



DeKalb County Department of Planning & Sustainability

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Planning Commission Hearing Date: September 12, 2023

Board of Commissioners Hearing Date: September 28, 2023

TEXT AMENDMENT ANALYSIS

AGENDA NO.:2022-2270 **ZONING CASE NO.:** TA-22-1246101 **COMMISSION DISTRICTS:** All

APPLICANT: Department of Planning & Sustainability

SECTIONS OF ZONING ORDINANCE AFFECTED BY AMENDMENTS: CHAPTER 27-ZONING ORDINANCE, TO CREATE SECTION 5.7.9 TO CONSOLIDATE REGULATIONS SPECIFIC TO COTTAGE HOUSING DEVELOPMENT; TO AMEND ARTICLE 2 (RESIDENTIAL ZONING DISTRICTS: DIMENSIONAL REQUIREMENTS) FOR THE FACILITATION OF COTTAGE HOUSING DEVELOPMENT IN VARIOUS ZONING DISTRICTS; TO AMEND SECTION 5.7.5 (DETACHED HOUSES) RELATED TO COTTAGE HOUSING DEVELOPMENT; AND TO REVISE OTHER APPLICABLE SECTIONS OF THE *ZONING ORDINANCE* TO ACCOMMODATE COTTAGE HOUSING DEVELOPMENT.

STAFF RECOMMENDATION: deferral to the November 14, 2023 Board of Commissioners meeting.

REASON FOR REQUEST:

The cottage dwelling unit is characterized as small (800-1,200 square feet) and cottage development is categorized by the arrangement of dwelling units around a common open space instead of a linear arrangement along a residential street. The *Zoning Ordinance* authorizes *cottage dwelling units* and *cottage development* by-right in the following zoning districts: R-60 (Residential Small Lot-60); MR-1 (Medium Density Residential-1); MR-2 (Medium Density Residential-2); HR-1,2,3 (High Density Residential-1, 2, & 3); and RNC (Residential Neighborhood Conservation). Given the housing challenges that we presently face (cost, availability, affordability, changing preferences, demographic changes, etc.), Commissioner Terry (Super District 6) initiated exploration of cottage dwelling units and cottage development as a potential public policy solution.

Cottage style development provides an alternative to conventional single-family, detached residential construction on single lots. As we grapple with the aforementioned housing challenges, this alternative adds another viable housing option for developers and potential homeowners. Cottage style development combined with smaller home sizes and adjusted development standards allow for development of undeveloped, small, and/or unusually shaped infill lots in residential zoning districts. Potential benefits include lower construction cost, lower purchase price (per unit), more efficient use of land/infrastructure, and social/communal benefits.

Alternatively, this proposal presents its share of challenges. Concerns have been raised about the size, permissibility, density, placement, and design of cottage dwelling units. Cottage dwelling units are limited to a minimum size of 800 square feet per the *Zoning Ordinance*. Permitting smaller unit sizes may contribute to greater housing supply and lower cost for potential homebuyers. The incentives to residential developers are the ability to construct a greater number of homes and to do so at a lower cost. Thus, the ability for developers to provide these units by-right may contribute positively. However, requiring a rezoning, special land use permit, or other labor-intensive process may not yield successful results.

The density guidelines of the *2050 Unified Plan* (i.e., the *Comprehensive Plan*) significantly limits the density that may be desirable for this type of development form. For example, the maximum base density for residential districts is four (4) dwelling units per acre. Double-digit units per acre (10, 12, or 16 dwelling units per acre) may be more desirable. Nonetheless, beginning conservatively may provide some balance between community concerns and market demand.

Based on the policy research and feedback from the community councils; Planning Commission; and other stakeholders, this proposal represents what Staff feels is balanced approach. Hopefully, the proposed text amendment offers an attractive concept while providing reasonable community assurances on building design/form and density limits. It is likely, however, that cottage related zoning standards will need to be recalibrated in the future based on early results.

Amendments to the *Zoning Ordinance* include but are not limited to: introduces a definition for a *single-family, cottage dwelling unit* and expands its size range from 350-1,200 square feet.

Section/Table	Amendment	Justification
Table 4.1 (Use Table)	Prohibit cottage homes in HR-1,2,3 districts.	These districts are reserved for high density, vertical development.
	permit cottage homes in MU-1,2,3 districts.	Cottage development may serve as an attractive option in low-moderate density mixed-use development.
Tables 2.2, 2.4, & 2.17	Reduce minimum unit size from 800sf to 350sf	Expands range of home size to better meet community needs. Real estate community has expressed interest in units as small as 375sf.
5.7.5	Remove references and development standards specific to cottage homes	Current arrangement is scattered and difficult to comprehend
5.7.9	Creation of a new section specifically for cottage style development	Ease of administration
5.7.9 C	Owner-occupied only. no multi-family, short-term rentals, or accessory dwelling units	Community concerns about multi-family development in single-family, detached neighborhoods.
5.7.9 D1	Permit individual fee simple lots or condo arrangement on a parent parcel	Grants greater development flexibility
5.7.9 D2	Minimum number of units = 4 Maximum number of units = 12	Community concerns about increased density in single-family, detached neighborhoods. Limited by character area density guidelines.
5.7.9 D 4-5	Relaxed lot development standards applicable to total or cumulative lot area	Grants greater development flexibility
5.7.9 D – M	Building design and architectural standards	Provides predictable design and form standards that are acceptable to the community
Table 6.2	Parking standards specifically for cottage style development that reduces minimum parking space requirement from 2 spaces per dwelling unit to 1 per dwelling unit	More efficient use of land based on fewer expected residents.

This draft represents a more scaled down version of the initial proposal. Further discussions with residential development stakeholders, the Planning, Economic Development, & Community Services (PECS) Committee, Legal staff, and the County Development Oversight Committee are recommended to ensure the proposal is properly calibrated. Therefore, staff recommends a deferral to the November 14, 2023 Board of Commissioners meeting.