

Item #3

Accessory Dwelling Units

REVIEW OF PROPOSED TEXT AMENDMENTS TO THE UNIFIED
DEVELOPMENT CODE (UDC) RELATED TO ACCESSORY DWELLING UNITS

PLANNING COMMISSION PUBLIC HEARING

JULY 28, 2021



UDC Amendment to allow ADUs

Proposal:

Amend the Unified Development Code to allow Accessory Dwelling Units in the City of Tucson. The proposal would:

- Allow one ADU per residential lot
- Limit maximum size to 1000 SF (>7,000 SF lots) or 750 SF (<7,000 SF lots)

Revised based on feedback from public

- Requires 1 parking space w/ waivers for proximity to transit and bike routes
- Require a cool roof

Extensive public process to inform proposal

- 8 stakeholder meetings
- 7 public meetings with 400+ attendees
- 78 online comments
- 275 survey responses

Mostly positive response from our community

- 72% either strongly or somewhat agree that the proposal will benefit the community

Some concerns related to the following:

- ADU size
- Owner-occupancy
- Historic preservation
- Short-term rentals
- Affordability
- Parking

Mayor and Council Direction

- On November 17, 2020, the City of Tucson Mayor and Council held a study session to begin the process to revise the Unified Development Code (UDC) to allow for Accessory Dwelling Units
- At that meeting they provided the following direction for staff:
 - “initiate an amendment to the Unified Development Code which would define and permit Accessory Dwelling Units, identify the zones where they appropriate and create development standards regulating unit size, height, minimum lot size, maximum lot coverage, setbacks, parking requirements and other relevant aspects in order to promote this accessible and attainable housing option in a manner that is compatible with existing neighborhoods,
 - begin public outreach on this amendment; inclusive outreach to hear from a variety of constituents, which includes often overlooked communities such as communities of color, low income communities, renters, homeowners, and other stakeholders, and
 - return to Mayor and Council with a proposed amendment by June 2021.”

Accessory Dwelling Units

What is an Accessory Dwelling Unit?

- An Accessory Dwelling Unit (ADU) is an independent housing unit with its own **KITCHEN**, bathroom, living and sleeping space.
- These units are typically under 1,000 square feet and are accessory to a primary residence.

Also known as a:

- Casita
- Mother-in-law unit
- Granny Flat
- Backyard Cottage
- Carriage House

Accessory Dwelling Units

Types of Accessory Dwelling Units

ADUs can be detached, attached, or a separate space within the primary house

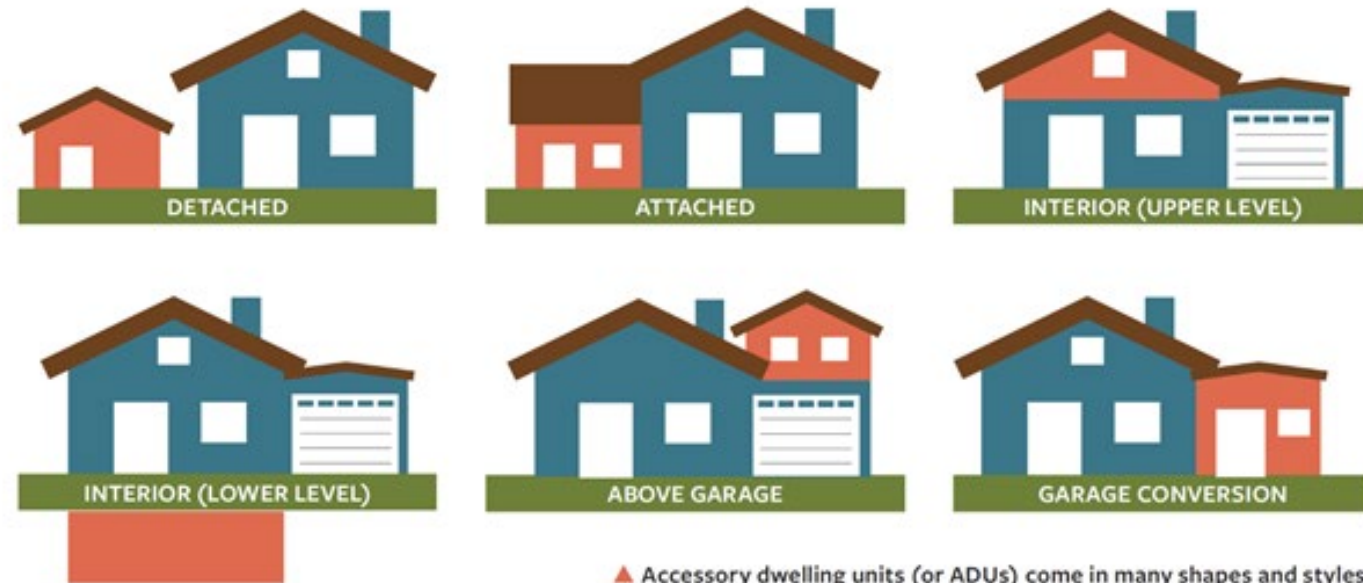


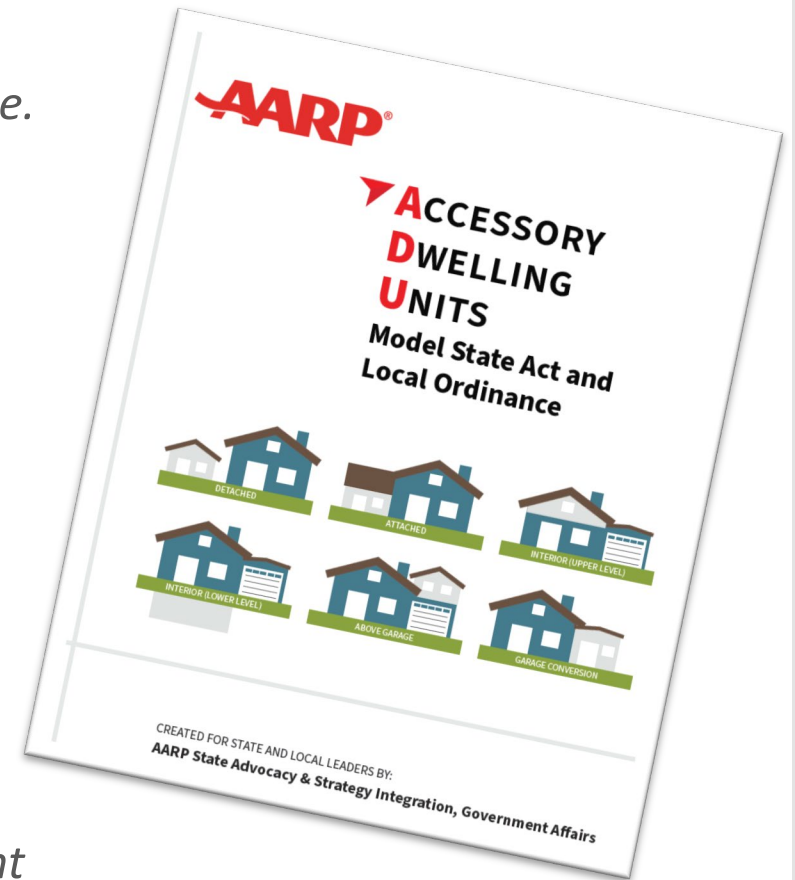
Image Source: The ABCs of ADUs: A guide to Accessory Dwelling Units and how they expand housing options for people of all ages (AARP)

