



Development Review Report (DRR)

To: Planning & Zoning Board
From: Daniel T. Keester-O’Mills, AICP, *Development Services Director*
RE: Amendments to the Land Development Regulations – Accessory Dwelling Units (ADU)
Date: February 4, 2026 (Planning & Zoning Board February 24, 2026)

Staff has prepared an amendment to the Land Development Regulations (LDR) for your consideration. This report includes a proposal to establish standards to allow “Accessory Dwelling Units (ADU),” within the City provided certain criteria can be met.

I. BACKGROUND INFORMATION

Accessory Dwelling Units (ADU) have become an increasingly important concept in modern municipal land-use regulation and residential zoning policy. ADU are generally understood as a smaller, secondary dwelling unit located on the same lot as a primary residence, designed to function as an independent living space with its own kitchen, bathroom, and sleeping area. These units are considered “accessory” to the main home, they are typically subordinate in size and are intended to provide additional housing opportunities within established residential neighborhoods without fundamentally altering neighborhood character or requiring major redevelopment.

The current planning context surrounding ADU has evolved over several decades. Following World War II, many cities adopted zoning frameworks emphasizing low-density, single-family development, often prohibiting secondary dwelling units outright. Despite these restrictions, accessory units continued to exist informally in the form of garage apartments, basement suites, or backyard cottages, many of which were unpermitted. In response to rising housing costs, limited land availability, and increasing demand for smaller housing options, cities and states began revisiting ADU regulations as a practical form of “gentle infill” development. Over the past decade, state-level reforms in many parts of the country have further accelerated ADU adoption by reducing regulatory barriers, streamlining permitting processes, and allowing these units as a matter of right in certain residential districts.

Accessory Dwelling Units are also widely known by a variety of other terms depending on local ordinance language and regional custom. Common alternative names include in-law suites, granny flats, secondary dwelling units, garage apartments, carriage houses, or accessory apartments. While terminology may differ, these terms generally describe the same concept of an additional, self-contained residential unit situated on an existing residential parcel.

Nationwide, ADU have emerged as one of the most prominent housing policy tools available to local governments seeking to expand housing supply in a flexible and sustainable manner. Current trends indicate that cities are increasingly relying on ADU to support housing affordability, multigenerational living arrangements, aging-in-place options for seniors, and supplemental rental income opportunities for homeowners. ADU are also frequently promoted as a smart-growth strategy, as they make efficient use of existing infrastructure and help reduce outward sprawl. As communities continue to confront housing shortages and demographic shifts, ADUs remain a relevant and widely supported approach to providing additional residential capacity while maintaining compatibility within established neighborhoods.

II. PROPOSED TEXT AMENDMENTS

LAND DEVELOPMENT – REGULATIONS

Article III - ZONING DISTRICTS

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Sec. 5.1. - Accessory structures and uses.

5.1.1. Purpose. It is the purpose of this Section to regulate the installation, configuration, and use of accessory structures, and the conduct of accessory uses, in order to ensure that they are not harmful either aesthetically or physically to residents and surrounding areas.

5.1.2. General standards and requirements. Any number of different accessory structures may be located on a parcel, provided that the following requirements are met:

A. There shall be a permitted principal development on the parcel, located in full compliance with all standards and requirements of these regulations.

B. All accessory structures shall comply with standards pertaining to the principal use, unless exempted or superseded elsewhere in these regulations.

C. Accessory structures shall not be located in a required buffer, landscape area, easement or minimum building setback area, unless exempted or superseded elsewhere in these regulations.

D. Accessory structures shall be included in all calculations of impervious surface and stormwater runoff.

E. Accessory structures shall be shown on any concept development plan with full supporting documentation as required in Article II of these regulations.

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5.1.6. Home garden.

A. A home garden containing any vegetables or fruit (unless grown in trees) must not be visible from the street adjacent to the property. Section 5.18.5.A. is not applicable to this provision.

B. Produce grown within a home garden shall not be sold from the premises.

5.1.7. [Outdoor grilling.] Outdoor grilling accessory to full service or take-out restaurant is permitted pursuant to Section 5.32.1(D).

5.1.8. Accessory Dwelling Unit

1. Definition

An accessory dwelling unit is an ancillary or secondary living unit to a single-family dwelling use that may contain a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or on the same lot, as the primary dwelling unit.

