



UNLOCKING POTENTIAL
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Memorandum

Date: September 16, 2022

To: South Orange Board of Trustees
South Orange Planning and Economic Development Committee

From: Graham Petto, AICP, PP
Justin Cutroneo, Zoning Officer

Subject: **Accessory Dwelling Unit Ordinance Identified Comments**

On September 12, 2022, our office presented the proposed accessory dwelling unit ordinance for introduction in front of the Board of Trustees, and on September 15, 2022, our office met with Trustee Schnall to further discuss the proposed ordinance in advance of the September 20, 2022 Planning and Economic Development Committee meeting. The purpose of this memorandum is to summarize the existing comments that have been received on the proposed ADU ordinance. We anticipate additional comments to be provided at the September 20, 2022 Planning and Economic Development Committee. Below is a list of the identified comments:

A. Excessive Lot Coverage:

- The proposed ordinance does not make modifications to the existing lot coverage requirements. However, the draft ordinance does permit a small increase in lot coverage when developing an ADU subject to a number of conditions.
 - Per Section 185-167.B.5.d. of proposed ordinance, *"Accessory dwelling units shall be permitted to increase lot coverage up to 5% of the maximum lot coverage in the zone in which it is located as long as one dry well is installed that is approved by the Village Engineer and compliance is met with all principal and all accessory dwelling unit use and location requirements."*

B. Ordinance Too Restrictive:

- The ordinance as drafted may create nonconformities for existing carriage houses which could be considered ADUs. Perhaps amendments should be contemplated to address these non-conforming conditions.
- The ordinance should be clarified to address the conversion of existing accessory structures to an ADU. Perhaps amendments should be contemplated to address this.

C. Owner Occupancy Confirmation:

- Proof of owner occupancy could be added to the rental registration requirements for ADUs.

D. Additional Ordinance Review by Other Village Committees:

- The Environmental Commission expressed concern that they were not involved in the ordinance process, so additional comments and feedback are needed from them and other appropriate Village Committees.