	<u>Flagstaff, AZ</u>	<u>Durango, CO</u>	<u>Tempe, AZ</u>	<u>Portland, OR</u>	<u>Minneapolis, MN</u>	<u>San Diego, CA</u>	<u>Los Angeles, CA</u>	<u>Fairfax County, VA</u>
Size	33% of principal residence and ADU shall not exceed 600 sqft in GFA	Floor area should not exceed 550 sqft unless ADU is located in basement	Floor area of ADU cannot exceed 800 sqft.	> 75% of the living area of the house or 800 sqft, whichever is less.	800 sqft (internal or attached); 1,600 sqft detached gross floor area - 1,000 sf maximum footprint	1,200 sqft for ADU. May have second junior accessory dwelling unit (500 sf).	Maximum detached ADU size 1,200 sqft.	Maximum ADU size of 1,200 sqft
Height	Max: 24ft.	Max: 18ft.	Zone	Max: 20 ft.	Max: 21 ft	Zone	Max: 2 stories	Zone
Parking	1 off-street parking space required	1 off-street parking space required	No additional parking required	No additional parking required	No additional parking required	No additional parking required	1 space required per ADU unless within one-half mile of transit, near carshare, or in a historic district.	1 space required per ADU with allowance for public on-street parking
Occupancy by Owner	Property owner must occupy either the primary residence or the ADU	Property owner must occupy either the primary residence or the ADU	Not specified	No owner occupied requirement	No owner occupied requirement	No owner occupied requirement	No owner occupied requirement	Property owner must occupy either the primary residence or the ADU
Number of ADUs Per Lot	1 ADU per lot	1 ADU per lot	1 ADU per lot	2 ADUs allowed per lot	1 ADU per lot	1 ADU per lot*	1 ADU and 1 JDU per lot	1 ADU per lot
Number of Occupants	2	Occupancy of lot is limited to one "family" or 5 unrelated people	Not specified	Total allowed for a household (per Portland's zoning code)	Not specified	Not specified	Not specified	Limited to two bedrooms and two people total.

ADUs in other Municipalities

AARP Model Ordinance

- *ADU may be any size that is smaller than primary structure. Recommended maximum of 800 square feet when the primary dwelling is smaller than that size. (Burlington, VT)*
- *25 feet in height – option for limit to principal structure*
- *4 foot setbacks*
- *No owner-occupied requirement*
- *No off-street parking*
- *Limit discretionary processes*
- *Design standards, landscaping, etc. – should be held to same standards as primary structure*
- *Overall - regulations should be consistent between ADU regs and all residential regs in the City*



	2016	2017	2018	2019	Population	ADUs per 1000 people
San Diego	9	13	61	202	1,400,000	0.14
San Jose	38	92	192	416	1,028,000	0.40
Portland	495	458	531	300	645,291	0.46
San Francisco	177	163	404	509	874,961	0.58
Austin	334	348	363	379	950,807	0.40
Encinitas	35	35	55	103	62,780	1.64
Flagstaff	7	14	13	33	72,402	0.45

of ADUs permitted in other Municipalities



Affordable Housing



Housing Options for Seniors



Climate Action and Resiliency

What are some of the reasons for this code amendment?

Overview of Stakeholder Meetings

December

- Background and goals for code amendment
- Case studies from other communities
- Project timeline

January

- Current Zoning Regulations
- Goal and Issue Prioritization

February

- ADU example scenarios
- Maintain lot coverage and height regulations
- Explore flexible setbacks
- ADU size restriction

March

- Owner-Occupancy
- Group dwellings
- Short-term Rentals

April

- Affordable Housing
- Parking

May

- Review of Draft Proposal

June

- Review of Draft Code Amendment

July

- Review Planning Commission Study session
- Max ADU size revisions
- Supportive Programs

Goals

Goals for code amendment as prioritized by stakeholder group:

1. Increase the supply of affordable housing
2. Encourage flexible housing options for seniors who wish to age in place
3. Support multi-generational households
4. Support climate-resilient and sustainable infill development that supports multi-modal transportation
5. Provide supplemental income to landowners and support local economic stability
6. Allow diverse and flexible housing options within a neighborhood and promote mixed-income communities
7. Permit a housing style that already exists in our community and provide a legal avenue for upgrades
8. Retain neighborhood character

Issues to be Addressed

Issues to be Addressed

- Appropriate districts and size and site standards for ADUs – building area, height, setbacks
- Occupancy – rentals, group dwellings, short-term rentals
- Parking and vehicular access
- Affordability and cost to develop an ADU
- Speculation and impact on property values/taxes
- Privacy mitigation
- Enforcement and monitoring
- Sustainability and heat island effect
- Building standards
- Historic Standards and compatibility

ADUs - What We've Heard



8 meetings of the 40-member stakeholder group



400+ people attended 3 public meetings in February & 4 public meetings in May



76 online comments received



275 survey responses received

Mostly positive feedback to date with concerns about:

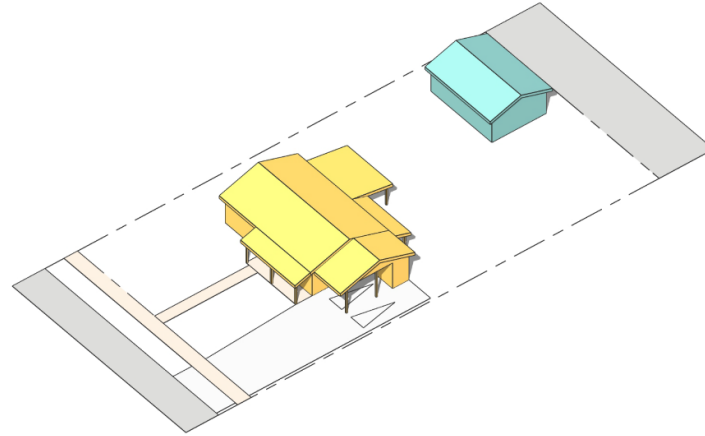
- ADU Size
- Impact on Historic
- Affordability
- Sustainability and Urban Heat Island effect
- Owner occupancy requirement

