

Accessory Dwellings: Providing Affordable Compatible Housing

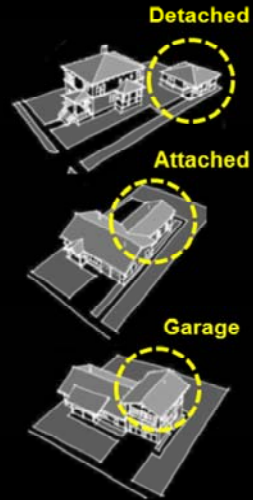
James B. Duncan, FAICP, CNU

Planners often refer to ADUs as “hidden” or “gentle” density. By their nature, ADUs are small modest living units, and by design blend seamlessly with their surrounding. Because an ADU is an addition to an existing home, it matches neighborhood character.

“A Rose by Any Other Name”

Also Known As:

<i>Ancillary unit</i>	<i>Multi-generational</i>
<i>Mother-in-law unit</i>	<i>Secondary suite</i>
<i>Companion unit</i>	<i>Lockout suite</i>
<i>In-law apartment</i>	<i>Sidekick suite</i>
<i>Garage apartment</i>	<i>Fonzi suite</i>
<i>Basement apartment</i>	<i>Granny flat</i>
<i>Guest house</i>	<i>Alley flat</i>
<i>Coach house</i>	<i>Servant quarter</i>
<i>Laneway house</i>	<i>Backyard cottage</i>
<i>Carriage house</i>	<i>Elder cottage</i>
<i>ECHO home</i>	<i>Casita</i>



ADUs are known by many names and come in several flavors. Here are 22 of their most common aliases and three basic types.

While ADUs are not designed to solve all housing affordability needs because of their smaller size and scale, they can be an integral part of the overall solution because of their lower cost.

In particular, ADUs can well serve the growing market for singles, seniors and small families that are looking for modest affordable living quarters in central areas near urban services.

One-third of all Austin households are currently occupied by singles and over half of all households rent. Retirees looking to downsize or live on the same property are a major ADU market.

Peer City ADU Survey:

Peer City:

Honolulu: 400sf<5,000sf lot, 800sf>5,000sf lot

Miami: 450sf, 1 space (ancillary)

Santa Cruz: 500sf<7500sf, 640sf, 800sf>10,000sf lot

Denver: 650sf<6,000sf lot, 864sf 6,000-7,000sf lot

Seattle: 650-800sf, 4,000sf lot, 1 space, covenant

San Diego: 700sf, 1 space, 21' (companion unit)

Nashville: 750sf <10,000sf lot, 1,000sf>10,000sf lot

Atlanta: 750sf, R5 district only, .5 FAR

San Antonio: 800sf (40% main), 300sf min

Portland: 800sf (75% main), 20', 15% cover

Charlotte: 800sf (35% main), 1 space

Phoenix: 900sf (50% main), 1 space, no STR

CodeWAS: 850sf

CodeNOW: 1,100sf

CodeNEXT: 1,344sf

BASIC REQUIREMENTS*		
1	The lot is zoned: R-3.5, R-5, R-7.5, R-10, R-20 or Country District.	<input type="checkbox"/>
2	Minimum lot area of 3,500 SF.	<input type="checkbox"/>
3	The lot is not landlocked.	<input type="checkbox"/>
4	The lot does not have more than one dwelling unit, i.e., more than one single-family dwelling, two-family dwelling, accessory ohana dwelling, guest house, multi-family dwelling, planned development housing, cluster, or group living facility.	<input type="checkbox"/>
5	Either the main dwelling or the ADU will be occupied by the property owner(s), the owner's family, or a designated authorized representative.	<input type="checkbox"/>
6	The owner(s) of the lot will record covenants running with the land with the Bureau of Conveyances or the Land Court of the State of Hawaii, or both, as is appropriate.	<input type="checkbox"/>
7	Private covenants do not prohibit ADUs.	<input type="checkbox"/>
8	The lot can fit one parking space in addition to the parking required for the primary dwelling unit. No parking is required if the lot is located within one-half mile of a rail transit station.	<input type="checkbox"/>
9	*Floor area maximum: 400 SF (for lots with an area of 3,500 to 4,999 SF) and 800 SF (for lots with an area of 5,000 SF or more).	<input type="checkbox"/>

