

Accessory Dwelling Units (ADUs)

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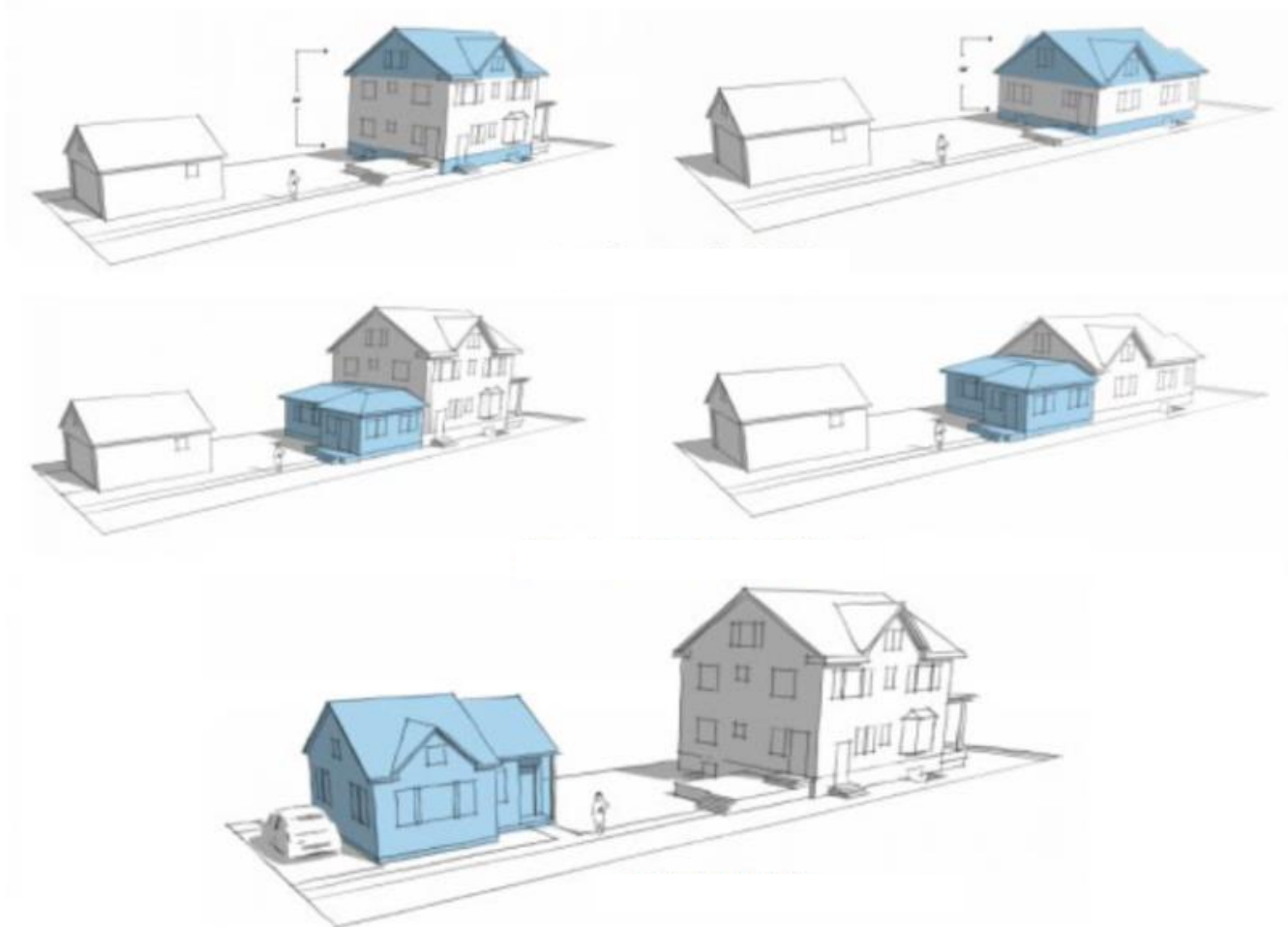
Summary

- What are ADUs?
- Why ADUs?
- What are the barriers to legalizing and permitting ADUs?
- Where are they permitted in Ohio?
- What are common requirements for ADUs?
- Items to consider when crafting policies relating to ADUs
- Concluding thoughts

What is an ADU?

- Accessory (or auxiliary) dwelling units, mother-in-law suites, “granny flats”, backyard cottages, etc..
- A second (or third) dwelling unit on an already-developed residential lot;
- Three main types:
 - Internal/Interior
 - Attached
 - Detached

Types of ADUs



Interior/Internal ADUs:

- Adding a dwelling by converting an area in an existing dwelling

Attached ADUs:

