CITY OF GREENFIELD ORDINANCE NO. 2024-03

AN ORDINANCE AMENDING SECTIONS 152.006, 152.050, AND 152.071 OF THE ZONING CODE OF THE GREENFIELD CITY CODE REGULATING ACCESSORY DWELLING UNITS

WHEREAS, accessory dwelling units garnered interest and support from the Greenfield community as an approach to provide additional housing options; and

WHEREAS, community support allowed for the exploration and amendment of the city ordinance to reasonably regulate accessory dwelling units; and

WHEREAS, the proposed ordinance is beneficial to the public health, safety and general welfare of the community as it establishes performance standards to ensure there is compatibility between accessory dwelling units and the residential character of the neighborhoods in which they may be located; and

WHEREAS, on November 12, 2024, the Planning Commission held a properly noticed public hearing to consider amendments to the zoning code, discussed the matter, and forwarded a recommendation to the City Council.

NOW, THEREFORE, the City Council of Greenfield does ordain as follows:

<u>Section 1.</u> Section 152.006 Definitions of the Zoning Code is hereby amended by adding the following definition:

ACCESSORY DWELLING UNIT (ADU) is a housing unit with separate entry access from the principal structure, either directly from the outside or through a common hall. The accessory dwelling unit provides separate living quarters with the basic requirements of shelter, heat, cooking and sanitation; subordinate to and located on the same lot as the principal structure.

Section 2. Section 152.050 Subpart (C) (3) Accessory Uses Table is hereby amended by inserting in Table 2 Accessory Uses Table under the subheading "Accessory Use Type" the term Accessory Dwelling Unit and identifying them as PS (Permitted with Standards) across the RR and R-1 zoning districts.

<u>Section 3.</u> Section 152.071 Residential Performance Standards is hereby amended by adding subpart N as follows:

(N) Accessory Dwelling Units (ADU)

- (1) Purpose. The purpose to allow accessory dwelling units is to provide the community an additional housing option while establishing specific performance standards that respect the style and scale of the character of the community.
- (2) General Provisions. The following performance standards shall apply for all accessory dwelling units.
 - (a) Applicability.
 - Accessory dwelling units within the RR District require preapproval by the Zoning Administrator through the Density Eligibility process.
 - 2. The accessory dwelling unit shall not be built prior to or sold independently of the principal dwelling.
 - 3. Plan review and registration with the Zoning Administrator is required for all accessory dwelling units, prior to issuance of a building permit.
 - (b) Quantity. Not more than one accessory dwelling unit is permitted per residential lot.
 - (c) Construction. An accessory dwelling unit shall be considered a housing unit with a separate entry from the principal dwelling created through one of the following forms:
 - 1. Detached from the principal structure;
 - Conversion of an existing structure (i.e. garage) or space within the principal structure on the lot (i.e. attic or basement); or
 - 3. An addition to the principal structure or an existing accessory structure.
 - (d) Occupancy.
 - The property owner or a legally authorized representative shall reside on the property where there is an accessory dwelling unit. Either in the primary dwelling or in the accessory dwelling unit.
 - 2. Accessory dwelling units used for short term rentals shall follow all applicable zoning code provisions in this section and regulations in Section 152.050 (C)(3) and Chapter 103.
 - (e) Lots served by private septic systems must have their sites reviewed and certified by Hennepin County for all proposed structures before a building permit is issued for an accessory dwelling unit.
 - (f) Parking. At least one designated parking space on the property shall accompany the accessory dwelling unit. The designated parking stall shall either be existing or added to the property; occur within a garage, on a weed free or improved surface.

(3) Design Standards

(a) Size. The following table lists the total allowable area and height of an accessory dwelling unit. Measurements of the total gross living area shall exclude garages, unfinished basements without egress, or unheated spaces.

Principal dwellings 2,000 sq ft or less	Up to a maximum of 1,000 sq ft
Principal dwellings over 2,000 sq ft	The lesser of 50% of the total gross living
	area or up to 2000 sq ft

- (b) Setbacks.
 - 1. The accessory dwelling unit shall meet all applicable setbacks of the underlying zoning district or as established for detached accessory structures in Section 152.071 (D) (4).
 - 2. Detached accessory dwelling units shall meet state building code spacing requirements from other structures.
- (c) Building Coverage. A detached accessory dwelling unit shall count towards the maximum allowable number of detached accessory structures and total cumulative square feet based on the zoning district and lot size per Section 152.071 (D) (3) (a).
- (d) Appearance. The accessory dwelling unit shall be consistent with the standards set forth in Section 152.071 (D)(5).
- (e) Screening and Landscaping. Detached accessory dwelling unit shall meet the standards set forth in Section 152.071 (D)(6).
- (f) Maintenance. All accessory dwelling units shall be maintained in good condition. The property owner shall be responsible for the compliance and maintenance of the accessory dwelling unit prescribed in this section.
- (4) Violations. If an accessory dwelling unit used in a manner not described above, the property owner shall be notified following the procedures in Chapter 152.020.

Section 4. Effective Date

Attest: Margaret Webb, City Administrator

This ordinance shall have full force and effect upon its passage and publication.

Adopted by the City Council this 19th day of November, 2024.

Mayor Brad Johnson