



113 West Mountain
Street Fayetteville,
AR 72701
(479) 575-8323

Ordinance: 5866

File Number: 2016-0151

ADM 16-5340 (UDC CHAPTER 164.19 AMENDMENTS):

AN ORDINANCE TO AMEND THE DEFINITION OF ACCESSORY DWELLING UNIT IN § 151.01 AND TO AMEND PORTIONS OF § 164.19 **ACCESSORY DWELLING UNITS** TO REMOVE LOT SIZE REQUIREMENTS, INCREASE THE ALLOWED SIZE FROM 600 SQUARE FEET TO 950 SQUARE FEET AND MAKE OTHER CHANGES

WHEREAS, Alderman Matthew Petty worked with Planning Staff to make changes to § 164.19 **Accessory Dwelling Units** to eliminate lot size requirements and allow these houses increase in size; and

WHEREAS, the Planning Commission recommended a further size increase to 950 square feet from the existing 600 square feet current limit and recommended the other changes supported by Planning Staff and Alderman Petty.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby amends § 151.01 **Definitions** of the Unified Development Code by repealing the current definition of *Accessory Dwelling Unit* in its entirety and enacting a replacement definition as shown below:

“Accessory Dwelling unit. A separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is an attached or detached extension to an existing single-family structure.”

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby amends § 164.19 **Accessory Dwelling Units (ADD)** of the Unified Development Code in the following ways:

(1) Repeal in its entirety (B) (3) and renumber remaining subsections.

(2) Repeal in its entirety (C) and re-letter remaining subsections.

(3) Amend (D) (1) by repealing its first sentence and enacting the following as the new (C) (1)'s first sentence:

“The accessory dwelling unit shall not be greater than 950 square feet of habitable space.”

(4) Repeal in its entirety (D) (2) and enact the following as (C) (2):

“(2) *Zoning*. The accessory dwelling unit shall comply with all underlying zoning requirements including but not limited to building area, bulk and area, and setbacks with the exception of density limits.”

(5) Amend (D) (7) by replacing “shall” with “should” and adding “if so” in front of “shall be metered separately from the principal residence.”

(6) Amend (D) (8) by adding the following sentence:

“A resident of one of the two dwelling units must provide proof of ownership if requested by the Planning Division.”

(7) Repeal (D) (10) in its entirety and renumber the remaining sections.

(8) Amend (E)'s introductory words by repealing the current wording and replacing it as follows:

“(D) *Site Plan Requirements*. Detailed site plans are required to be submitted for review with the following information:”

(9) Amend (G) which has been re-lettered to (F) by repealing the second to last sentence.

(10) Amend (H) (1) which has been re-lettered to (G) (1) by repealing its last sentence.

PASSED and APPROVED on 4/5/2016

Approved:



Lioneld Jordan, Mayor

Attest:



Sondra E. Smith, City Clerk
Treasurer