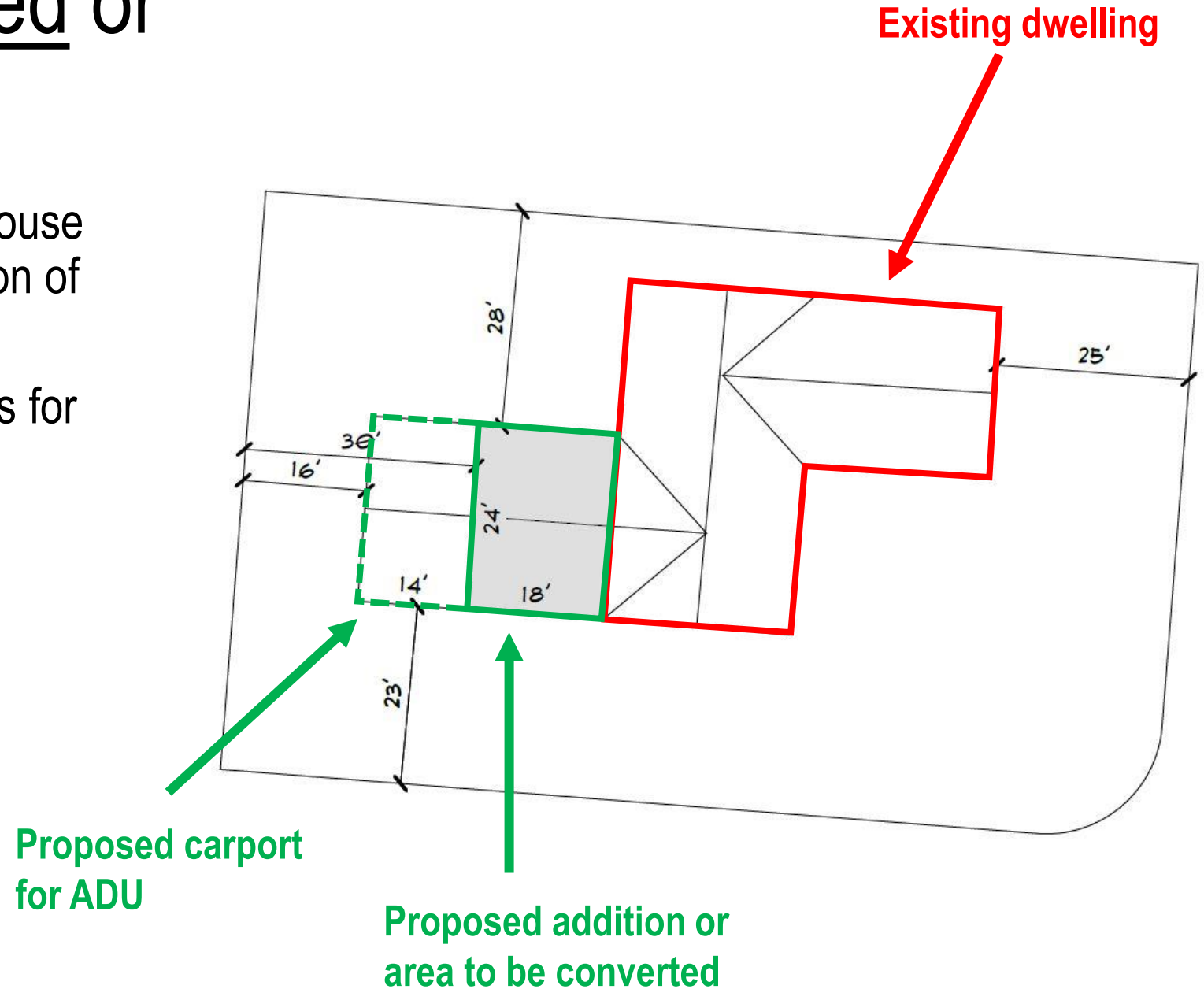
- Adding a dwelling unit through the construction of an addition

Detached ADUs:

- Adding a dwelling unit either by converting an existing detached structure into a living space or constructing a new detached structure

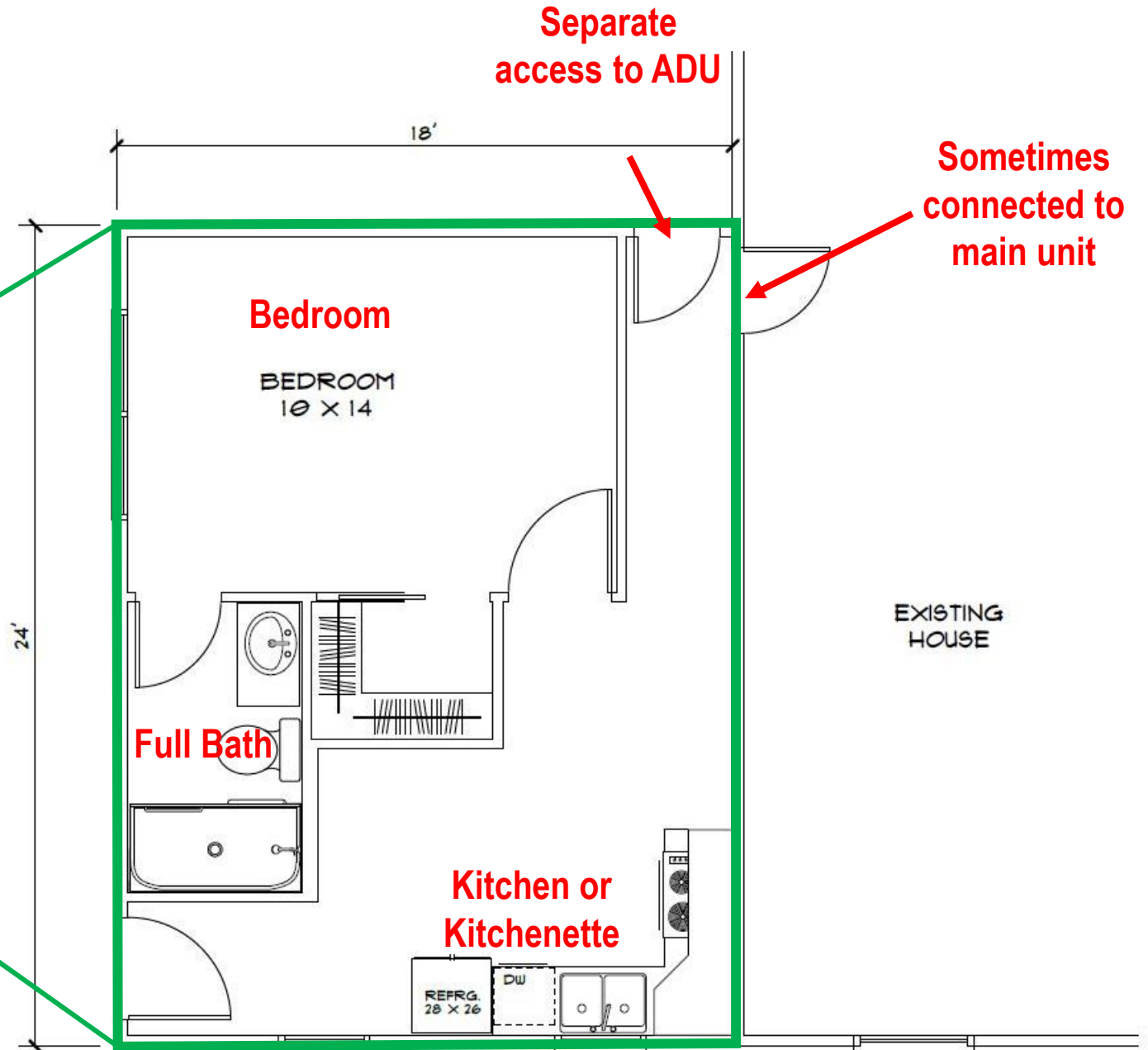
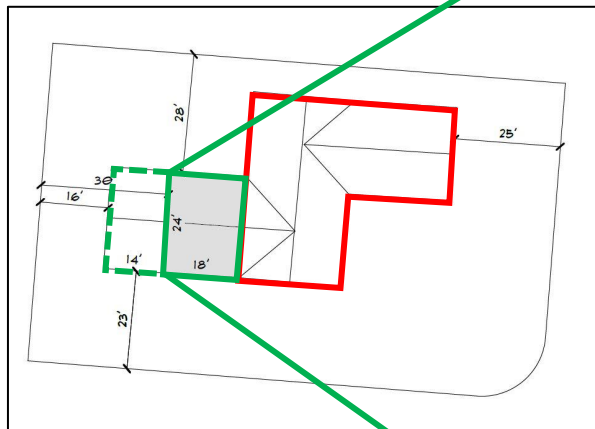
Example Attached or Internal ADU