Draft ADU Code
Amendment
Proposal



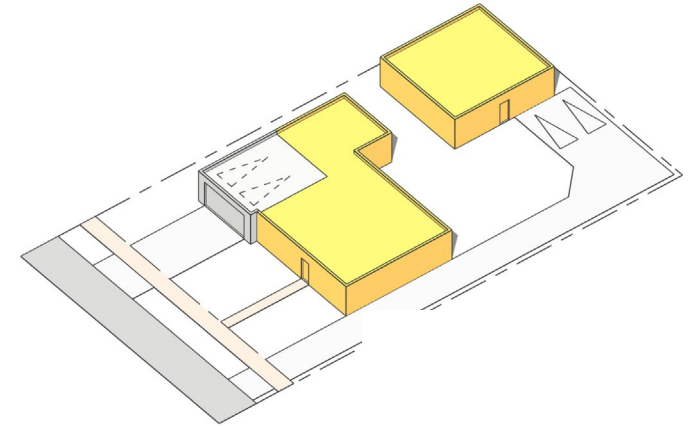
What is Allowed today

Sleeping Quarters



- Allowed on any residentially zoned parcel with residential use
- Size limited to 50% of size of principal structure
- Kitchenette allowed
- No additional parking required
- Max building height of 12' unless attached to principal structure

Second Residential Units

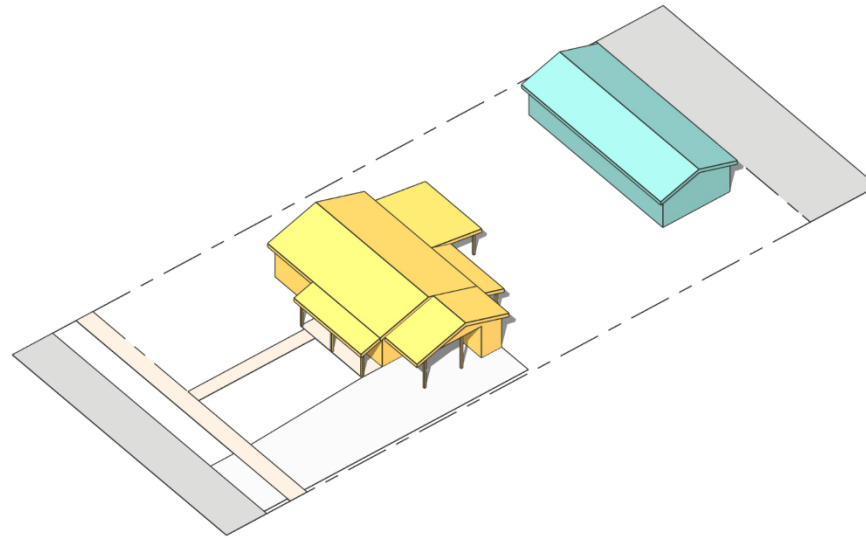


- Allowed in R-1, R-2, & R-3 zones based on lot size
- No size limit (25% difference from primary structure in R-1)
- Full kitchen allowed
- Parking required
- Max building height same as primary dwelling (25')

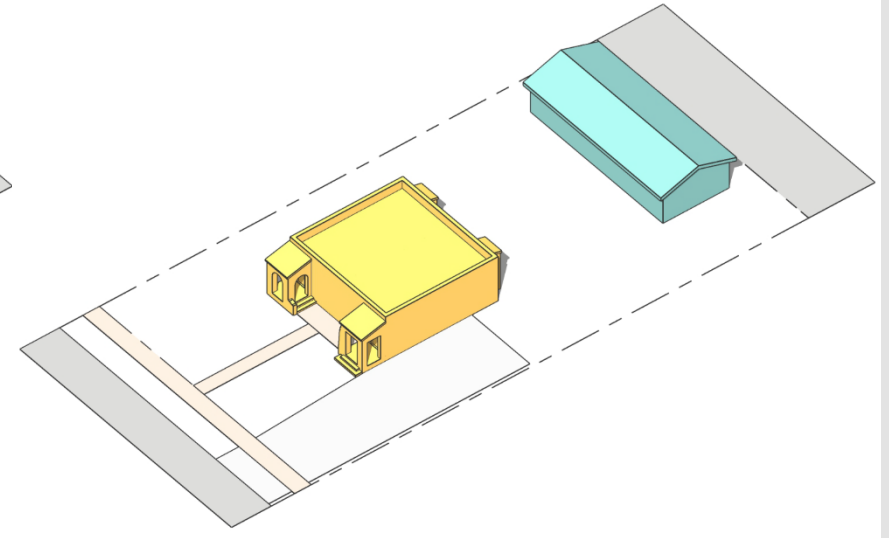
Draft Proposal: Where can you build an ADU?

Proposed regulation:

- All lots with single-family or two-family residences may add one ADU
- For existing homes in newer subdivisions, single-family residences may have one ADU, so long as it meets lot coverage requirements of zone
- For new subdivision, ADUs count as .5 units for density calculations.