2. Standards

An accessory dwelling unit is allowed as an accessory use to a single-family dwelling, subject to the following standards:

a. An accessory dwelling unit is permitted only as accessory to, and on the same lot as, a single-family dwelling, and are not permitted as accessory to a two-family dwelling, multifamily dwelling, or mobile home dwelling.

b. Not more than one accessory dwelling unit per lot is permitted, and the accessory dwelling unit may not encroach on any required setback for the principal structure.

c. An accessory dwelling unit may be within or attached to the principal dwelling (e.g., a downstairs apartment), or exist within or as a detached structure (e.g., an apartment above a detached garage or a guesthouse). An accessory dwelling unit attached to the principal dwelling shall have an operative

interconnecting door with the principal dwelling, and shall have a principal access only from the side or rear yard of the principal dwelling.

d. The use of a mobile home, recreational vehicle, or a similar vehicle as an accessory dwelling unit is prohibited.

e. The floor area of an accessory dwelling unit may not be less than 400 square feet, and may not exceed 500 square feet.

f. At least one, but no more than two, off-street parking spaces shall be provided for an accessory dwelling unit (in addition to the off-street parking required for the principal dwelling).

g. Accessory Dwelling Units may not be leased or advertised for rent as a “short-term rentals or vacation rental,” for any period less than 6 months.

h. Accessory Dwelling Units must comply with the applicable requirements of Schedule M. Minimum Housing Quality Standards, including but not limited to, application submittal, maintaining a Certificate of Use, and annual inspections.

i. Accessory Dwelling Units must adhere to all applicable occupancy standards in the Florida Building Code related to bedroom size and ceiling heights.

j. Storage Sheds lawfully permitted on or before December 31, 2025 that do not meet all use standards listed herein may request a waiver by the City Commission to reduce setback requirements.

k. For purposes of determining maximum density, an accessory dwelling unit shall be considered a half dwelling unit, however, accessory dwelling units that are committed to be restricted to be affordable housing per F.S. §163.31771, are permitted without the need to calculate density. An affidavit that attests to the fact that the unit will only be rented at an affordable rate to extremely-low-income, very-low-income, low-income, or moderate-income person or persons is required to be submitted as part of the building permit requirements if the unit is to be approved without a density calculation.

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SCHEDULE A. - LAND USE CLASSIFICATIONS

ACCESSORY DWELLING UNIT: An ancillary or secondary living unit to a single-family dwelling use that may contain a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or on the same lot, as the primary dwelling unit.

ADULT DAY CARE: A state licensed community care use which provides programs and services for adults who need a protective setting during the day. The basic services include, but are not limited to: social activities, self-care training, nutritional meals, a place to rest, and respite care.

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SCHEDULE B. - ALLOWABLE USES

B-1. Uses Allowed in Residential Districts.

Land Use Category	RS-4	RS-4A	RS-5	RS-5A	RM-5	RM-8	RM-10	RT-15	RM-18	RM-22	RM-40	RM-45	RMH-50	RO
Accessory Uses ¹	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Accessory Dwelling Units	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>		<u>A</u>	<u>A</u>		<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
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Residential:														

Mixed use									SE	SE				
Multi-family dwelling							P		P	P	SE	P		
One-family dwelling	P	P	P	P		P	P		P	P				P
Two-family dwelling					P	P	P							
Townhouses, rowhouses or connected units	P	P	P	P	P		P	P	SE		P ²			
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III. ANALYSIS

The City’s Land Use Element of the Comprehensive Plan allow for ADU and can be counted as “half” a dwelling unit (.5) provided that the units are no greater than 500 square feet. Furthermore, the County’s Land Use Plan (Broward Next) also permits for accessory dwelling units consistent with the Florida Statutes (163.31771), and when income restricted affordable housing they are not included in density calculations. The City must report to the County the total number of permitted ADU annually.

Several cities in Broward County have adopted regulations to allow for accessory dwelling units in their municipalities:

City	Floor Area	Additional Parking Requirement	Setbacks & other design requirements
Dania Beach	350 – 500 sq. ft.	1	5 feet
Fort Lauderdale	600 sq. ft.	1	Same as principal structure
Miramar	300 – 1,200 sq. ft.	1	Same as principal structure
Pembroke Pines	300 – 1,000 sq. ft.	1	Compatible with the principal structure
Pompano Beach	1,000 sq. ft.	1 (no more than 2)	Same as principal Structure

Amendment factors. LDR Article IV., Part 2.0., Section 2.4., requires the Board and City Commission to consider and evaluate zoning text changes in relation to all pertinent factors but with reference to six (6) specific factors. The proposed Ordinance is evaluated below against the six (6) identified factors.

- a. ***The character of the district and its peculiar suitability for particular uses.***
 The demand for additional affordable housing has increased and this amendment seeks to add opportunities for the increase of housing units. The districts where permitted will only be allowed as an accessory unit to a single-family house, so they are only permitted in zoning districts where a single-family residence is permitted.

- b. ***Conversion of the value of buildings and encouraging the most appropriate use of land and water throughout the City.***
 Allowing accessory dwelling units is widely seen as a more sustainable option, when compared to creating new housing, as the infrastructure (roads, parks, etc.) is already in place for the permitted single-family structures.