- An addition to an existing house or the conversion of a portion of an existing house
- Meets the required setbacks for the principal structure



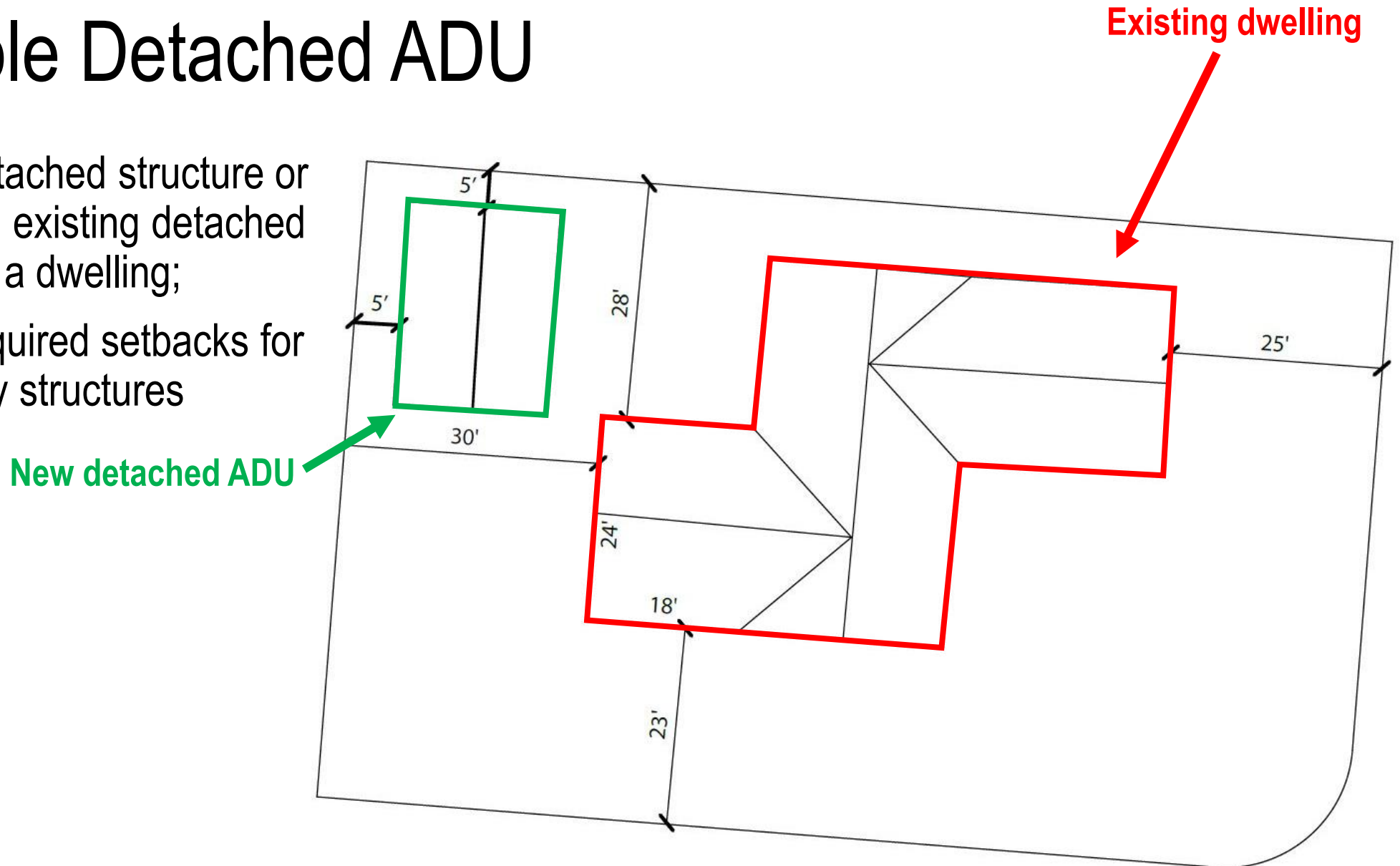
Example Attached or Internal ADU

- Contains all necessary dwelling amenities (kitchen, full bath, bedroom, separate access, parking) separate from the existing dwelling



Example Detached ADU

- Building a detached structure or converting an existing detached structure into a dwelling;
- Meets the required setbacks for the accessory structures



Why ADUs?