Single-Family + ADU

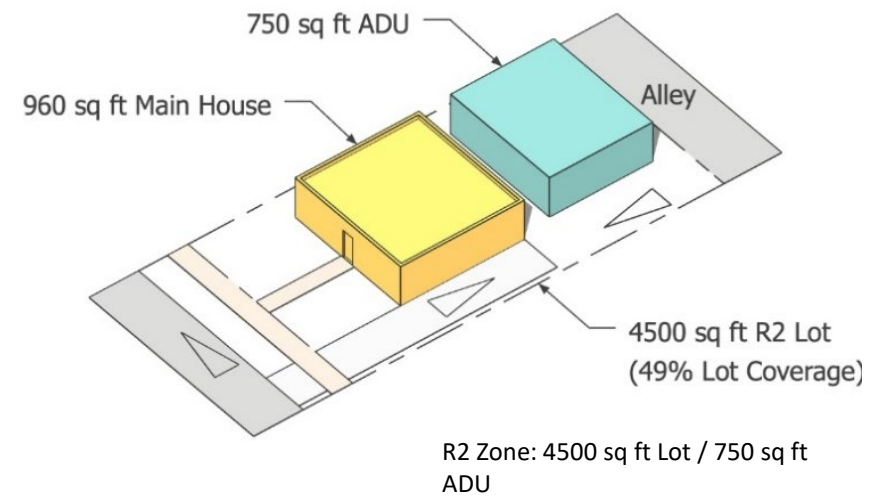
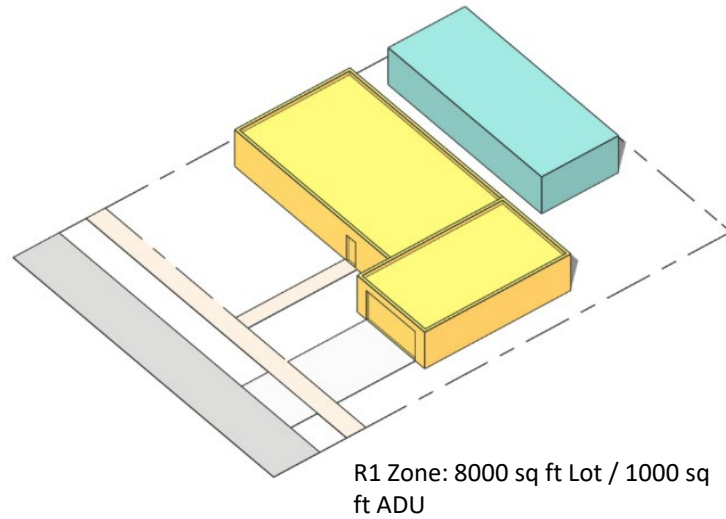


Two-Family + ADU

Draft Proposal: Building Size

Proposed regulation:

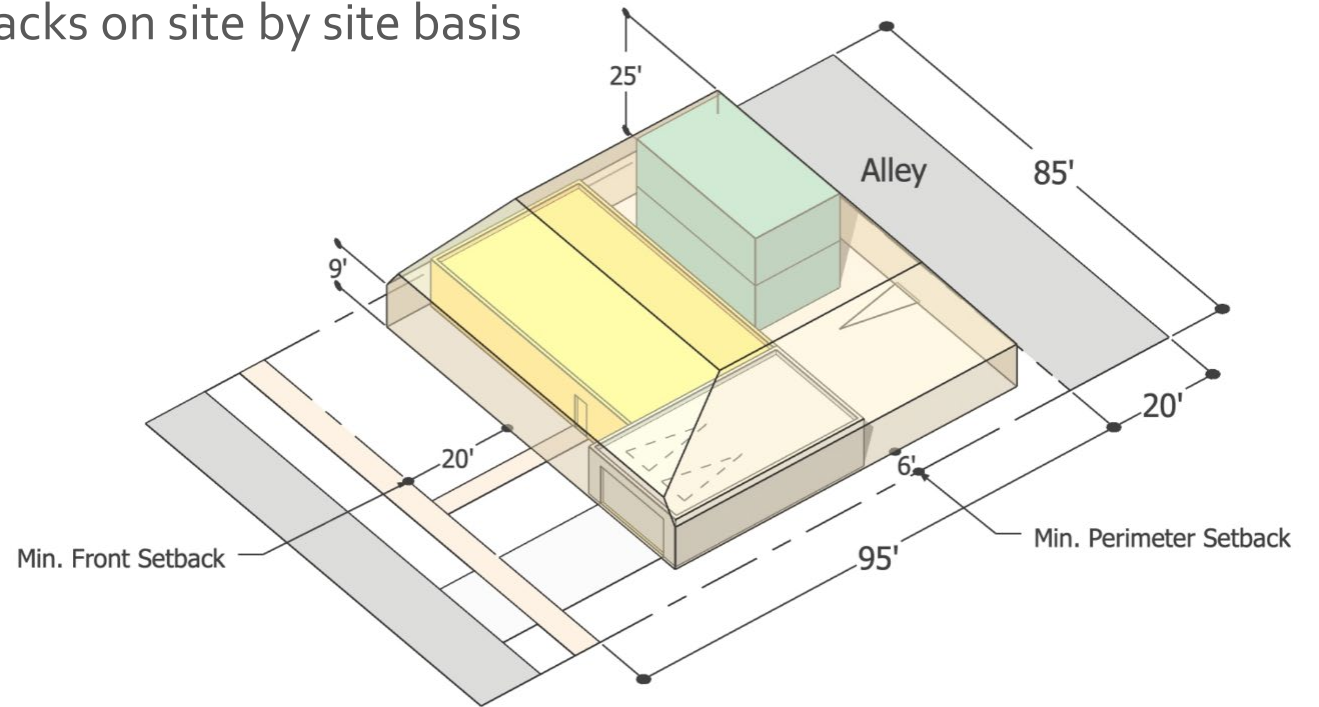
- 1,000 SF maximum size ADU for lots 7,000 SF or greater
- 750 SF maximum size ADU 7,000 SF or less



Draft Proposal: Setbacks and development standards

Proposed Setbacks and Dimensional Standards:

- No proposed changes to setbacks, maximum building height or maximum lot coverage
- Existing Design Development Option (DDO) provides an avenue to reduce setbacks on site by site basis

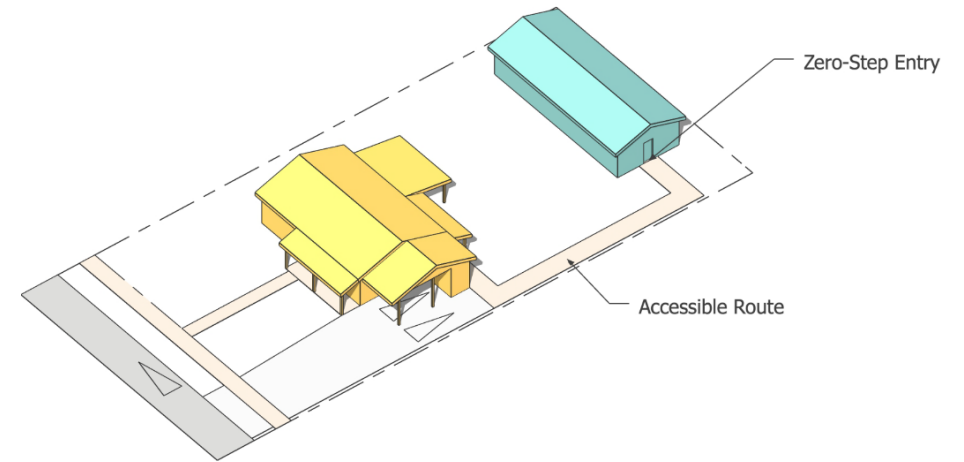


Existing Setbacks/Height Limits

Draft Proposal: Building Standards

Existing Building Standards:

- ADUs must be built on a permanent foundation
- ADUs must comply with Inclusive Home Design regulations such as zero step entry, grab bars, etc.



