

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

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**Review Date:** December 31, 2018

**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 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.**

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

<b>Special Residential</b>	<b>UC/CEOD</b>	<b>UN-S</b>	<b>RDD</b>	<b>CDD</b>	<b>CRD-S</b>	<b>CRD-U</b>
<u>Boarding/Rooming House</u>	<u>C</u>	<u>P C</u>	<u>P 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	Floor Plan Required	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+ 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>	
<i>Front</i>	<u>20 ft.</u>
<i>Side</i>	<u>5 ft.*</u>
<i>Side on Street</i>	<u>15 ft.</u>
<i>Rear</i>	<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.**

# Public Notifications

The Planning Department handles staff support responsibilities for various boards and committees in the City including the Board of Zoning Adjustment, Planning Commission, and most recently, the Historic Preservation Commission. In addition, a number of applications considered by the Planning Commission are forwarded to the City Council for a final determination. For these applications, the Planning Department provides staff support to the City Council as well. Along with these support responsibilities, also come the requirements associated with public notification for the numerous applications that are made to these various bodies. These requirements are many and varied.

## **Board of Zoning Adjustment (BZA)**

This Board considers variances to the Zoning Ordinance.

Planning Department staff performs the following notification activities for BZA public hearings:

1. We place a sign on the subject property, with a location map insert, at least ten days prior to the public hearing. *The maps are provided as an informational courtesy, while the signs are posted as a requirement of the Zoning Ordinance and BZA By-Laws.*
2. We send notice of the public hearing to adjacent property owners via certified mail, with a location map insert (again, the maps are a courtesy), at least ten days prior to the public hearing. *The notification letters are required by the Zoning Ordinance and BZA By-Laws.*
3. We publish notice of the public hearing in the OA News at least ten days prior to the public hearing. *This is a requirement of the Code of Alabama, Zoning Ordinance, and BZA-By-Laws.*

In addition to the aforementioned notification activities, we also provide the entire BZA packet on-line via the City of Auburn webpage. The packet is typically available on-line to the viewing public 12 days prior to the public hearing. We reference the website address on all location maps that are sent out, and we make note of the number of adjacent property owners notified as part of the staff report. All of these additional notice efforts are not required, but are done as an informational courtesy to our citizens.



## **Planning Commission (PC)**

This Commission considers amendments to the Zoning Ordinance, rezoning requests, subdivision plats, conditional use requests, annexation requests, as well as waivers to the Subdivision Regulations. Many of these requests require notification, while in other instances, the Planning Department provides certain means of notification as an informational courtesy to our citizenry.

Planning Department staff performs the following notification activities for PC public hearings:

1. We place a sign on the subject property, with a location map insert, that is the subject of an amendment to the Zoning Ordinance, a rezoning, a conditional use request, a preliminary plat request, and a waiver to the requirements of the Subdivision

Regulations. The sign is posted 15 days prior to the public hearing for amendments to the Zoning Ordinance and rezonings, and six days prior for conditional use requests, preliminary plat requests, and waivers to the subdivision regulations. *The location maps are provided as a courtesy by the Planning Department. The sign postings are required by our Zoning Ordinance for conditional use requests. We post signs for rezonings, zoning ordinance amendments, preliminary plat requests and waivers to the subdivision regulations as an informational courtesy.*

2. We send notice of the public hearing to adjacent property owners via certified mail, with a location map insert (as a courtesy), for all rezoning, conditional use, and preliminary plat applications. *The letters are required by our Zoning Ordinance for conditional use requests and by our Subdivision Regulations for preliminary requests. Letters are sent for rezonings and zoning ordinance amendments as a courtesy.*
3. We publish notice of the public hearing in the OA News fifteen days prior to the hearing for rezoning requests and amendments to the Zoning Ordinance, and typically ten days prior to the hearing for conditional use applications. However, there is no prescribed notice requirement for conditional use application publication. *Publication of rezoning requests and zoning ordinance amendments are required by the Zoning Ordinance. Publication of conditional use requests are done as an informational courtesy.*

In addition to the aforementioned notification activities, we also provide the entire PC packet on-line via the City of Auburn webpage. The packet is typically available on-line to the viewing public six days prior to the public hearing. We reference the website address on all location maps that are sent out, and we make note of the number of adjacent property owners notified as part of the staff report. All of these additional notice efforts are not required, but are done as an informational courtesy to our citizens.

### **Historic Preservation Commission (HPC)**

This Commission may recommend buildings, structures, sites and districts to the City Council for designation as historic properties or districts. The Commission is also responsible for issuing certificates of appropriateness in the North College Historic District for different types of activities and improvements.

The Planning Department staff coordinates the following notification activities related to the HPC:

1. The HPC is required to hold a public hearing on any proposed ordinance for the designation of any historic district or property. Notice of the hearing must be published in at least three (3) consecutive issues in the principal newspaper of the local circulation, and written notice of the hearing shall be mailed by the Commission to all owners and occupants of such properties. All newspaper notices must be published or mailed not less than ten (10) or more than twenty (20) days prior to the date set for the public hearing. A notice sent via United States Mail to the last-known owner of the property shown on the Lee County tax roll and a notice sent via United States Mail to the address of the property to the attention of the occupant. *This is a requirement of the Code of Alabama and City Ordinance.*
2. Within thirty (30) days following the adoption of the ordinance for designation by the City Council, the owners and occupants of each designated historic property, and the owners

and occupants of each designated historic property, and the owners and occupants of each structure, site or work of art located within a designated historic district, must be given written notification of such designation by the City Council which notice shall apprise said owners and occupants of the necessity of consulting the Design Review Guidelines and obtaining a Certificate of Appropriateness prior to undertaking any material change in appearance of the historic property designated or within the historic district designated. A notice sent via the United States Mail to the last-known owner of the property shown on the Lee County tax roll and a notice sent via United States Mail to the address of the property to the attention of the occupant constitute legal notification to the owner and occupant. *This is a requirement of the Code of Alabama and City Ordinance.*



### City Council

The City Council consider recommendations from the Planning Commission and renders a final decision on rezoning requests, conditional use requests, annexation requests, and amendments to the Zoning Ordinance.

Planning Department staff performs the following notification activities for City Council public hearings:

1. We publish two notices of the public hearing in the OA News prior to the hearing for rezoning requests and amendments to the Zoning Ordinance. The first notice (full ad) is published at least 22 days prior to the hearing, followed by the second notice (synopsis ad) that is published at least 15 days prior to the hearing. *This is a requirement of the Code of Alabama.*