- Part of an all-of-the-above strategy for increasing housing unit construction;
- Allows for more efficient use land;
- Permits infill in more areas;
- Allows for flexible living situations;
 - Multi-generational, space to downsize or allow for a caregiver to live nearby
- Allows property owners to generate income from rent;
- A flexible and more affordable housing option in an era of high interest rates and housing costs; and
- Fit well within the context of an aging population.

Why ADUs?

- Part of an all-of-the-above strategy for increasing housing unit construction;

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Seattle is now building more ADUs than single houses

March 8, 2023 at 6:00 am | Updated March 8, 2023 at 11:57 am

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BOISE'S NEW ZONING CODE SPARKS SURGE IN PERMITS FOR ADUS

Rules about who can live in them and where they can park were key barriers to backyard cottages.

BENZINGA Equities

ADUs Accounted For 20% Of California's New Home Construction In 2023

Mutual Funds

Eric McConnell Analyst Rating 🔒

Thu, Jun 6, 2024 • 4 min read 📄 3

Smart Money 🔒

Top Holdings 🔒



Barriers to Legalizing & Permitting ADUs

1. Resident opposition

- Negative perception of “affordable housing”, NIMBY concerns (more parking/congestion, traffic, increased density, “who is going to live there?”)

2. Political opposition

- Controversy with permitting higher density, not wanting to rock the boat

3. Existing regulatory barriers

- Outdated comprehensive plan language that is still guiding zoning code language

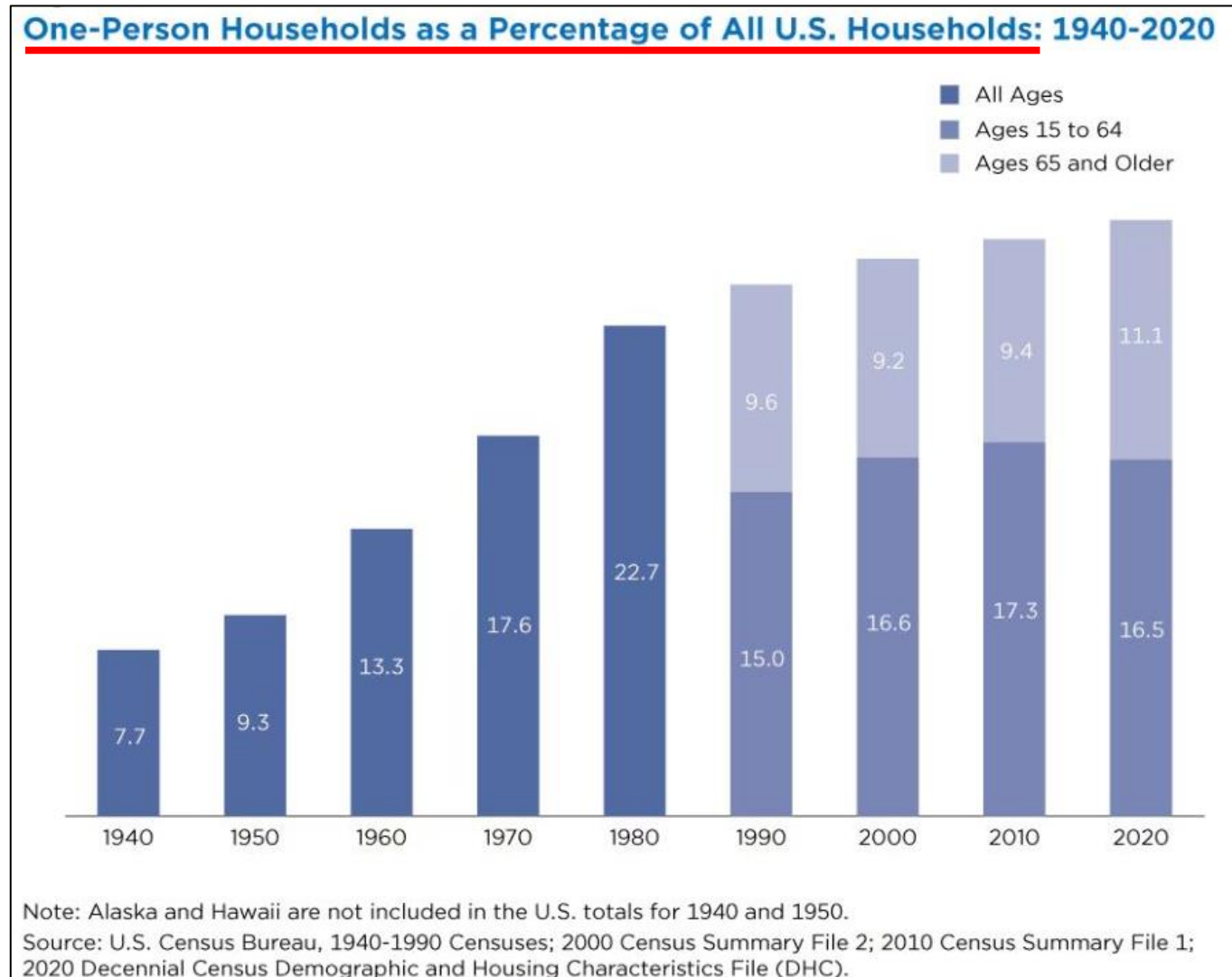
4. Not agreeing on policy, enacting policies that are too restrictive and cumbersome

