



CITY OF  
TALLAHASSEE



# Zoning Spotlight

## Accessory Dwelling Units

Growth Management Department  
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## **Introduction**

Homeowners and business owners can find themselves in need of an additional living unit, perhaps to care for an aging family member or to rent for supplemental income. The City's Zoning Code refers to these additional living units as accessory dwelling units, or ADUs. ADUs can go by many different names such as "carriage house", "mother-in-law suite", or "coach house", and are quite common throughout the U.S.

Like any land use, ADUs present unique zoning challenges that must be addressed to help them be a compatible part of our city, and there can be many questions that arise. For example, how large can an ADU be? Likewise, where can ADUs be located, and are separate utility connections or separate addresses permitted? These are important questions because ADUs need to blend in with the surrounding community and not create adverse impacts.

The answers to these questions and more are covered by this issue of the Zoning Spotlight. For more general information on the Tallahassee Land Development Code (TLDC), please visit our [Zoning Handbook](#). Our Zoning Handbook provides more information on the development process and how it works. Before we get started, it's helpful to define a few key terms. Those definitions are shown on the next page.

## **Use of ADUs**

ADUs are common throughout the United States. For example, AARP and the American Planning Association recently published a joint report titled "[Expanding ADU Development and Occupancy](#)". It highlighted best practices from 13 different states (including Florida) that came from all regions of the country. In Tallahassee, ADUs can be found throughout the city.

ADUs are important both to individual homeowners and the wider community. For individuals, they create the following advantages:

- ADUs allow families to provide care to aging loved ones, while still allowing some independence;
- ADUs allow young adults an affordable housing alternative as a first step after college; and
- ADUs can be a source of rental income.

For the wider community, ADUs provide the following benefits:

- ADUs are a more affordable housing alternative; and
- ADUs create vibrant neighborhoods with a diversity of residents with different ages and backgrounds.



Accessory dwelling unit (ADU) means a dwelling unit sharing ownership with a principal structure on a single property. The inclusion of an ADU on a lot shall not be included in density calculations or defined as a multi-family residential development. An ADU may share the address with the primary structure or may have a separate address. An ADU may share utilities with the primary structure or may have a separate utility connection.

Accessory use or structure means a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure except as otherwise permitted in this Code.

Frontage means the length of the property line of any one premise along a street on which it borders. Frontage includes public and private area between the building facade and the vehicular lanes, inclusive of its built and planted components.

Gross floor area means the sum of the gross area of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerlines of the walls separating two buildings. In particular, floor area includes floor space in penthouses; usable attic space providing structural headroom of seven feet or more; floor space of interior balconies or mezzanines; and other floor space used for dwelling purposes.

Impervious surface means a surface which has been compacted or covered with a layer of material with the result that it is highly resistant to infiltration by water.

Principal building means the main building on a lot, usually located toward the frontage.

Principal Frontage means the private frontage designated based on the measure of minimum lot width. Principal frontage generally shall not be a frontage which consists wholly of an entrance drive or is significantly smaller, by 20 percent or more, in linear feet, than that of another street frontage for the same parcel.

Rooming house is defined by [Sec. 1-2](#) of the Tallahassee Land Development Code. You can find the rooming house definition in the alphabetized list of definitions at the preceding link. That definition is paraphrased below.

- What types of development potentially qualify as a rooming house? A rooming house could be a single-family dwelling, or either unit of a two-family dwelling (duplex), or rooms with or without cooking facilities that are rented.
- Who can live in a rooming house? A rooming house is occupied by four or more people who aren't related to the owner of the house or to each other by blood, marriage, or legal adoption.

## **ADU Standards**

ADUs are allowed in all zoning districts if the requirements in Table 1 are met. Please note that ADU standards may vary based on whether a site is inside or outside of the Multi-Modal Transportation District (MMTD). To determine if your site is in or out of the MMTD, please go to the [City's website](#), which provides an interactive map. In the left-hand column, scroll down to "Special Planning Area" and click the box to the left of that title. The MMTD will then appear on the map. You can zoom in to your parcel by entering your address or tax identification number in the search box at the upper left corner.

