other:		Requires a provisional use permit (PUP).	Shall not create additional entrances to public street for ADU.	ADU requires a conditional use permit.	.

Note: Address of chief website used is provided below; others were also used; some phone calls were made to verify.

A. Thomas, March 18, 2019

¹ Charlotteville, NC: <http://www.charlotteville.org/home/showdocument?id=38020>

² Ithaca revised their ADU regulations in 2017; previous code had resulted in new ADU structures that were not used nor built as intended but took advantage of the “lucrative student. housing market”. “The legislation stems from increasing public concern with rental properties and their impact on neighborhoods, as well as their code compliancy related to health and safety.” <http://www.town.ithaca.ny.us/documents/new-legislation>

³ Portsmouth, NH: ADU regulations adopted in 2009 and amended through 2017. The core of the ADU regulations are from the state; municipalities tailor some components to their community, e.g., municipalities could decide whether or not to allow detached ADUs. <https://www.nh.gov/osi/planning/resources/documents/portsmouth-adu-amendments.pdf>

⁴ Glenwood Springs: <http://cogs.us/DocumentCenter/View/88/Accessory-Dwelling-Unit-ADU-Guide-PDF?bidId>