**SUMMARY**

**Applicant**

The City of Orlando

**Applicant’s Request**

Update Sec. 68.106 and Sec. 68.205-68.503 to allow Accessory Dwelling Units up to 1,000 sq. ft.

**Staff’s Recommendation**

Approval

**Project Planner**

Megan Barrow, Planner I

**Updated:** January 25, 2019

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**ACCESSORY DWELLING UNITS IN THE SOUTHEAST SECTOR**

Accessory Dwelling Units (ADUs) are also commonly known as garage apartments or in-law suites.

Building an accessory dwelling unit (ADU) is an increasingly popular option for homeowners in the City. A small, additional housing unit provides rental income while increasing the city’s housing availability. ADUs, commonly known as mother-in-law suites or garage apartments, are typically detached from the principal structure and located in the backyard. They may also be attached to the principal home.

A recent Land Development Code amendment overhauled and streamlined ADU regulations within conventional zoning (Ch. 58); an equivalent update is needed in the Southeast Orlando Sector Plan (Ch. 68), bringing consistency to the code language and offering more opportunities to build these units citywide. Specifically, this amendment proposes to:

- Apply the same base definition and development standards citywide, but excluding the Southeast Sector from the minimum lot size requirement;
- Convert references to “ancillary units” into “accessory units” and eliminate the accompanying development standards;
- Set front yard and street side yard picket fence heights at 4 feet for all housing, which can aid in differentiating public space from private space for an ADU or single family home. This standard matches that of the rest of the city.
Sec. 68.106. - How To Use These Guidelines and Standards.

**SPECIAL DEFINITIONS:**

Ancillary Accessory Dwelling Unit. A term used in Chapter 68 and applicable to the Southeast Orlando Sector Plan area to describe a habitable studio or one-bedroom unit located over an attached or detached garage (see Habitable Floor). In order to be considered an ancillary dwelling unit, there must be an entrance separate from the principle structure. Ancillary Dwelling Units shall be under single ownership with the principle structure. Ancillary Dwelling Units do not count against the maximum unit count or in calculating density on the site. See Sec. 66.200 Definitions: Dwelling Unit, Accessory.

Sec. 68.205. - Residential Neighborhood Guidelines.

The following guidelines shall apply to Residential Neighborhoods:

**Location and Density.** Residential Neighborhoods shall:

1. Be located in the areas depicted on the Master Plan Map.
2. Have a maximum density of 12 dwelling units per gross acre.
3. Contain the following residential housing types: large-lot, standard lot, small-lot single family homes; townhomes and other types of attached single family houses; duplexes and multifamily units up to four-plexes; and ancillary accessory dwelling units. Owner-occupied housing is specifically encouraged.
4. Focus on a centrally-located Residential Center, Neighborhood Center or Village Center which will include public, semi-public, and private services and uses.

**Housing Diversity.** Each neighborhood shall include a variety of housing types and styles to allow people with a range of different ages and incomes to live in the neighborhood of their choice as an integrated and diverse community. In order to maintain the desired density of residential neighborhoods, a variety of housing types, lot sizes, and patterns shall be required. Each neighborhood, however, while having a mix of housing types, shall not be required to have every type of housing product (see Part 3: Building Guidelines and Standards).

**Housing Design and Orientation.** New residential neighborhoods shall be designed to orient buildings to streets and public parks. Houses shall address the local street system and public spaces with entries, balconies, porches, architectural features, and activities to enliven the streets and create safe and pleasant walking environments.

1. The design of attached and multi-family dwellings shall include features typically associated with detached single family houses, including private outdoor spaces and individual identity. Garages for lower intensity single family housing and parking lots for higher intensity multi-family type housing shall not be allowed to dominate the frontage of local neighborhood streets (see Part 3: Building Guidelines and Standards for additional clarification on this requirement).
2. New housing shall be "human scale". Massing, setbacks, and character of new residential developments shall encourage structures that do not overly dominate streets, foster diversity in design, and maintain the character of the community. Alternative housing forms, such as small-lot single family, bungalow single family, townhomes, small-scale apartments, and ancillary accessory dwelling units ("granny flats") that increase density and provide diversity of housing opportunities shall be encouraged.
Sec. 68.301. - Mix of Housing Types.

(b) Lot Sizes and Densities. The following figure summarizes approximate lot sizes and densities for a variety of housing types. Densities apply to gross developable acreage.

Figure 68-E

<table>
<thead>
<tr>
<th>Housing Type</th>
<th>Typical Lot Size Range</th>
<th>Typical Density Range</th>
<th>Distinguishing Feature</th>
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</thead>
<tbody>
<tr>
<td>Ancillary Accessory Dwelling Unit</td>
<td>N/A</td>
<td></td>
<td>studio or one-bedroom unit over garage; 600 sq. ft. maximum smaller than principal structure; 1,000 sq. ft. maximum</td>
</tr>
</tbody>
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Sec. 68.303. - Relation of Buildings to Streets and Parking.