- High fees, difficult/subjective review processes

Barriers to Legalizing ADUs

1 & 2.) Resident & Political opposition:

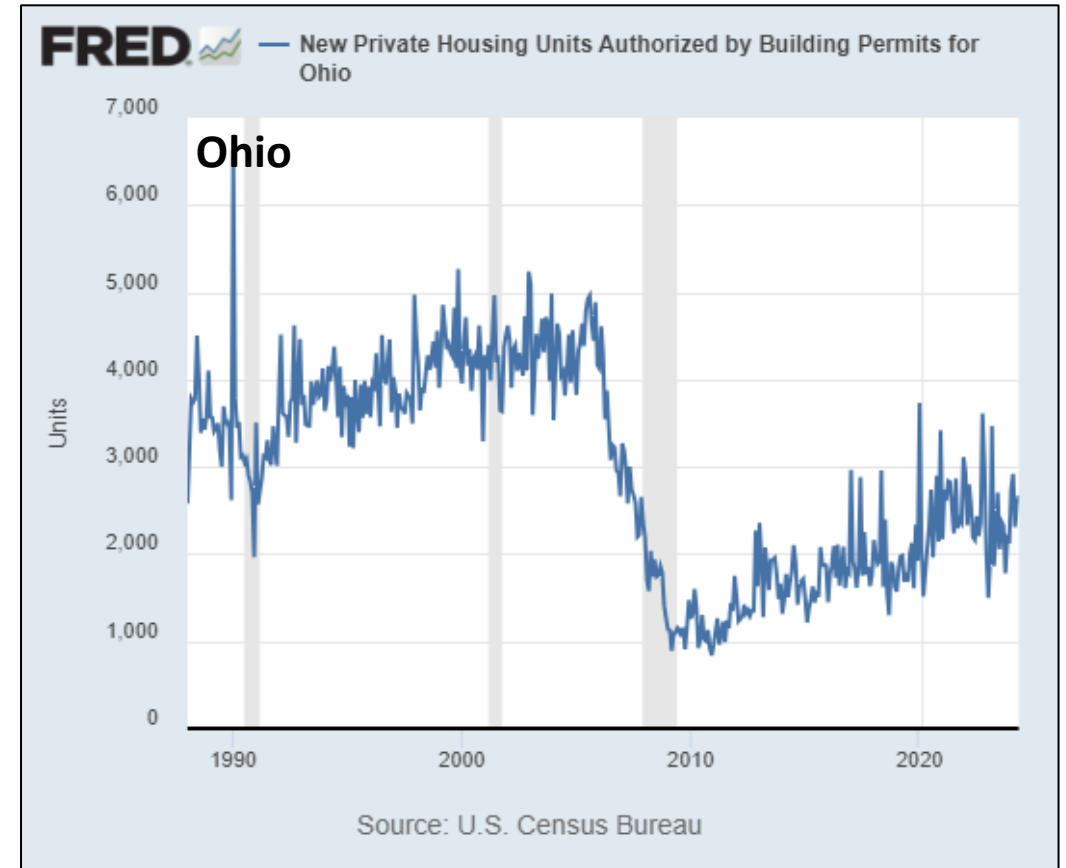
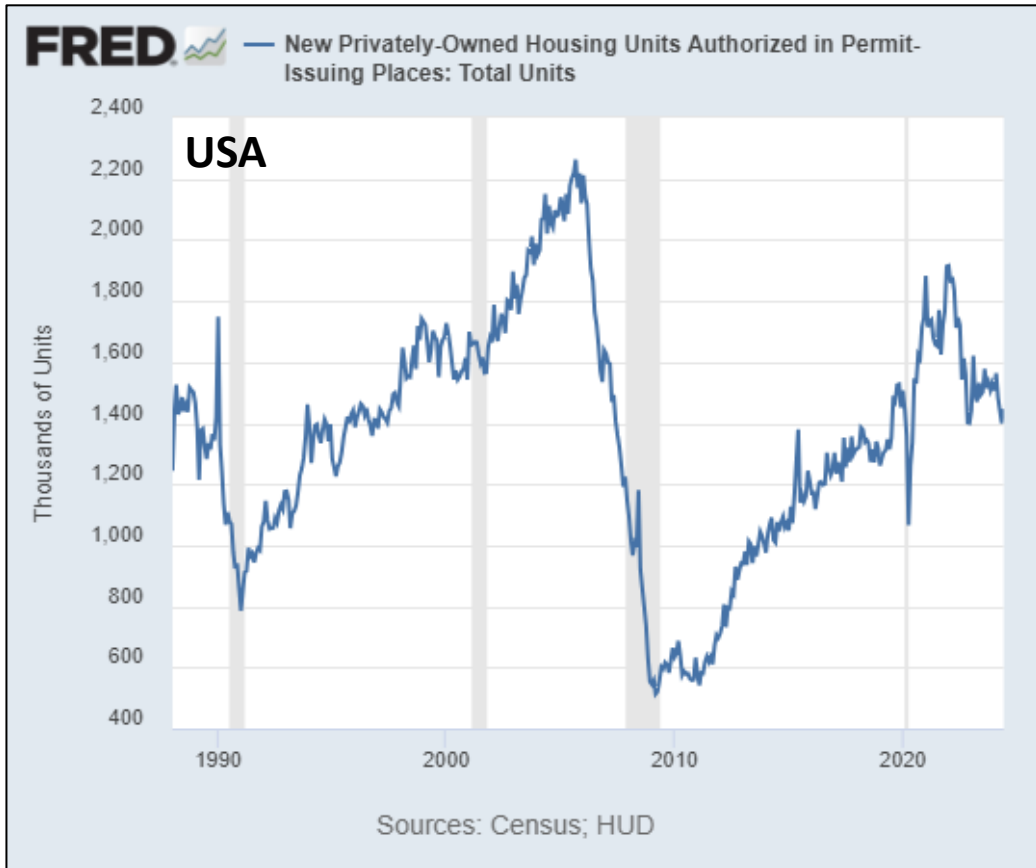
- Changing demographics and the ongoing housing shortage will likely change perceptions of ADUs and other strategies to increase housing construction...
- Resistance to ADUs due to increased density, more lot coverage, more cars, etc... will likely continue.