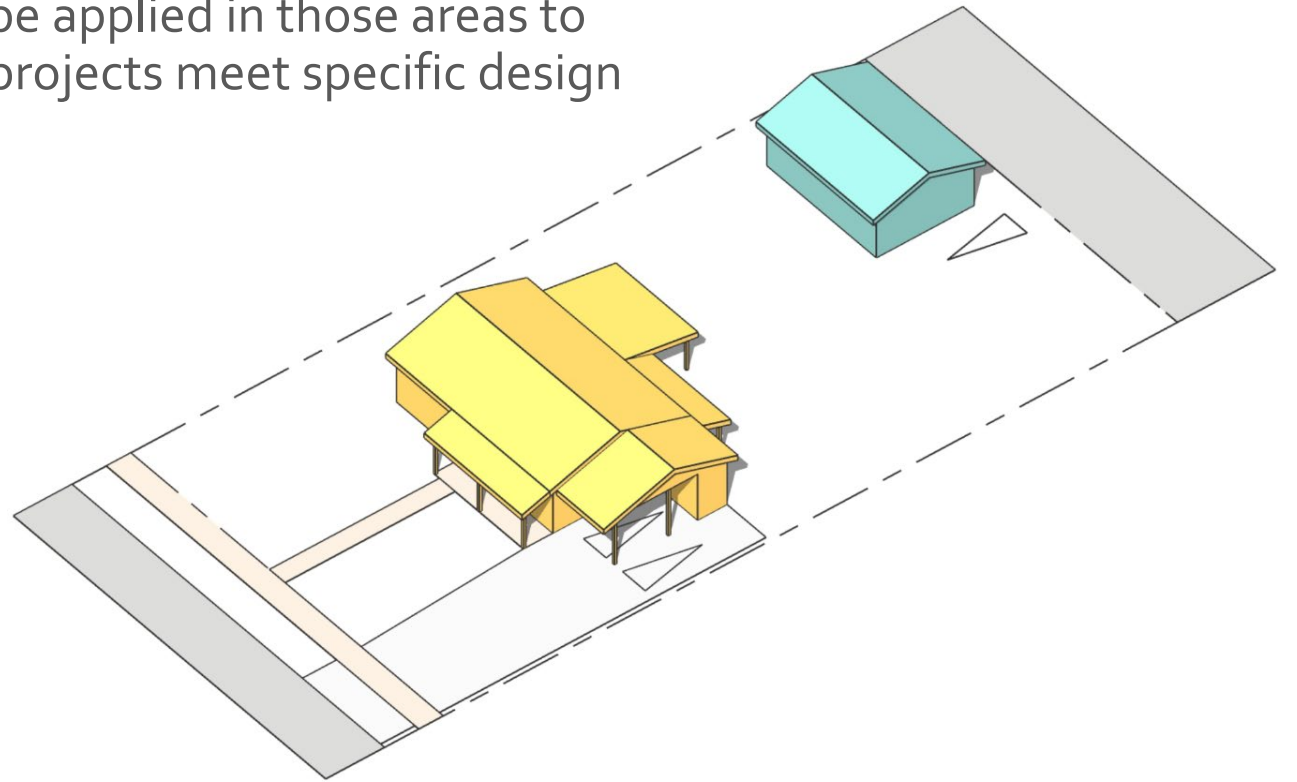
Inclusive Home Design: Accessibility Features

Draft Proposal:

Privacy Mitigation / Historic Design Standards

Proposed regulation:

- Historic Preservation Zone (HPZ) and Neighborhood Preservation Zone (NPZ) design standards and review process will continue to be applied in those areas to ensure that projects meet specific design standards

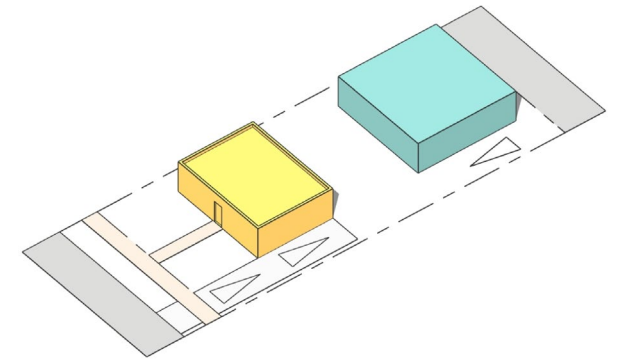


NPZ Standards Applied

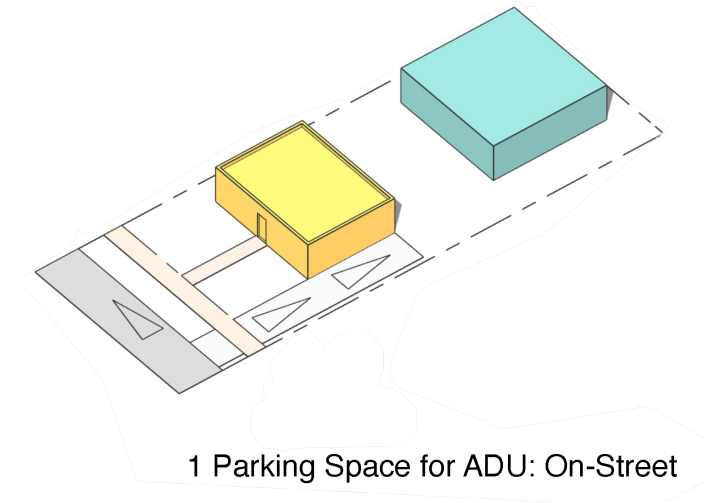
Draft Proposal: Parking

Proposed parking regulations:

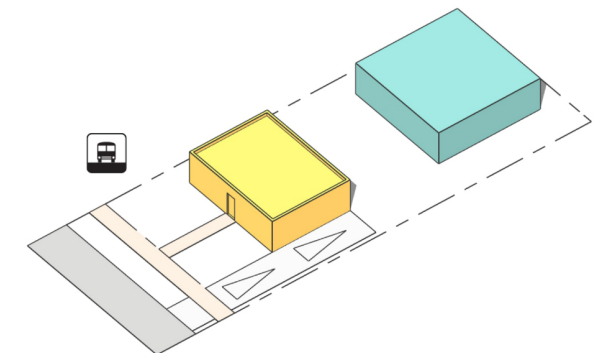
- 1 parking space required per ADU
- Requirement may be satisfied through on-site or on-street parking (on-street may require use of the City's Parking Permit program)
- Parking requirement can be waived based on proximity to transit or bike boulevards
- Parking may be accessed from alleys per UDC regulation
- parking requirements for sites with 5+ bedrooms in R-1 zones only triggered through on-site parking



1 Parking Space for ADU: On-Site (Alley-Loaded)



1 Parking Space for ADU: On-Street



ADU Parking Not Required: Proximity to Transit

Draft Proposal:

ADU Occupancy

Proposed regulation:

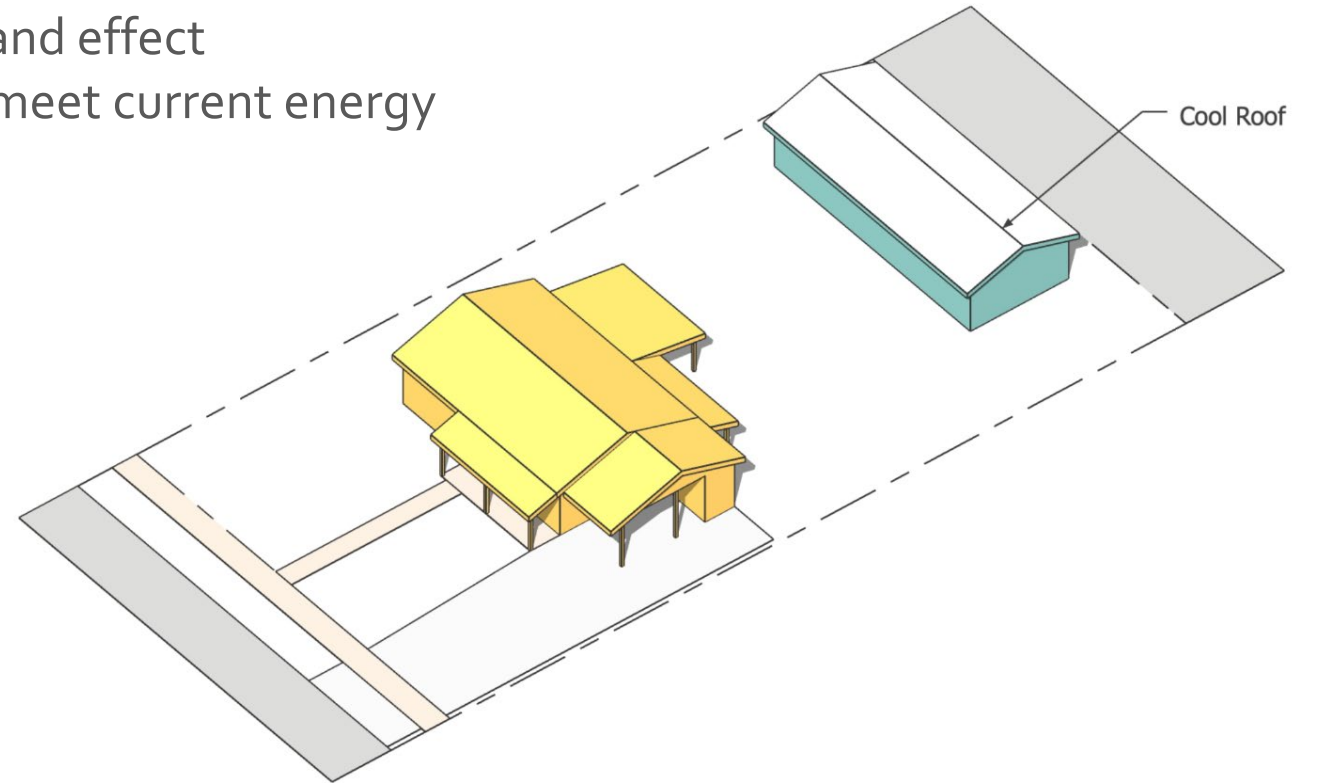
- No proposed owner-occupancy requirement
- Occupancy of ADUs must comply with group dwelling regulations



Draft Proposal: Sustainability

Proposed regulation:

- All new ADUs must be developed with a cool roof to address the Urban Heat Island effect
- Projects must meet current energy code