- c. *The applicable portions of the adopted City Comprehensive Plan and programs such as land use, trafficways, recreation, schools, neighborhoods, drainage and housing and so forth.***
As previously stated, the proposal would be consistent with the policy in the Comprehensive Plan Land Use Element.
- d. *The need of the City for land areas for specific purposes to serve population and economic activities.***
This proposal could have a positive impact, to increase housing supply as well as increase the population to provide additional patrons for local businesses.
- e. *Whether there have been substantial changes in the character of development in or near an area under consideration for rezoning.***

This factor applies to Zoning District Map amendments and not LDR text amendments. Since this is essentially an LDR text amendment, this factor does not apply.
- f. *The facts and opinions presented to the Planning and Zoning Board through hearings.***

This Development Review Report includes data, analysis and written findings of information submitted by Staff. Staff reserves the right to take into consideration any additional information that may be brought to our attention.

IV. RECOMMENDATION/ACTION

The Department recommends the Board enter into the record the Development Review Report (DRR) and all other substantial competent evidence presented at the hearing, adopt the findings and conclusions contained herein, and forward the record to the City Commission with a recommendation that the proposed Ordinance amending the LDR be adopted.

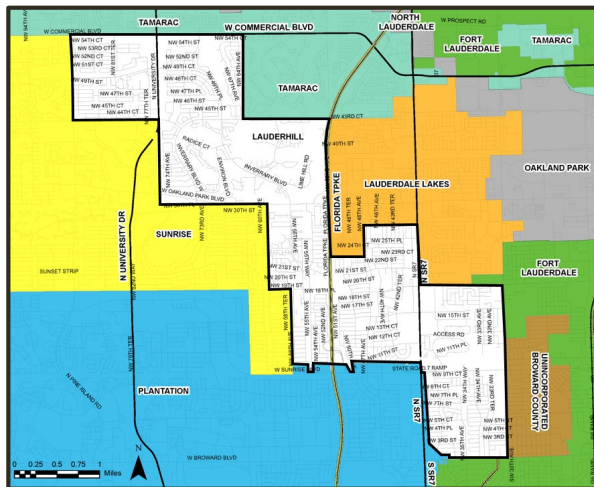
V. ATTACHMENTS

1. Presentation on Accessory Dwelling Units to City Commission at October 2025 Workshop



Accessory Dwelling Units (ADU)

City Commission Workshop
Items for Consideration



Current Regulations

- ▶ Accessory Dwelling Units (AKA: “In-Law Suites,” “Granny Flats”, “Carriage Houses”, “Garage Apartments,” “ADU’s”) are **not** referenced in the Code of Ordinances or Land Development Regulations.
- ▶ In the Comprehensive Plan, units that are no greater than 500 square feet in size may be counted as .5 dwelling units.
- ▶ Broward County Land Use Plan (Broward Next) allows accessory dwelling units in single-family residential areas pursuant to the Florida Statutes (163.31771), and when income restricted affordable housing they are not included in density calculations. The number of ADU’s must be reported annually.
- ▶ Florida Statutes (163.31771) acknowledges shortage of affordable housing and defines affordability.

Advantages of ADU's

- ▶ **Housing Affordability and Availability**
 - ▶ Provides more affordable housing options for seniors, young adults, and low-to-moderate income residents.
- ▶ **Supports Aging in Place and Multigenerational Living**
 - ▶ Allows older adults to age in place near family or caregivers.
- ▶ **Economic Benefits for Homeowners**
 - ▶ Creates a potential income stream through rental occupancy.
- ▶ **Efficient Use of Existing Infrastructure**
 - ▶ Leverages existing roads, utilities, and public services, reducing infrastructure strain from new subdivisions.
- ▶ **Flexibility and Community Stability**
 - ▶ ADUs allow adaptive reuse of existing structures (e.g., garages).

Challenges of ADU's

- ▶ **Infrastructure and Service Impacts**
 - ▶ Water, sewer, and stormwater systems may need upgrades if ADUs proliferate widely.
- ▶ **Enforcement and Administrative Burden**
 - ▶ Requires new permitting, inspection, and monitoring systems.
 - ▶ Owner-occupancy and rental restrictions can be difficult to enforce.
 - ▶ Illegal or unpermitted ADUs can create safety and code compliance challenges.
- ▶ **Fiscal Considerations**
 - ▶ Can increase property tax assessments, potentially burdening fixed-income homeowners.
 - ▶ Some municipalities may see limited net fiscal benefit if service costs rise (e.g., school enrollments, utilities).

Examples of ADU's:



Recommendations

- ▶ Accessory Dwelling Units should be limited to assist in the housing shortage and provide affordable housing for long-term (6 months and longer), not short-term rentals
- ▶ The City Commission would need to direct staff to amend the code to allow this as a permitted accessory use
 - ▶ If directed by the Commission, there should be standards included with that amendment to consider: (1) separate entrances, (2) minimum lot size, (3) minimum unit sizes (500 sq. ft.), (4) additional parking requirements, (5) amenities, etc.
- ▶ Review Schedule M to ensure that accessory dwelling units are included with the annual inspections