



Trends in Zoning Codes: Accessory Dwelling and Micro Apartment Units

Introduction



- Work on zoning code publishing solutions over 3,800 codes in 42 states
- APA Member for 7 years
- Attend 12+ APA events/ Year
- Speak at 6-8 APA events/ Year
- Delivered for credit sessions in New York in 2021
 - NYSTCA session on zoning code trends
 - APA Upstate NY session on Innovative Zoning Code solutions

Agenda

- Why Consider Accessory Dwelling Units?
- ADU Types
- Pros and Cons
- Common Regulatory Barriers
- Zoning for Micro Housing



Accessory Dwelling Units

- An accessory dwelling unit (ADU) is a smaller, independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached) single-family home



Accessory Dwelling Units

- Also known as...
 - Auxiliary Dwelling Units
 - Secondary Suites
 - “Mother-in-laws”
 - “In-law suites”
 - SDUs
 - Multi-Generational Houses
 - Granny Flat
 - “In-law Unit”



Definitions

■ Two units, one owner

- An ADU is, by definition, part of the same property as the main home.
- By definition, the ADU can't be bought or sold separately from the main home.
- This can create an unusual situation — a 2-unit property on a street that is zoned “single family residential.”
- Lima code currently does not allow ADUs

■ Illegal units exist

- Unpermitted ADUs appear to be more plentiful than legal ones]
- These ADUs are hard to characterize because they are “off the record
- Promotes potentially unsafe living conditions



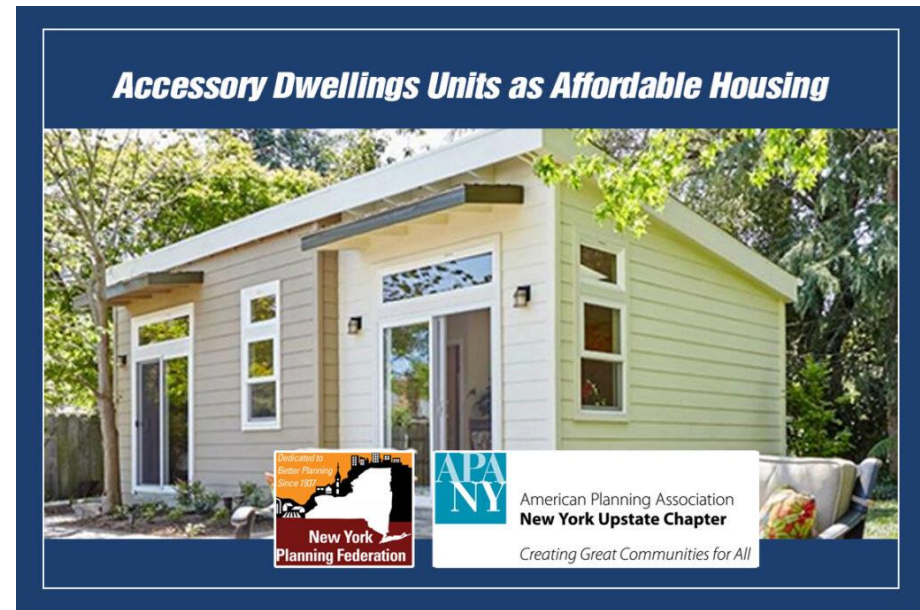
Why Consider ADUs?

- New York State is considering legislation to DIRECT local governments to create local ADU laws
 - S4547A is currently in committee
 - Referred to judiciary Jan 5, 2022
- It is better for Lima to have this conversation now
- Two states in the US have already take local control away regarding the ADU issue- CA and OR



Why Consider ADUs?

- Some of our neighbors have already incorporated ADUs into their zoning codes:
 - Town/ Village of Livonia
 - Village of Geneseo
 - Village of Honeoye Falls
 - Village of Perry
 - Town of East Bloomfield

