

## INDIAN RIVER COUNTY, FLORIDA

### MEMORANDUM

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**TO:** Jason E. Brown; County Administrator

**THROUGH:** Phillip J. Matson, AICP; Community Development Director

**FROM:** Brian Freeman, AICP; MPO Staff Director

**DATE:** June 16, 2022

**SUBJECT:** Consideration of Land Development Regulation (LDR) Amendments to Section 971.41 Modifying the Criteria for Accessory Dwelling Units

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It is requested that the information herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of July 5, 2022.

#### **BACKGROUND**

Last year, the Indian River County Metropolitan Planning Organization (MPO) initiated a land use visioning study. While the focus of the visioning study is primarily on rural lands, a concern that was brought up at many public meetings was the need for affordable housing in the community.

Addressing the need for affordable housing will likely entail multiple strategies. One such strategy is liberalizing the county's regulations for accessory dwelling units (or ADUs). An ADU is a secondary dwelling unit that can be attached to or detached from the primary residence on a lot. In Indian River County, ADUs provide an affordable housing option for a variety of housing situations. Some ADUs function as a small rental unit, for example, while other ADUs address the needs of multi-generational households.

The proposed LDR amendment has been discussed at several visioning public workshops and meetings, which have been attended by MPO board members including all five county commissioners. The BCC is now to consider the proposed accessory dwelling unit ordinance and adopt, adopt with modifications, or deny the ordinance.

#### **PLANNING AND ZONING COMMISSION (PZC) RECOMMENDATION:**

At its June 9, 2022 meeting, the PZC conducted a public hearing and considered the proposed ordinance. The PZC voted 4-1 to recommend that the BCC adopt the proposed ordinance (see Attachment #1).

#### **ANALYSIS**

LDR Section 971.41(10) allows accessory dwelling units (ADUs) as an administrative permit use

in all residential and agricultural zoning districts. Currently, ADUs are limited to a maximum size of 33% of the heated/cooled floor area of the primary residence or 750 square feet, whichever is less. The proposed LDR amendment increases the maximum size for ADUs to 50% of the heated/cooled area of the primary residence or 1,000 square feet (this is increased to 1,200 square feet for lots exceeding one acre in size), whichever is less.

On parcels that are 200,000 square feet or larger, the proposed LDR amendment also allows a second accessory dwelling unit not to exceed 600 square feet in size. All parcels less than 200,000 square feet in area will continue to be limited to one ADU.

To ensure that accessory dwelling units are consistent with the residential character of their surrounding neighborhoods, the proposed LDR amendment prohibits the operation of an accessory dwelling unit as a vacation rental or for commercial purposes.

The proposed LDR amendment has been presented to the public at many meetings and workshops. Staff has not received any negative feedback to date and supports the proposed LDR amendment.

### **RECOMMENDATION**

Staff recommends that the Board of County Commissioners adopt the proposed accessory dwelling unit amendment ordinance.

### **ATTACHMENT**

1. Draft Minutes from June 9, 2022 PZC Meeting
2. Draft Ordinance