City of Asheville Staff Report

City Council Meeting Date: August 25, 2026

Staff Resources: Chris Collins, AICP, Planning & Urban Design Interim Director

Action Requested: Adoption of a zoning text amendment to the Unified Development Ordinance (UDO), Chapter 7 of the Asheville Code of Ordinances, to amend UDO sections 7-2-5 and 7-14-1 to adjust Accessory Dwelling Units (ADUs).

Summary of Petition:

- The zoning text amendment proposes to change the Accessory Dwelling Unit (ADU) regulations as follows:
    - Increase the maximum allowable size of an ADU from 70% of the primary structure's gross floor area or 800 square feet (whichever is less) to a total area smaller than that of the principal residential structure or 1,000 square feet (whichever is less);
    - Eliminate the requirement for a parking space to be provided on-site for an ADU;
    - Continue to allow ADUs in all residential zoning districts and neighborhood commercial districts;
    - Create an allowance for one ADU to be built on a lot containing a duplex rather than just on a lot containing a detached single-family residence;
    - Allow ADUs, but not other accessory structures except garages, to be placed in front of the primary structure, and
    - Restrict the maximum allowed building height for a detached ADU to 25 feet. Today the maximum height can increase by one foot for every additional foot of setback provided from the minimum. For reference, the maximum allowable height in the City's residential districts is 40 feet. (Note: height is prescribed to be measured by the UDO to the top of the highest ceiling, so external height could be 15 feet higher than the maximum listed in the ordinance for both primary and accessory residential structures.)
- This proposed amendment aims to increase the flexibility permitted in construction and the livability of an ADU, thereby promoting additional housing options within the City.
- In May of 2024, the Planning & Zoning Commission recommended approval of a similar amendment concerning "Backyard Housing" that included an allowance to increase the allowed size of an ADU to 1,000 square feet.
- From April 2025 to April 2026, the City received 29 applications to build detached ADUs.
- This proposed amendment is supported by and promotes City-initiated but non-adopted plans and studies as follows:
    - Affordable Housing Plan (2024):
        - Goal 3.2 - Reduce regulatory barriers [to housing] citywide
    - Missing Middle Housing Study (2023):
        - Policy Recommendation 2 - Preserve Existing Neighborhood Character
        - Zoning Recommendation 17 - Allow ADUs More Broadly
            - Allow ADUs with all MMH types, instead of just single-family
            - Limit unit size to 1200 square feet but not larger than the primary structure.

        - Reduce minimum parking requirements for ADUs to 0 spaces/unit
- City staff held a stakeholder engagement event on May 20, 2026. This event included representation from neighborhood organizations (including Legacy Neighborhoods), home builders, realtors, and other stakeholder organizations. A summary from this event is attached to this staff report as Exhibit B.

Staff Recommendation:

- Staff recommends approval of this zoning text amendment request based on the reasons provided within this report.

Consistency with the Comprehensive Plan and Other Plans:

Living Asheville Comprehensive Plan (2018)

- The proposed rezoning supports several goals in the Living Asheville Comprehensive Plan, including:
    - **Increase and Diversify the Housing Supply** - by promoting zoning policies to encourage more housing (p. 179).
    - **Encourage Responsible Growth -** by promoting small-scale residential units on residential lots with limits aimed at encouraging compatibility and creating flexibility within the planning, permitting, and construction process (p. 130).

Council Vision 2036 Focus Area(s):

This proposal supports the following:

- **Quality Affordable Housing** - By enabling a range of innovative housing options throughout the City.
- **Well-planned and Livable Community -** By enabling a range of housing choices at a small scale that does not harm neighborhood safety while promoting socioeconomic diversity.

Committee(s):

- Planning & Zoning Commission - June 3, 2026 - Heard Report
- Planning & Zoning Commission - August 5, 2025 - Recommended Approval, Vote: 6-1

Suggested Motion:

- I move to recommend approval of the proposed wording amendments to Chapter 7 of the Asheville Code of Ordinances and find that the proposed amendments are reasonable, are in the public interest, are consistent with the City's comprehensive plan and meet the development needs of the community in that the amendments will: 1) Promote zoning policies to encourage more housing; and, 2) Promote small-scale residential units on residential lots with limits aimed at encouraging compatibility and creating flexibility within the planning, permitting, and construction process.

Attachment(s):

- This document contains the proposed ordinance - Ordinance

- This document contains the proposed, marked-up zoning text amendments - Markup Document with Strike Throughs
- This document contains the summary of the engagement event held on May 20, 2026 - Public Engagement Summary Report - Exhibit B