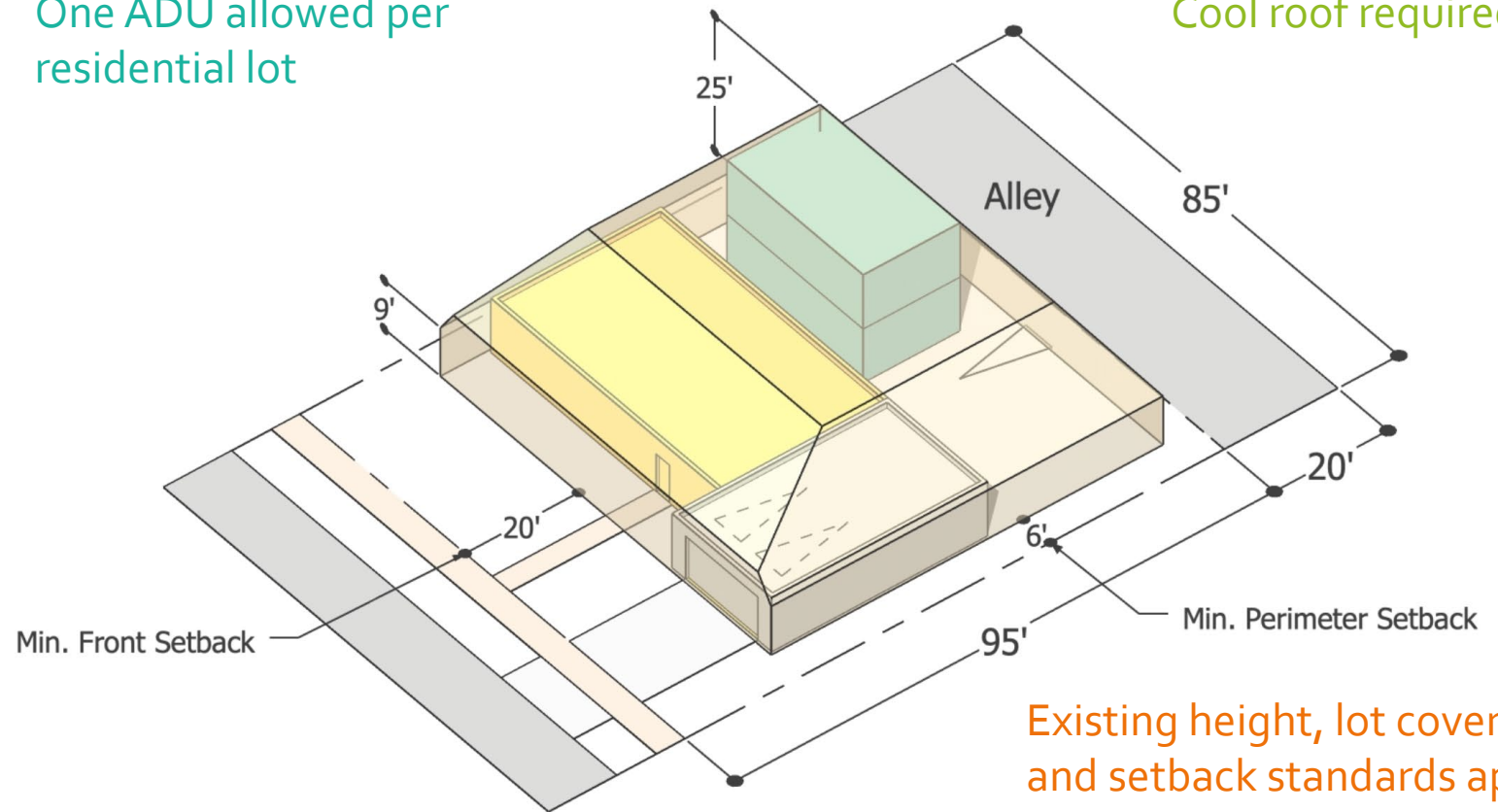
Cool Roof Required for ADU

Summary of ADU Proposal

One ADU allowed per residential lot

1,000 SF maximum ADU

Cool roof required

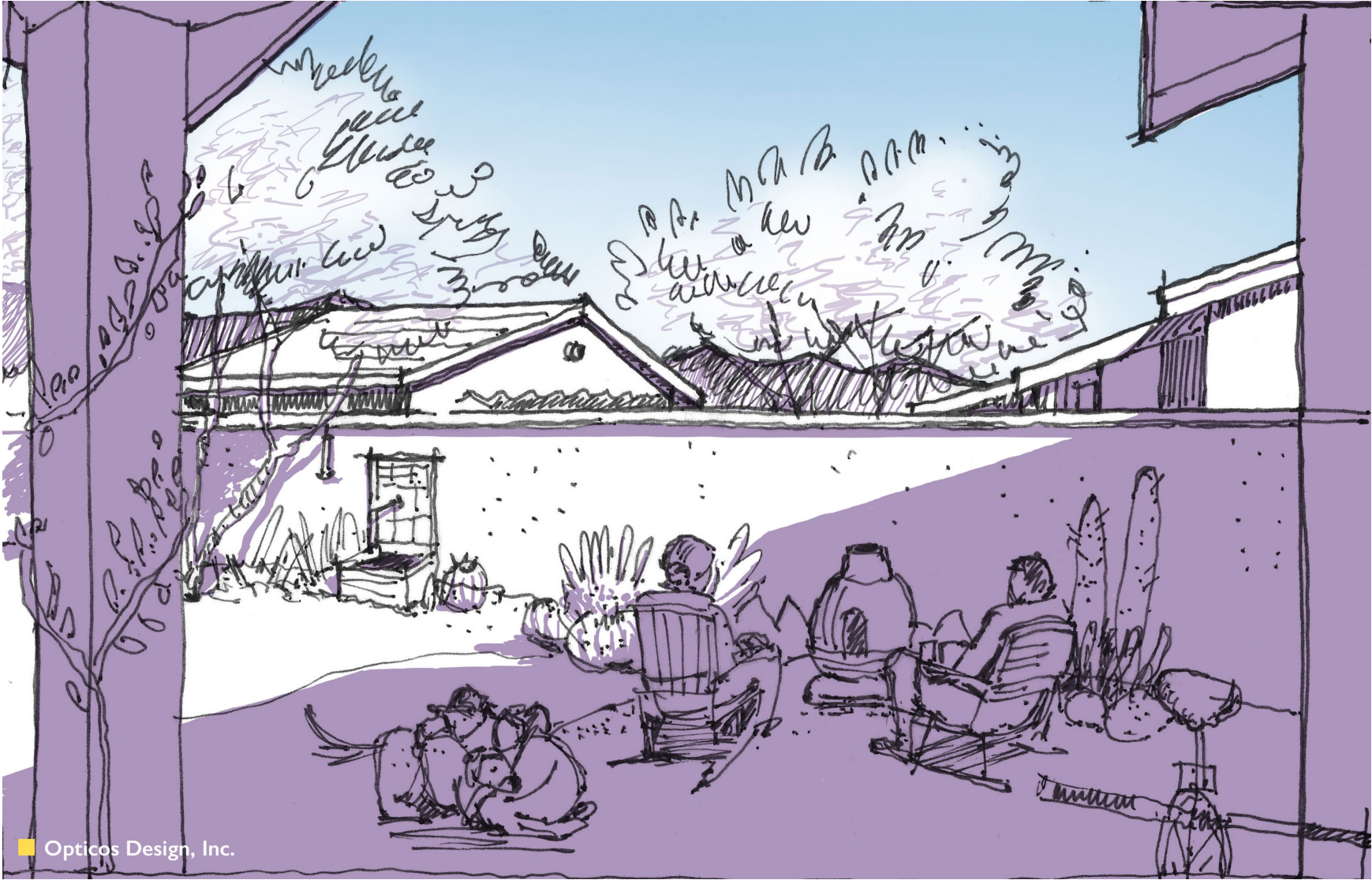


Existing height, lot coverage and setback standards apply

1 parking space required per ADU w/ reductions for transit access and use of on-street parking allowed

No owner-occupancy requirement

Perspective Drawings (1-story ADU)



Perspective Drawings (2-story ADU)



ADU Supportive Programs:

Affordable Housing

Proposal:

Partner with Cuadro/Pima County Community Land Trust to conduct outreach and provide technical assistance to low- and moderate-income households

Develop model plans that can be used to bring down costs

Explore local funding sources and options to provide financial assistance



1-Bedroom Garage Conversion + Modern-Inspired + Warm Neutral

How do ADUs provide affordable housing?