ADUs are exempt from all density calculations. ADUs are permitted for single-family homes, duplexes, and non-residential uses. ADUs can't be used as a place of business, unless the business in question meets all the criteria for a home occupation outlined in Sec. 10-412(2), TLDC.

## **Permitting Requirements**

Residential building permits will be required for all ADU construction. A building permit can be applied for and issued through Growth Management's Building Inspection Division. Please contact the Building Inspection Division at (850) 891-7001 and choose Option 2 for more information on permitting requirements. You can also apply for the building permit through [our online application portal](#).

## **Frequently Asked Questions:**

1. I have just built an ADU on my property, am I allowed to rent it out? *Yes, ADUs can be rented as either short term or long-term rentals at the discretion of the property owner.*
2. I have an existing building or shed in my backyard; can I convert this to an ADU? *To be classified as an ADU the structure must contain a living area, bathroom, and kitchen amenities. In addition, there will be Florida Building Code requirements to convert the shed into livable space. Converting a shed in to an ADU is possible, but it must meet all zoning and building code requirements.*
3. Am I allowed to have a separate driveway to access my ADU? *Yes, however, the driveway will be included in the impervious surface area calculations for the property, and the existing driveway apron must be used.*



**Table 1 – ADU standards**

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	Standards are Citywide Unless Otherwise Noted
Maximum ADUs per lot	<p>Inside MMTD - 1 ADU may be placed on a lot with a single-family residence. 2 ADUs may be placed on a lot with a duplex. 1 ADU is allowed for each non-residential establishment on a non-residential lot. Therefore, if a non-residential lot is developed for 5 distinct commercial establishments, then a total of 5 ADUs are allowed on the lot.</p> <p>Outside MMTD - 1 ADU may be placed on a lot with a single-family or duplex residence, or a lot with a non-residential use. For non-residential lots, note that each lot is allowed 1 ADU, regardless of the number of establishments.</p>
Type	The ADU may be constructed as an attached or detached unit to a principal or accessory structure. (See Figure 1 and 2)
Height	The height of the ADU cannot be greater than 2 stories. Where an ADU is located entirely on the second floor above an accessory structure, then the height of the entire structure shall not exceed two stories. (See Figure 3)
Lot Placement	A detached ADU will need to be located within the interior side, side corner, or rear yard. For sites with multiple street frontages, the front yard is the principal frontage. <sup>1</sup>
Entrance	The ADU will need a separate designated entrance and can't be accessed through the principal structure.
Maximum size	The ADU shall not exceed 1,200 square feet of gross floor area under roof, provided that it can meet all other development standards.
Setbacks & lot cover	The ADU will need to abide by the same standards that apply to the principal structure. The ADU will also need to be at least 6 feet from any other structure on the property.
Impervious surface	The ADU will need to be included in all calculations of impervious surface and abide by the maximum impervious surface area of the zoning district.
Rooming houses	If the ADU is accessory to a rooming house in the RP-1, RP-2, R-1, and R-2 zoning districts, then Sec. 10-83, TLDC will apply.

<sup>1</sup> A detached ADU, located inside the MMTD, will need to meet the placement requirements for second and third layers as prescribed in Section 10-285, TLDC. (See Figure 4)

4. I already have a pool house on my property, but now want to construct an ADU. Can I build both? *Yes, the pool house is considered an accessory structure and its requirements and standards are calculated separately from an ADU. As long as both structures can meet the applicable code standards, they are both permitted on the property. For more information on accessory structure standards see Sec. 10-411, TLDC. (See Figure 5)*
5. I want to build an ADU, but I am concerned due to my lot size and shape that I won't be able to meet all the requirements. Does that mean I cannot build an ADU? *Some lots, due to size, shape, and other factors, restrict the development of an ADU that meets all zoning code requirements. If this occurs, you may qualify for a variance application. A variance is a request to the Board of Adjustment and Appeals to vary from code standards. For more information on the variance application process, contact Growth Management at (850) 891-7001, Option 4 or by email at [zoning@talgov.com](mailto:zoning@talgov.com).*
6. Can my ADU and house have separate utility meters and separate addresses? *Yes.*
7. Can I use my RV (or other mobile residence) as an ADU? *Mobile residences are prohibited from being used as a residence or an ADU. An ADU must meet all Florida Building Code requirements for a residence.*