Barriers to Legalizing ADUs

1 & 2.) Resident & Political opposition:

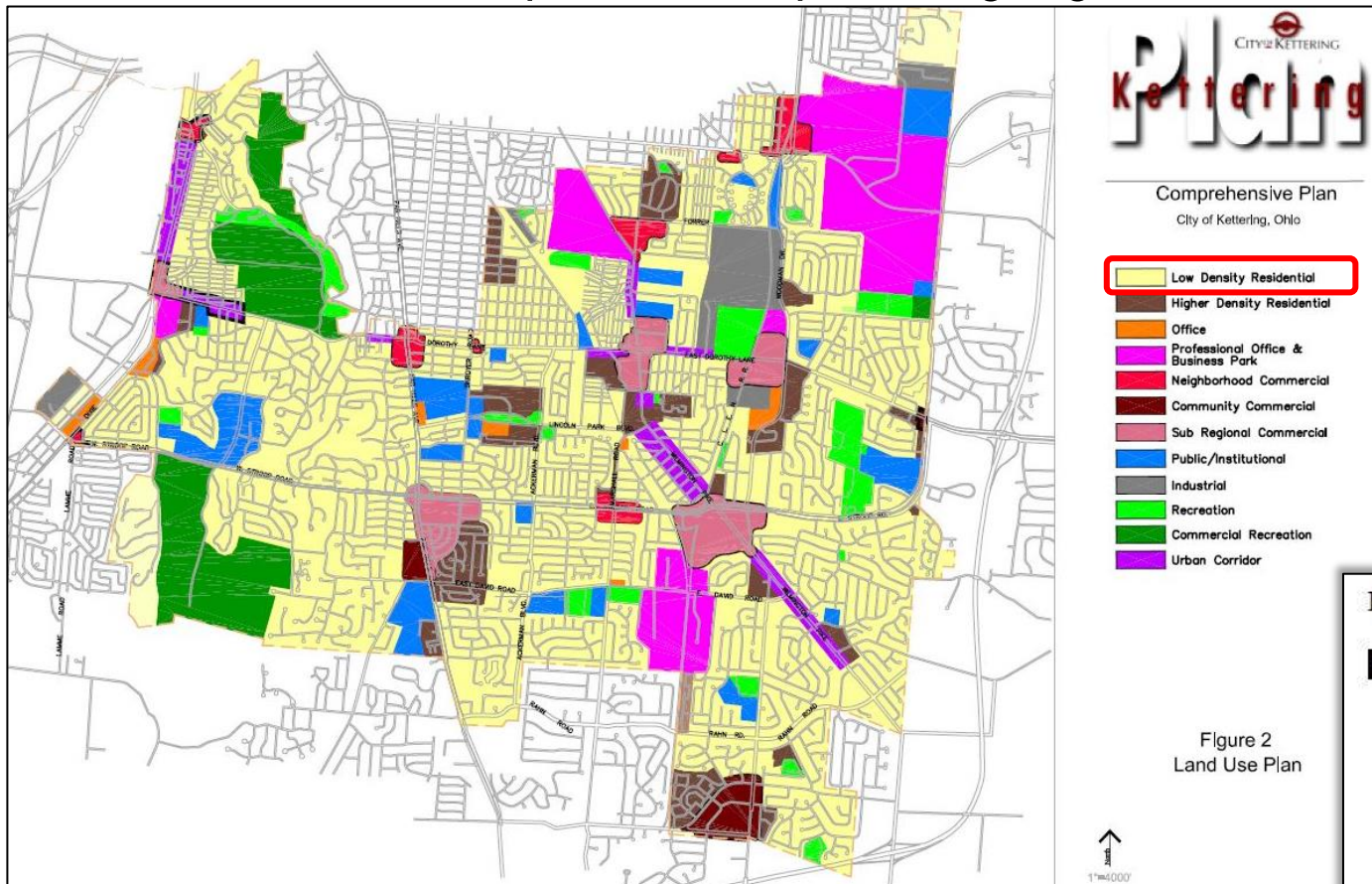
- The ongoing housing shortage will likely change perceptions of ADUs and other strategies to increase housing construction...



Barriers to Legalizing ADUs

3. Existing regulatory barriers

- Outdated comprehensive plan language that is still guiding zoning code language



Residential Development Strategies

LU1 Allow for a variety of housing options for families, individuals, and seniors. Housing options should range from higher-density in redevelopment/mixed-use neighborhoods to lower-density areas. Lower-density areas could range from less than one unit per acre to three units per acre. Higher-density housing could range from four units per acre up to 20 units per acre. Higher-density areas could contain small lot single-family homes, townhomes, small apartment houses, and large residential buildings and apartments above retail or office uses.

Barriers to Legalizing & Permitting ADUs

4. Not agreeing on policy, enacting policies that are too restrictive and cumbersome
 - High fees, difficult & subjective review processes, ownership restrictions, lot size restrictions that significantly limit where ADUs can be built

Common ADU Regulations

- Minimum lot sizes (varies);
- Off-street parking requirements (1 space per unit);
- Maximum floor areas (600 – 900 sq. ft.);
- Ownership & occupancy requirements (property owner must live on the property) – sometimes enforced with a restrictive covenant;
- Restrictions on the length of rentals (prohibition on short-term rentals);
- Permanence of structures (no trailers, RVs, or temporary structures);
- Design and aesthetic requirements (architecturally compatible with the area, screening for detached ADUs);
- Review/approval process (conditional use, permitted by-right with restrictions)

Where are ADUs Permitted in Ohio?