*For more detailed information, see Ordinance 15-41

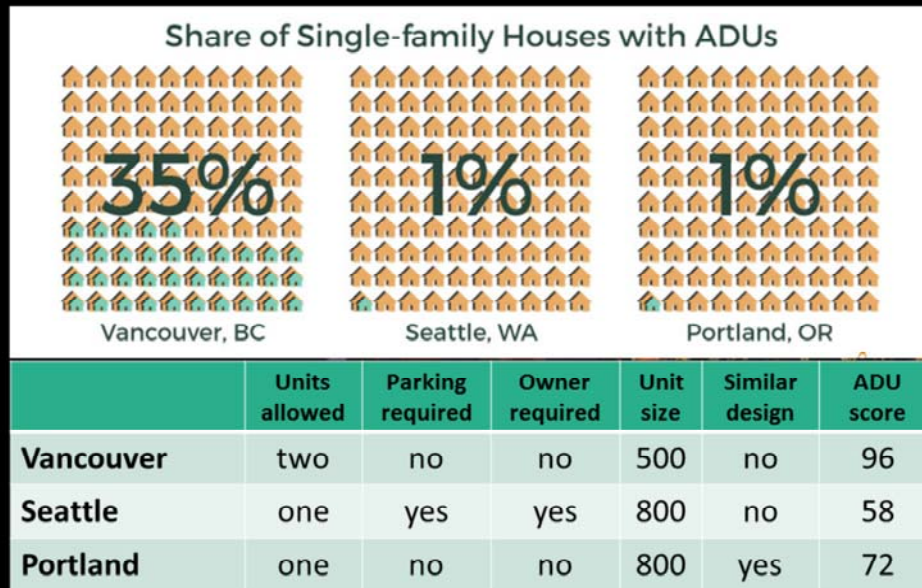
A survey of major US cities shows that the permitted maximum size of an ADU ranges from about 400 to 900 square feet, with several cities allowing variable floor areas based on lot size.

Other factors usually considered in regulating ADUs include:

- Lot size: often varies by distance from urban core.
- Parking: often varies by availability of public transit.
- Building separation: usually determined by fire code.
- Other requirements: covenants and separate utilities.

The overriding objective in the regulation of all ADUs is to keep them as affordable and compatible as possible.

“A Tale of Three Cities!”




Vancouver, Seattle and Portland are among the most progressive cities in the use and regulation of ADUs.

Vancouver is the most permissive allowing two 500 sf ADUs on each lot, most of which are attached. As a result, one-third of all single family homes have an ADU or two.

Seattle and Portland both allow one 800 sf ADU, but Seattle also requires off-street parking and owner occupancy.

Santa Cruz: Best Practice



Zoning Code for ADUs	Types of ADUs	Requirements	Exceptions/Comments
Minimum lot size	2,000 SF	2,000 SF	2,000-4,000 SF lot can have 400 SF ADU; 10,000 SF+ lot can have 800 SF ADU
Minimum unit size for lot up to 7,000 SF	400 SF	400 SF	
Side yard setbacks, one story	5 feet	5 feet	3 feet for 2 story ADU
Side yard setbacks, one story, on a corner lot	5 feet	5 feet	3 feet for 2 story ADU
Front yard setbacks	20 feet	20 feet	ADU can built in front of the main house as long as required setbacks in maintained
Rear yard setbacks, one story only	5 feet	5 feet	20 feet for 2 story ADU without Administrative Case Permit
Maximum height	15 feet to roof peak**	15 feet	20 feet to roof peak for 2 story ADU
Minimum distance between habitable structures	10 feet	10 feet	4 feet between habitable and non-habitable structures (porch, garage, etc.)
Maximum rear yard coverage	20% of lot	20% of lot	Not required if facing street
Parking spaces	1 space per ADU	1 space per ADU	Assessors 1 bedroom ADU and 3 bedroom ADUs. More bedrooms need more spaces.
Covered parking	None	None	Building an ADU alternative required covered parking for use***
Parking location	ADU to 3 cars can be parked in driveway or driveway. ADU to 2 spaces allowed in front yard maximum of 50%, front yard may be paved.	ADU to 3 cars can be parked in driveway or driveway. ADU to 2 spaces allowed in front yard maximum of 50%, front yard may be paved.	
ADU entrance, main windows and entry	May be oriented towards main house but not towards neighbor's property	May be oriented towards main house but not towards neighbor's property	
ADU exterior	Must relate to main house in building materials, color and other details.	Must relate to main house in building materials, color and other details.	