(c) Primary Entry and Porches. With the exception of four-plexes, apartments, and accessory dwelling units, every home shall have its primary entry (front door) facing a public street and not more than 6 feet recessed back from the face of the primary facade. Four-plexes and apartments may have their primary entry facing a central, landscaped courtyard. Ancillary units may face an internal walkway, driveway, or alley. Porches for all residential types shall be accessed directly from a public street or pedestrian easement and must be visible from the street. Porches may extend 6 feet into the setback. Front porches shall have a minimum depth of six feet and comprise a minimum of 30% of the width of a building's primary front facade (not including the garage) or 10 feet whichever is larger. Porches for duplexes, condos, and apartments may be shared. Tunnel-like entrances shall be specifically discouraged.

Sec. 68.305. - Other Setbacks.

(a) Side yard setbacks in residential areas shall be a minimum of 5 feet from the property line, unless a zero-lot line is proposed. If a zero-lot line unit is proposed, a single 5-foot side yard is required.

(b) Side driveways extending along the property line to a recessed garage are permitted and encouraged within the side yard setback.

(c) Rear yard setbacks in residential areas shall be a minimum of 15 feet from the rear property line, except for garages, where the minimum setback shall be 0 feet for alley-accessed garages, and ancillary units, where the minimum setback shall be 6 feet structures.

Sec. 68.312. - Additional Standards by Residential Building Type.

The following standards and guidelines apply to the residential building types described previously in Section 68.301.
Sec. 68.503. - Residential Landscaping.

(a) **Starter Landscaping.** To improve the appearance from the street, new residential development shall include a minimum starter package for landscaping. At a minimum, these starter packages should include: turf grass, shrubbery, at least one street tree, a front yard tree, and an efficient irrigation system necessary to sustain the vegetation.

(b) **Fencing Standards.** Two types of fences are allowed within residential areas: "picket" fences and "privacy" fences.

1. **Front Yard.**
   a. Picket fences shall be not more than 3 feet 6 inches in height. Picket fences shall not be solid and shall not be more than 50% opaque above 30 inches in height.
   b. A possible alternative to a picket fence is a hedge which shall be maintained at a maximum height of not more than 3 feet 6 inches. A trellis, gate, or arbor shall be exempt

<table>
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<tr>
<th>Building Type</th>
<th>Additional Applicable Design Standards</th>
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<tbody>
<tr>
<td>Estate Residential</td>
<td><strong>•</strong> Ancillary-Accessory dwelling units encouraged. Ancillary-Accessory dwelling unit stair location preferred on side of garage.</td>
</tr>
<tr>
<td>Single Family Large-Lot</td>
<td><strong>•</strong> Ancillary-Accessory dwelling units encouraged. Ancillary-Accessory dwelling unit stair location preferred on side of garage.</td>
</tr>
<tr>
<td>Single Family Bungalow</td>
<td><strong>•</strong> Ancillary-Accessory dwelling units encouraged. Ancillary-Accessory dwelling unit stair location preferred on side of garage.</td>
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<tr>
<td>Ancillary Accessory Unit</td>
<td><strong>•</strong> Ancillary units within rear 1/3 of parcel allowed in rear and side yards. Accessory units cannot cover more than 50% of rear yard. Accessory units may be a maximum of 1,000 sq. ft. Accessory units must meet the standards of Ch. 58, Part 3A, with the exception of the minimum lot size in Sec. 58.501. Care should be given in design of the ancillary accessory unit to maintain privacy with adjacent units. When located on a corner lot, the ancillary accessory unit should have an entry porch oriented to the side street. Entry stairs should be accessed from alley and visually screened from primary unit. One on-site parking space required, surface parking allowed as well as in parking court and in &quot;ribbon-strip&quot; drive off alley.</td>
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from the maximum height when located where the walk (from the public sidewalk to the porch) passes through the fence or hedge.

c. Picket fences or hedges may be located at the back of sidewalks along the front or street side yard of a lot. They may also be located along the alley to give privacy to an ancillary accessory unit yard, with a minimum setback of 10 feet from the rear property line.

2. Rear and Side Yard.

Privacy fences shall be not more than 6 feet in height and may be located along interior lot lines to within 5 feet of the front facade of the principal building. Fences in the street side yard shall be subject to the requirements of front yard fencing.

Findings

In review of the proposed LDC amendment, it is found that:

1. The proposed Land Development Code amendment is consistent with the State Comprehensive Plan (Chapter 187, Florida Statutes).
2. The proposed Land Development Code amendment is consistent with the East Central Florida Strategic Regional Policy Plan.
3. The proposed Land Development Code amendment is consistent with the provisions of Chapter 163, Part II, Florida Statutes.
4. The proposed Land Development Code amendment is consistent with the objectives and policies of the City’s adopted Growth Management Plan (GMP).

Recommendation

Staff recommends approval of the proposed amendment to the Orlando Land Development Code.