## **Conclusion**

Thanks for reading this issue of Zoning Spotlight. Please keep in mind that if a conflict is ever identified between the City's Zoning Code and an issue of Zoning Spotlight, the Zoning Code will control. If you have additional questions, please contact us at (850) 891-7001, option 4 or at [zoning@talgov.com](mailto:zoning@talgov.com). Our offices are on the third floor of the Renaissance Building at 435 North Macomb Street in downtown Tallahassee.

Figure 1. Detached ADU with accessory structure (1 story)

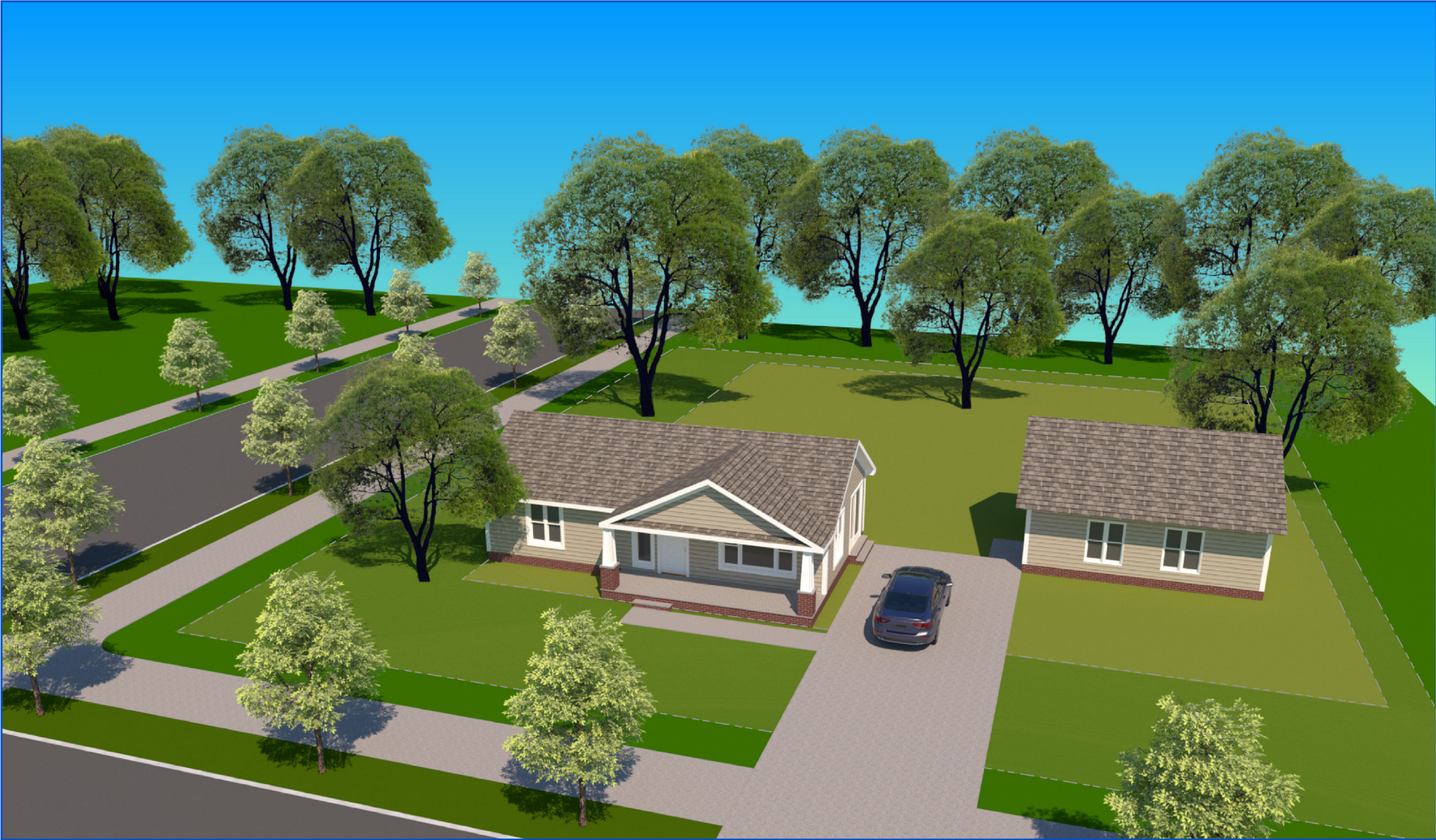


Figure 2. Attached ADU

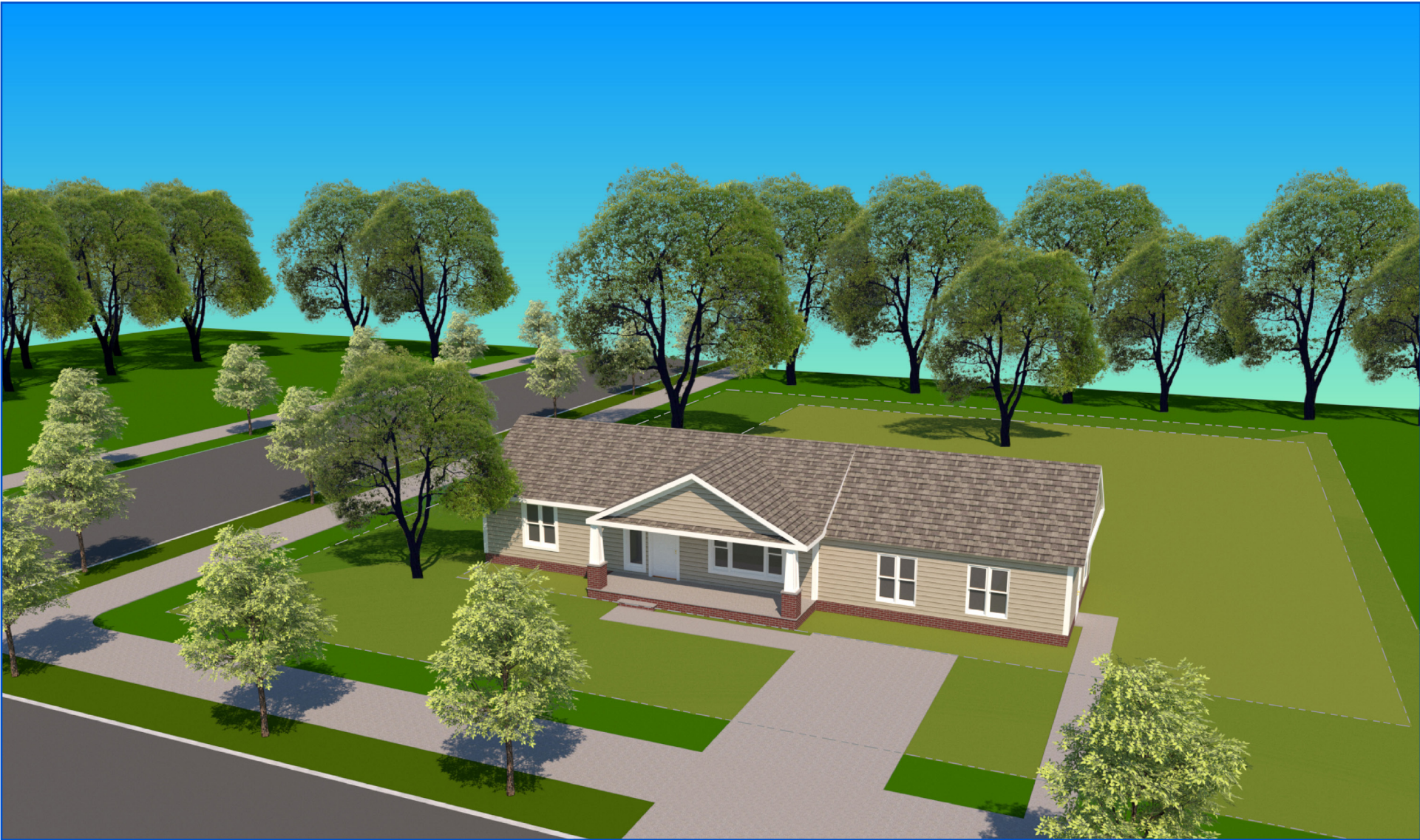