Santa Cruz Sentinel
RESIDENTIAL REAL ESTATE
Santa Cruz County wants more accessory dwellings

Santa Cruz ADU Survey:

Average Size: 500 to 535 sf

Average Cost:

- \$50,000 for conversion
- \$80,000 for attached unit,
- \$99,250 for unit above garage
- \$140,000 for detached unit

\$95,600 for labor and materials

\$7,700 for design

\$13,700 for permits

\$10,400 for utility hookups

\$16,000 for other costs

The Santa Cruz approach to ADUs is generally considered a national “best practice.” Maximum ADU floor area varies by lot size (500 to 800 sf) and one parking space is required.

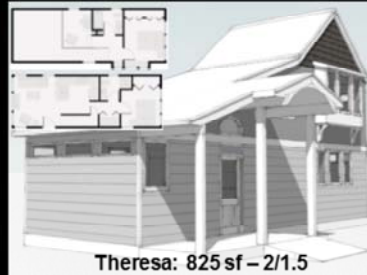
The design of the ADU must also be compatible with the main structure and sensitive to the privacy of neighbors. ADUs are allowed in most residential zones and fee waivers are given those made available to low or very low-income residents.

In 2004, it won an EPA “Smart Growth Achievement Award.”

“Alley Flat Initiative”

The Alley Flat Initiative was created in 2005 and is a collaboration between the UT Center for Sustainable Development, the Guadalupe Neighborhood Development Corporation and the Austin Community Design and Development Center.

The objective of the Alley Flat Initiative is to create an adaptive delivery system for sustainable and affordable housing that includes efficient housing designs, sustainable construction technologies, innovative financing and home ownership.



In Austin, the use, benefit and design of ADUs are promoted by the Alley Flat Initiative, a collaboration between;

- UT Center for Sustainable Development,
- Guadalupe Neighborhood Development Corporation, and
- Austin Community Design and Development Center.

The objective of the AFI is to “create an adaptive and self-perpetuating delivery system for sustainable and affordable housing” that includes “not only efficient housing designs constructed with sustainable technologies, but also innovative methods of financing and home ownership.”

“Hillmont Studio”

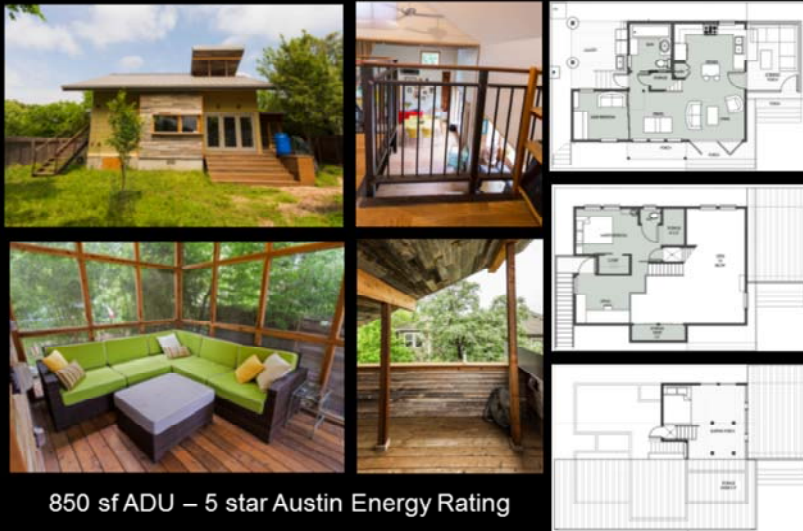


850 sf ADU – 2017 AIA Design Award Winner

On a Zilker neighborhood bluff overlooking downtown is Hillmont Studio, one of Austin’s newest ADUs. This Modernist 850 sf ADU is designed as a live/work facility for one or two occupants.