- Cincinnati
- Dayton
- Bowling Green
- Yellow Springs
- Westerville

Note: This is not an exhaustive list

Example ADU Regulations in Ohio

Jurisdiction Requirement	Where Permitted?	Conditional Use?	Tenure Restrictions?
Cincinnati	Most Districts	No	Owner of lot or a designated “responsible person” must live on the property, requires restrictive covenant
Dayton	SF Districts	Yes	No
Westerville	Residential Districts	<u>By-right</u> : Olde Westerville Overlay <u>CU</u> : All other districts	Owner of lot must live on the property, requires restrictive covenant
Yellow Springs	All residential districts	Yes	No more than 2 adults, can be used as STRs

Note: This is not an exhaustive list

Considerations When Crafting ADU Policies

- Comprehensive plan goals and policies may need to be updated;
- Zoning restrictions (use restrictions, setbacks, parking, maximum floor area requirements, maximum lot coverage requirements);
- Tenure/occupancy restrictions;
- Rental term restrictions (short term vs. long-term);
- Aesthetics and design requirements (infill within developed neighborhoods);
- Permeance requirements (i.e. not permitting the use of mobile living units);
- Fast-track programs – pre-designed detached ADUs, expedited permitting, waived or low permit fees, etc...

Conclusions

- ADU development is in its infancy in Ohio;
- Interest in ADU construction will likely continue to grow;
- Have a public process to gauge interest and discuss and address concerns (i.e. parking, congestion, aesthetics, screening, ownership requirements);
- If the desire is to permit ADUs, starting slow is an option (limited in area or timeframe, owner-occupant requirements);
- If issues arise, the code can be adjusted;
- ADUs are expensive to build (\$60,000 - \$225,000, average ~\$180,000). Permitting them will not result in overnight changes.

Cost source: <https://www.angi.com/articles/how-much-do-adu-costs.htm>, retrieved 7/19/2024

Reforming Existing ADU Policies

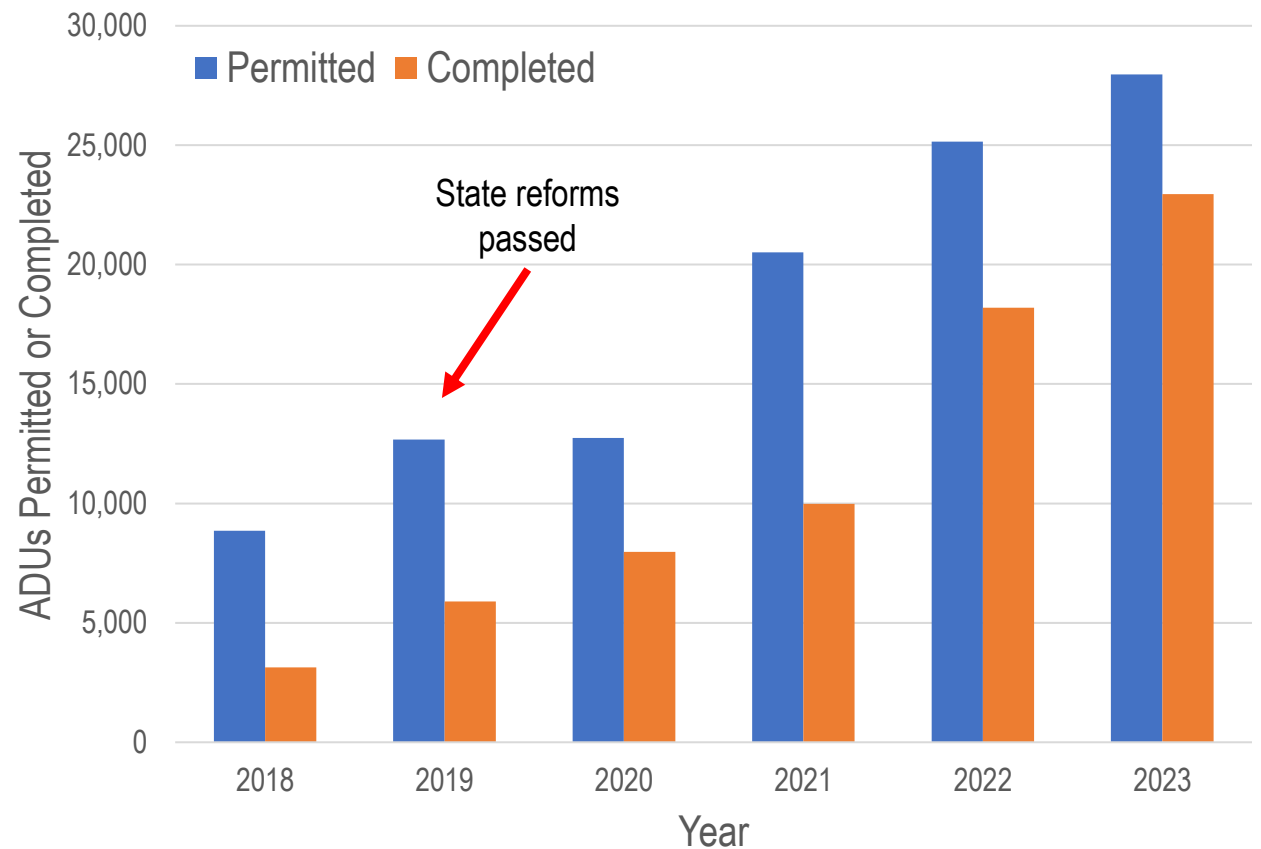
ADU reform in California (2019)

- Required ADUs to be permitted on land zoned for single & multi-unit housing;
- Required approval within 60 days of application;
- Required cities to plan for how to increase housing construction;
- Prohibited cities from using minimum lot sizes to prevent construction of ADUs;
- Got rid of impact fees for ADUs below a certain size;
- Banned the use of owner-occupancy rules for 5 years.