Figure 3. ADU above a carport

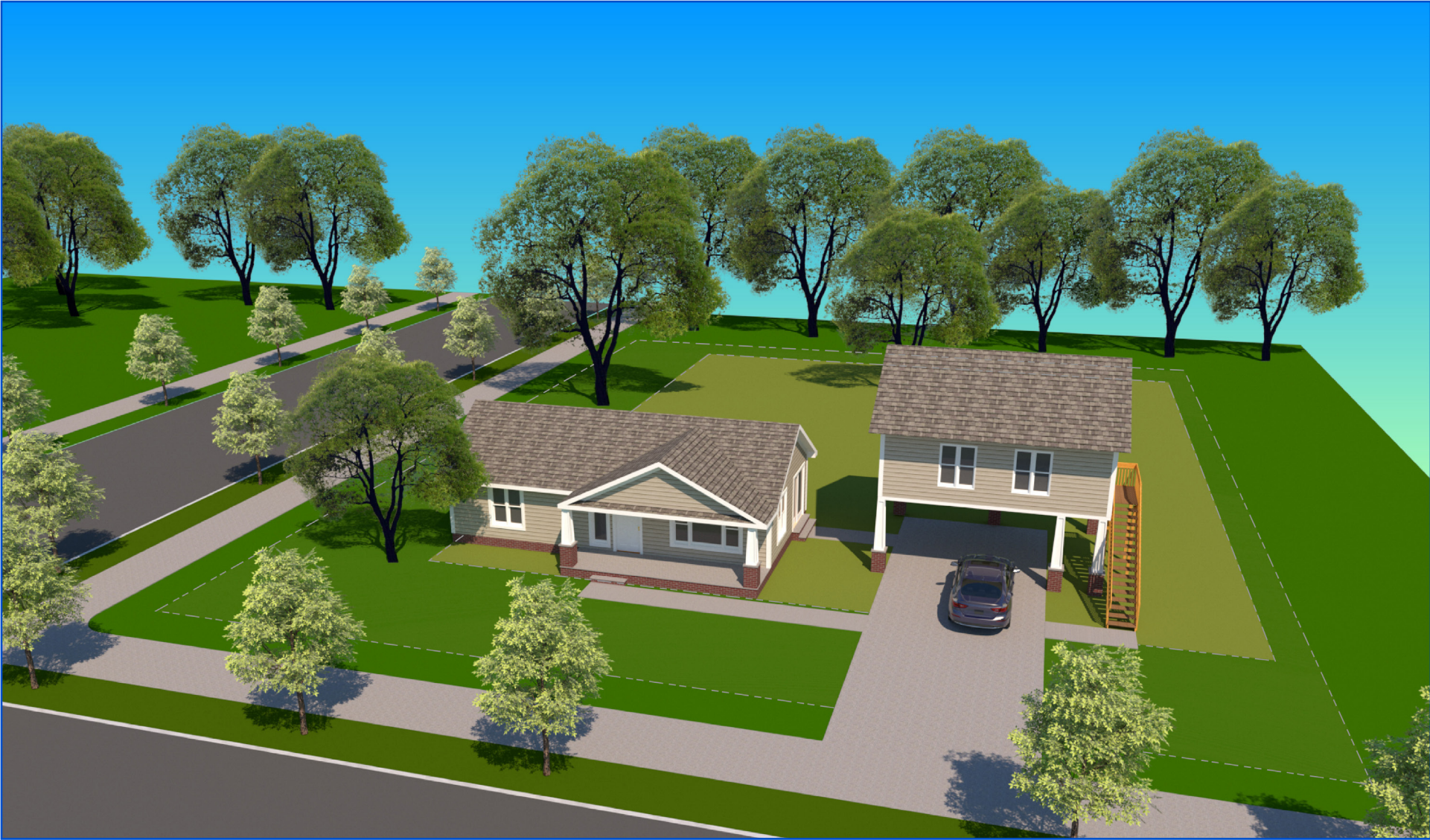


Figure 4. MMTD layers and frontage

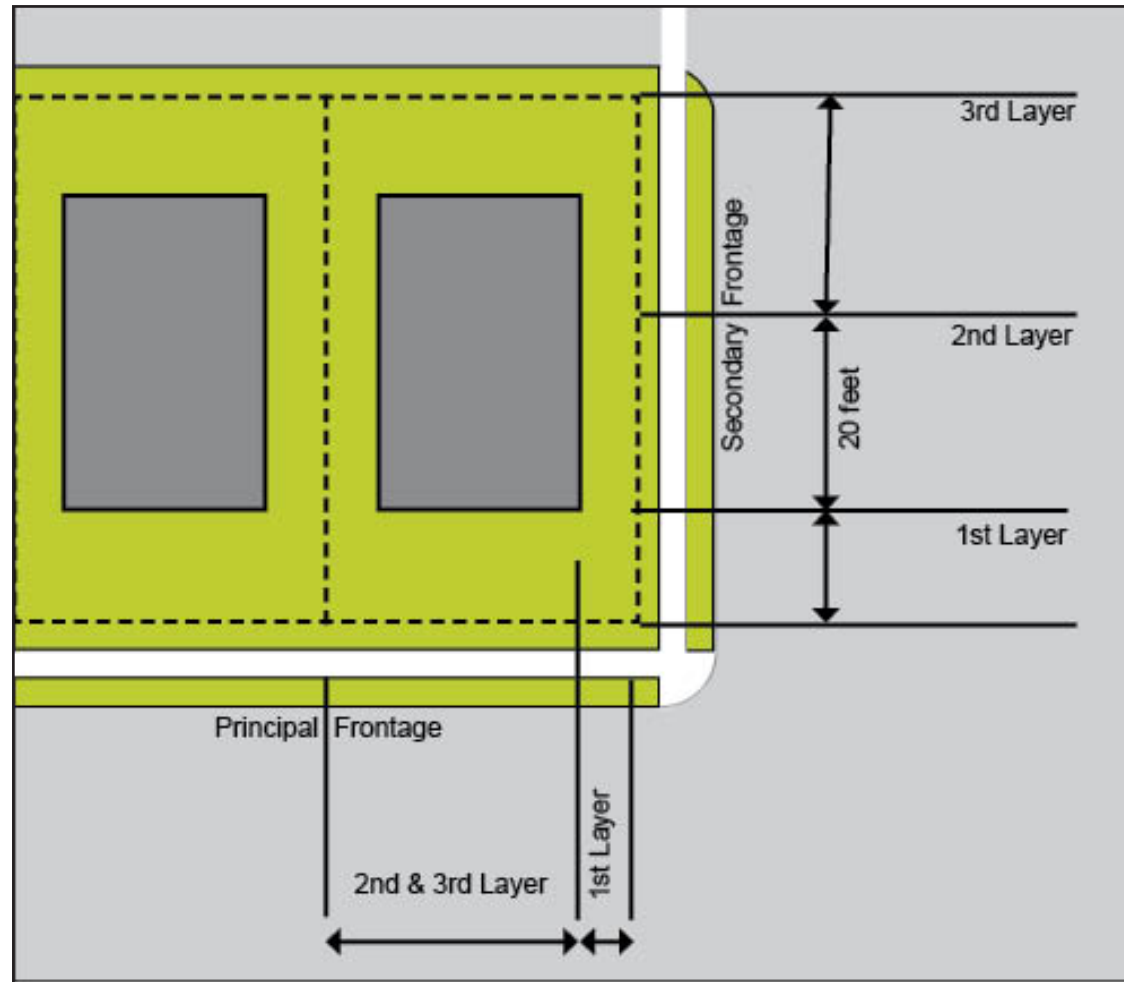


Figure 5. ADU and Accessory Structure

