



The City of Oklahoma City
Planning Commission
STAFF REPORT
June 13, 2024

Item No. IV. 23.

Recommendation on a proposed ordinance amendment relating to Zoning and Planning Code, 2020, amending Article II, Section 2150, to add definition for Accessory Dwelling; amending Article VI, Table 6100.1 to allow accessory dwellings as a conditional use in the NC, R-1, R-2, R-3, and R-4 districts; amending Article VIII, Section 8200, to add 8200.05 accessory dwellings as a residential use unit classification; and amending Article IX, Section 9350, to establish use conditions for accessory dwellings. Wards 2, 4, 6, and 7.

I. BACKGROUND

Planning staff and a consultant team led by Mark White (White & Smith, LLC Planning and Law Group) have been working since 2019 to develop updates to the City's development codes. One of the early implementation goals of the code update process is to promote the development of accessory dwellings in urban areas. An "Accessory Dwelling" is a small, secondary living unit allowed in residential areas. The existing zoning code does not define accessory dwellings, nor does it make allowances for them in any zoning districts.

In advance of the adoption of the new zoning code, updating the existing zoning code to allow accessory dwellings in the Urban Medium (UM) and Urban High (UH) Land Use Typology Areas (LUTAs) will provide immediate and beneficial options for expanding housing capacity, creating affordable housing, supporting home ownership, promoting social benefits, and accommodating the continued use and rehabilitation of existing non-conforming accessory dwellings in these areas. Planning staff has already developed many of the metrics for accessory dwellings in the new zoning code and saw an opportunity to expedite the creation of an ordinance that would allow accessory dwellings in the existing code.

Accessory dwelling units within the area of the UM and UH LUTAs have strong support in opinion surveys conducted in 2022 for the development codes update project for the 2021 Housing Affordability Study. Oklahoma City's 2020 *Analysis of Impediments to Fair Housing Choice* report also found that fair housing was negatively impacted because accessory dwelling units were not allowed in Oklahoma City's existing zoning code and recommended that accessory dwellings be allowed in existing single-family zone districts as either internal, attached, or detached units.

Planning staff presented concepts to allow accessory dwellings in the new code to focus groups of residents and developers, the Stakeholder Advisory Team, and the Planning Commission in 2022 and 2023. Planning staff also presented this proposed ordinance amendment to the Planning Commission at their study session on November 2, 2023 and at their Development Regulations Committee meeting on March 14, 2024. Staff provided a draft of the ordinance to the Code Update Stakeholder Advisory Team in January 2024 and received comments. Staff also released a draft of the ordinance for public comment on April 22, 2024 and received comments.

II. PROPOSED CODE

The proposed ordinance amendment for the existing code would allow accessory dwellings as a conditional use in the Urban Medium (UM) and Urban High (UH) LUTAs, where properties are either zoned NC or R-1 or are occupied by a single-family structure in R-2, R-3, and R-4 districts. The ordinance includes Use Conditions addressing compatibility that must be met before an accessory dwelling can be constructed or occupied. These conditions include setting maximum size and height of the dwelling, limiting one accessory dwelling per lot, prohibiting roof top decks, and not requiring off-street parking.

Allowing accessory dwellings in other LUTAs or in the Historic Preservation (HP) zoning district is not proposed at this time because Planning staff has not yet completed enough study for the new zones in those areas. Discussion and outreach will continue in these areas and may be addressed in the new zoning code.

III. RECOMMENDATION

Recommend approval of the ordinance amendment to City Council.