Sources: Calder & Gygi (2023), Retrieved 7/19/2024
<https://www.cato.org/blog/results-accessory-dwelling-unit-reform-so-far>

California Department of Housing & Community Development. Retrieved 7/18/2024
<https://www.hcd.ca.gov/planning-and-community-development/housing-open-data-tools/housing-element-implementation-and-apr-dashboard>

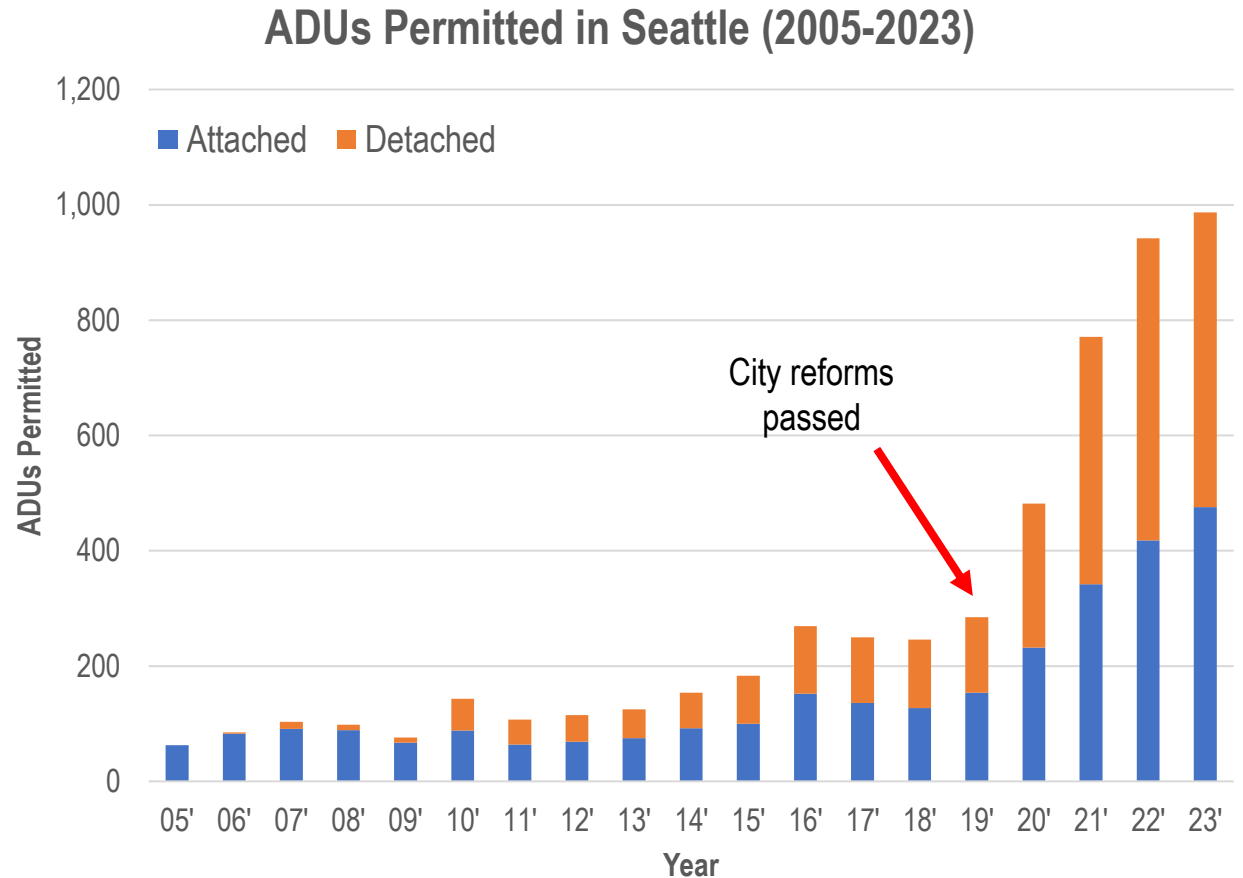
ADUs Permitted in California (2018-2023)



Reforming Existing ADU Policies

ADU reform in Seattle, WA (2019)

- Permitted up to two ADUs per lot;
- Removed owner-occupancy requirement;
- Lowered minimum lot sizes and eliminated parking requirements



Sources: <https://www.cato.org/blog/results-accessory-dwelling-unit-reform-so-far>

<https://www.seattle.gov/documents/Departments/OPCD/OngoingInitiatives/EncouragingBackyardCottages/OPCD-ADU-Report-2023.pdf>

Questions? Comments?

Important Resources

AARP ADU Resources:

<https://www.aarp.org/livable-communities/housing/info-2019/accessory-dwelling-units-adus.html>

Lemar. “How Owner-Occupancy Regulations are Contributing to the Housing Crisis”. (2022).

<https://www.brookings.edu/articles/how-owner-occupancy-regulations-are-contributing-to-the-housing-crisis/>

Seattle ADU page:

<https://www.seattle.gov/sdci/permits/common-projects/accessory-dwelling-units>

Federal Reserve Economic Data (FRED):

<https://fred.stlouisfed.org/>

Calder. “The Promising Results of Accessory Dwelling Unit Reform” (2023)

<https://www.cato.org/blog/results-accessory-dwelling-unit-reform-so-far>

Cincinnati ADU webpage:

<https://www.cincinnati-oh.gov/planning/adus/>