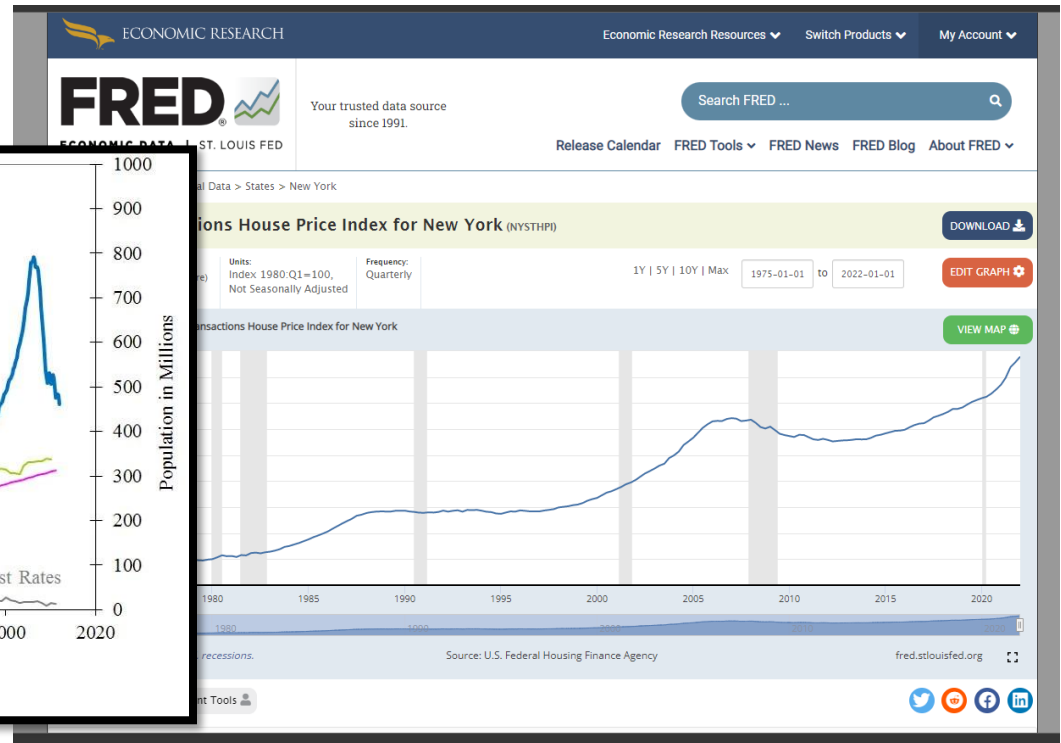
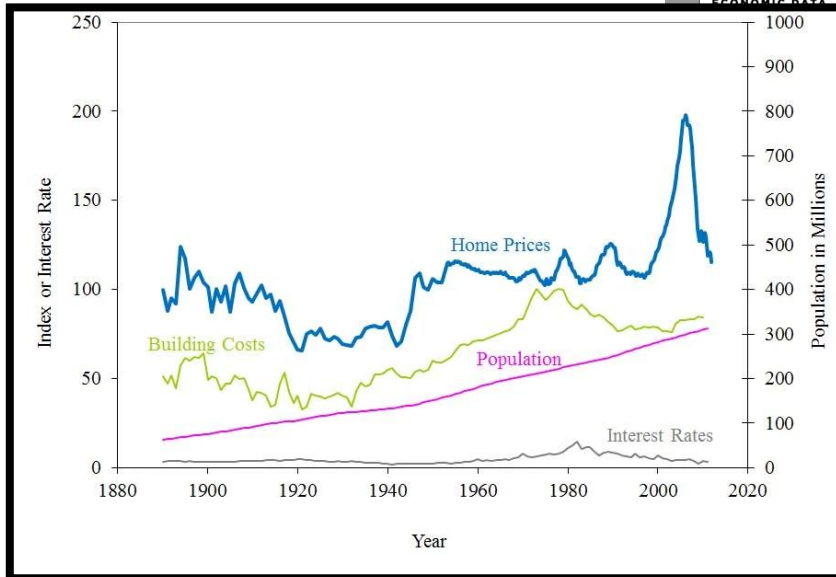


Why the Demand?



Why the Demand?

- Single Family Home prices SKYROCKETING
- Wages not keeping pace with COL
- Energy and maintenance costs of SFHs



Why the Demand?

- Residential Realities of Gen Z, Millennials
 - Are having difficulty saving enough for home down payments
 - Prefer close proximity to work/ recreation vs. traditional SFH's
 - Prefer “low maintenance” lifestyle vs. traditional SFH ownership
- The Federal Bank of New York found that 41% or LESS of current renters believe that they will own a home one day.
 - Lowest score since the survey began in 2014