In 2017, Hillmont Studio won a local AIA design award.

“La Casita”



850 sf ADU – 5 star Austin Energy Rating

This 850 sf east Austin ADU, which was designed and built by an Austin planning commissioner, highlights sustainable design. It features solar energy, rainwater collection and a sleeping porch.

In addition, the original early 1940s primary home on the lot was retained and sensitively renovated rather than demolished.

La Casita achieved a 5-star Austin Energy Green Building rating.

ADUs and CodeNEXT

23-4E-6030 Accessory Dwelling Unit

(A) An Accessory Dwelling Unit (ADU) must comply with the standards of the base zone, except as provided in Table 23-4E-6030.A (Standards for Accessory Dwelling Units). Table 23-4E-6030.A does not apply to Transit Zones.

Table 23-4E-6030.A Standards for Accessory Dwelling Units in Non-Transit Zones	
Requirement	Standard
Lot Area	Equivalent to a standard lot
Impervious Cover	Max. 40%
Building Coverage	Max. 40%
Building Height	30 ft and limited to 2 stories
Floor Area	(1) Max. 1,500 sf total or FAR of 0.15 (whichever is greater); and (2) Max. 150 sf of an a second floor
Parking	Prohibited in front setback, except on a driveway
Placement	(1) Not in the primary structure; must be in a secondary structure (2) Min. 10ft to the rear or side of the primary structure or above a detached garage (3) May be connected to the primary structure with a covered walkway
Other	May not be used as a short term rental for more than 30 days in a calendar year if the unit was constructed after October 1, 2015.

(B) **Restrictive Covenant**

(1) The property owner shall sign a restrictive covenant before a notary public that runs with the land on a form prepared by the City affirming that the property owner shall:

- Occupy either the primary residence or the ADU; or
- If the property owner rents or leases a property with both a primary residence and an ADU to a third party, then neither the primary residence nor the ADU shall be sub-leased.

(2) The restrictive covenant shall be submitted to the City prior to the issuance of a Building Permit for the ADU. The City shall record the restrictive covenant after the Building Permit has been issued.

Recommendations

NHCD

- Allow 1,100 sf ADU (if income-restricted).
- Allow interior ADUs.
- Allow more flexible placement on parcel.
- Delete owner-occupancy requirement.
- Delete subleasing prohibition.
- Create pre-approved design standards.

JBD

- Allow 850 sf ADU.
- Allow interior, attached and garage ADUs.
- Allow placement in primary structure.
- Delete max impervious and building cover.
- Delete maximum .15 floor area ratio.
- Delete owner-occupancy requirement.
- Delete subleasing prohibition.

In November 2015, the council made several ADU code changes, including an expansion in permitted districts, a reduction in lot size, a reduction in setbacks, a reduction in parking and more Short Term Rental rules. At the last minute, It was also convinced to increase maximum ADU floor area by 30 percent to 1,100 sf,

Opticos appears to have just rubber stamped the new 2015 rules. The following additional changes should be considered:

- Allow attached (interior and garage) ADUs,
- Return maximum floor area back to 850 sf,
- Eliminate maximum impervious coverages,
- Eliminate owner-occupancy requirement, and
- Eliminate prohibition of subleases.



Thank You!

In closing let me quote the former Vancouver planning director:

“If you haven’t done secondary suites (ADUs) in single family houses, you’re not really serious yet about affordability and sustainability. It’s an urban no-brainer.”

Thank You!