

**CITY OF SULPHUR SPRINGS, TEXAS**

**ORDINANCE NO. 2768**

**AN ORDINANCE AMENDING CITY OF SULPHUR SPRINGS ORDINANCE 2050 THE ZONING ORDINANCE BY ALTERING ARTICLE 2.200 TO CREATE A DEFINITION OF ACCESSORY DWELLING UNIT AND AMEND ARTICLE 7: SF-6 ZONING DISTRICT 6,000 AMEND SECTION 7.200 TO ADD (j) ACCESSORY DWELLING UNIT (ADU) TO ESTABLISH ELIGIBILITY AND DESIGN STANDARDS.**

**WHEREAS**, the Planning & Zoning Commission of the City of Sulphur Springs has approved and recommends to the City Council the addition of the definition of Accessory Dwelling Unit (ADU) and to establish eligibility and design standards included in the Zoning Ordinance.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Sulphur Springs, Texas, that the Zoning Ordinance be amended to read as follows:

**AMEND ARTICLE 2.200 TO READ AS FOLLOWS:**

**Accessory Dwelling Unit (ADU)** - is a smaller, secondary home on the same lot as a primary dwelling. ADUs are independently habitable and provide the basic requirements of shelter, heat, cooking and sanitation. They can be attached to the primary structure or detached units.

**AMEND ARTICLE 7: SF-6, SINGLE FAMILY DWELLING DISTRICT 6,000**

**AMEND SECTION 7.200 ADD (J) TO READ AS FOLLOWS:**

j) Accessory Dwelling Unit (ADU).

**1. PURPOSE:**

- 1.1. Increase the number of housing units while respecting the style and scale of single-dwelling development.
- 1.2. Bolster the efficient use of existing housing stock and infrastructure.
- 1.3. Provide housing that is affordable and respond to the needs of smaller, changing households.
- 1.4. Serve as accessible housing for older adults and people with disabilities.

**2. ELIGIBILITY:**

- 2.1. An ADU can be placed on a residentially zoned, single-family lot. An ADU may be created through new construction, the conversion of an existing structure, as an addition to an existing structure or as a conversion of a qualifying existing house during the construction of a new primary dwelling on the site.
- 2.2. One ADU is permitted per lot.

- 2.3. Either the primary single-family home or ADU shall be owner occupied. A deed restriction shall be placed on the property with approval from the City.
- 2.4. ADU's shall be treated as a separate single-family home from a utility billing standpoint.
- 2.5. Any habitable existing accessory dwelling unit prior to the effective date of this ordinance shall be permitted as a non-conforming use that does not conform to these standards.

### 3. DESIGN STANDARDS:

- 3.1. **Size and Height.** An ADU shall be at least 320 square feet and shall not exceed 75% of the size of the primary dwelling. The maximum height for a detached ADU is the lesser of 25 feet at the peak of the roof or the height of the primary dwelling. An exception to this requirement would be a two-story garage apartment.
- 3.2. **Parking.** Additional parking shall be required if it displaces the primary dwelling's existing parking. Parking shall be on an improved or paved surface and shall not be allowed on grass areas of the lot.
- 3.3. **Appearance.** ADU's shall be site built or of construction to meet the current adopted residential building code and constructed on a permanent foundation. Mobile homes or manufactured homes are not permitted as an ADU.
  - 3.3.1. ADUs on lots less than two acres shall architecturally match the character of the primary dwelling.
  - 3.3.2. For lots greater than 2 acres, ADUs that do not match the appearance of the home may be permitted provided they are greater than 150 feet from the street curb.
- 3.4. **Entrance and stairs.** If the ADU is attached or part of the primary single family home, the entrance shall not face the street or appear on the same facade as the entrance to the primary dwelling unless the home had additional entrances before the ADU was created.
- 3.5. **Building setbacks.** Detached ADUs shall be placed behind the primary dwelling and be at least 10 feet from the dwelling. If located on a corner lot, the ADU may be closer to the side street than the principle home provided it architecturally matches the character of the primary dwelling.
- 3.6. **Yard setbacks.** ADUs shall meet the setbacks of the principle structure. An exception to this requirement would be the conversion of an existing structure into an ADU provided it can meet the setback requirements for an accessory building.

### IT IS SO ORDAINED.

Passed and approved on the first reading this 4<sup>th</sup> day of August 2020.

Passed and adopted on the second and final reading this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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John A. Sellers, Mayor

Attest:

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Gale Roberts, City Secretary

**A PUBLIC HEARING WILL BE CONDUCTED SEPTEMBER 1, 2020 FOR THE FINAL  
READING OF ORDINANCE. NO. 2768 AT 7PM.**