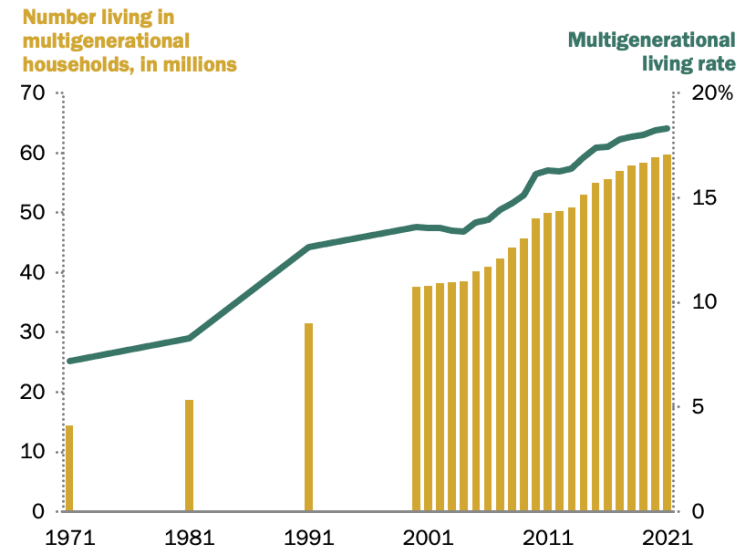


Why the Demand?

- Aging in Place or Downsizing by Boomers and Gen X
 - Movement away from nursing homes- return to pre-20th century norms- multi-generational homes
 - Values changing regarding connections to family members and community
 - **41%** of Americans buying a home today are considering accommodating an older parent or an adult child

U.S. population in multigenerational households quadrupled since 1971

Number and % of people who live in multigenerational households in U.S.



Note: Multigenerational households include at least two generations of adults mainly 25 and older or grandparents and grandchildren younger than 25.

Source: Pew Research Center analysis of Current Population Survey Annual Social and Economic Supplement (ASEC) data files for 1971, 1981, 1991, and 2000-2021 (IPUMS). "Financial Issues Top the List of Reasons U.S. Adults Live in Multigenerational Homes"

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Why the Demand?

- Property Owner Economics
 - Renting out a portion of one's property can provide them with the means to remain in their homes in times of rising costs and taxes
- Municipal Economics
 - Allowing ADU's increases residential density W/O new development, supporting lower costs for services- water, sewer, fire protection, police, etc..



ADU Types



DETACHED



ATTACHED



ABOVE GARAGE



INTERIOR (LOWER LEVEL)



INTERIOR (UPPER LEVEL)



GARAGE CONVERSION

Accessory Dwelling Units (ADUs) come in many shapes and styles. Illustrations by RPA, based on AARP's ABCs of ADU's Guide.



ADU Types

- Single room occupancy- shared kitchen/baths
 - Students, younger, older, group home settings
- Efficiency units- Full kitchens, baths
- “Micro Units” < 400 sq. ft. – no official definition
- Stand alone structures, fully independent from primary residence



Pros and Cons

■ PROs Cited

- Affordable housing options vs. SFH or Multi-family housing
- Accommodates lifestyle preferences and aging in place
- Makes primary home ownership more affordable
- Lowers costs of government services- concentrates infrastructure
- Creates more density and greater support for local businesses
- Supports “walkable” lifestyles- lower energy consumption
- Improves community engagement
- Reduces development stress on agricultural lands



Pros and Cons

■ CONs Cited

- Neighbors did not sign up for this density when they bought
- Lower property values
- Parking problems
- Quality of life decline- noise, behavior
- Strain on services- water, sewer, trash collection
- Transient nature of neighbors
- Changing character of neighborhood



Pros and Cons

- Beware of ANYONE stating certainty of outcome regarding ADUs at this point in time- it is a relatively NEW development initiative, with little data proving anything- PRO or CON. We only have anecdotes
- Portland, OR is the “ADU leader” in the USA, and only 1% of eligible lots in the city contain ADUs at this time



Common Regulatory Barriers

- Local building code compliance- sq. feet per occupant
- Zoning
 - Minimum unit sizes (sq. ft.)
 - Minimum lot area per unit
 - Minimum off street parking requirements
 - ADU as an allowable use in SFH residential districts
- Chassis-mounted tiny homes categorized as “RVs” may be prohibited outside of designated vehicle parks



Zoning for Micro Housing

- Remove ambiguity and establish clear use permissions
- Create a limited modification/exemption to existing regulations
- Requirement for use permits
- Use-specific standards- space, owner/ occupancy, utilities, common areas, parking
- May require related changes to the municipal code- e.g. accommodation for more non-automobile transportation modes such as golf carts, scooters, skateboards



Q&A



Thank You