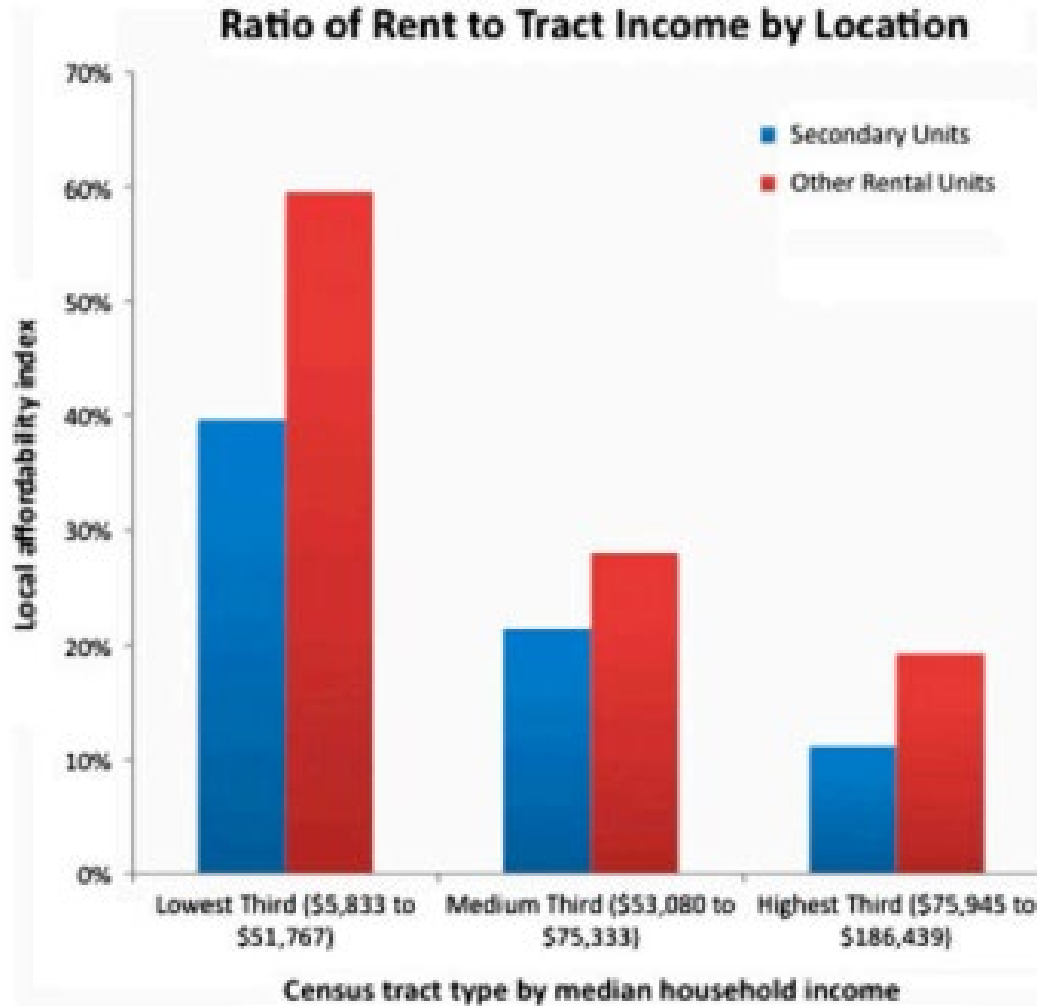
- Add to supply of housing for our community
- Market-rate ADUs tend to rent for less than is typical for the neighborhood where an ADU is located, promoting mixed-income neighborhoods¹
- Smaller units can be lower cost to rent
- Units can also be developed and rented for lower costs using subsidies or incentives
- Units can provide additional income for homeowner, making homeownership more sustainable and promoting neighborhood stability
- Many units are not rented on the market, instead serving as housing for family members or friends

¹Jake Wegmann & Karen Chapple (2014) Hidden density in single-family neighborhoods: backyard cottages as an equitable smart growth strategy, *Journal of Urbanism: International Research on Placemaking and Urban Sustainability*, 7:3, 307-329, DOI:10.1080/17549175.2013.879453

Relative Affordability of ADUs

- Regarding the question from Commissioner Fink at study session about relative affordability
- Study looked at provision of locally affordable housing by secondary unit (ADU) found the following:
 - Secondary units (ADUs) are likelier to provide rental housing that is affordable within its neighborhood context than rental housing in general.
 - “unlike absentee-owned rental housing, secondary units have the potential to provide an income stream to existing homeowners.”
- What does this mean?
 - “[secondary units] facilitate the entry of non-affluent residents into otherwise unattainable neighborhoods,”
 - “secondary units can further contribute to income diversity by helping existing homeowners age in place even amidst transformative life events such as job loss, retirement, and health setbacks”

Relative Affordability of ADUs (cont.)



ADU Supportive Programs:

Amnesty for unpermitted and guest houses

Proposal:

Amnesty program to be developed to create incentives to bring unpermitted ADUs into conformance with code and to convert existing guest quarters into ADUs



Initial Online Survey Results



Initial Online Survey Results

New survey was posted online after Public Meetings on Tuesday, March 25th

275 total responses

Survey is located here: <https://arcg.is/1SW9C9>

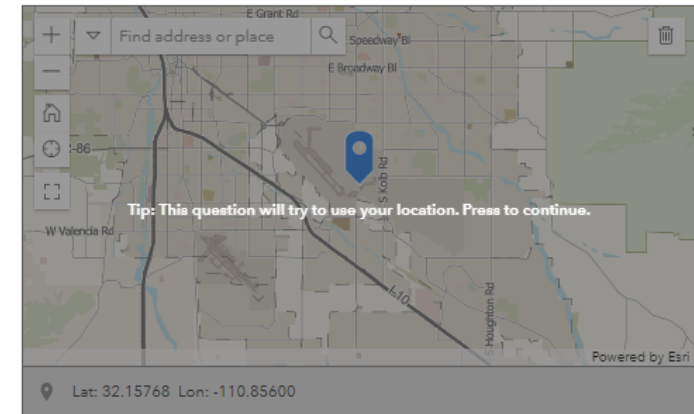
Accessory Dwelling Unit (ADU) Code Amendment Proposal

This is a survey on the proposed Accessory Dwelling Unit (ADU) Unified Development Code (UDC) code amendment as presented at the four public meetings in May. If you did not attend one of these meetings or would like to review the proposal again, please view the draft proposal [here](#).

Name

Email Address

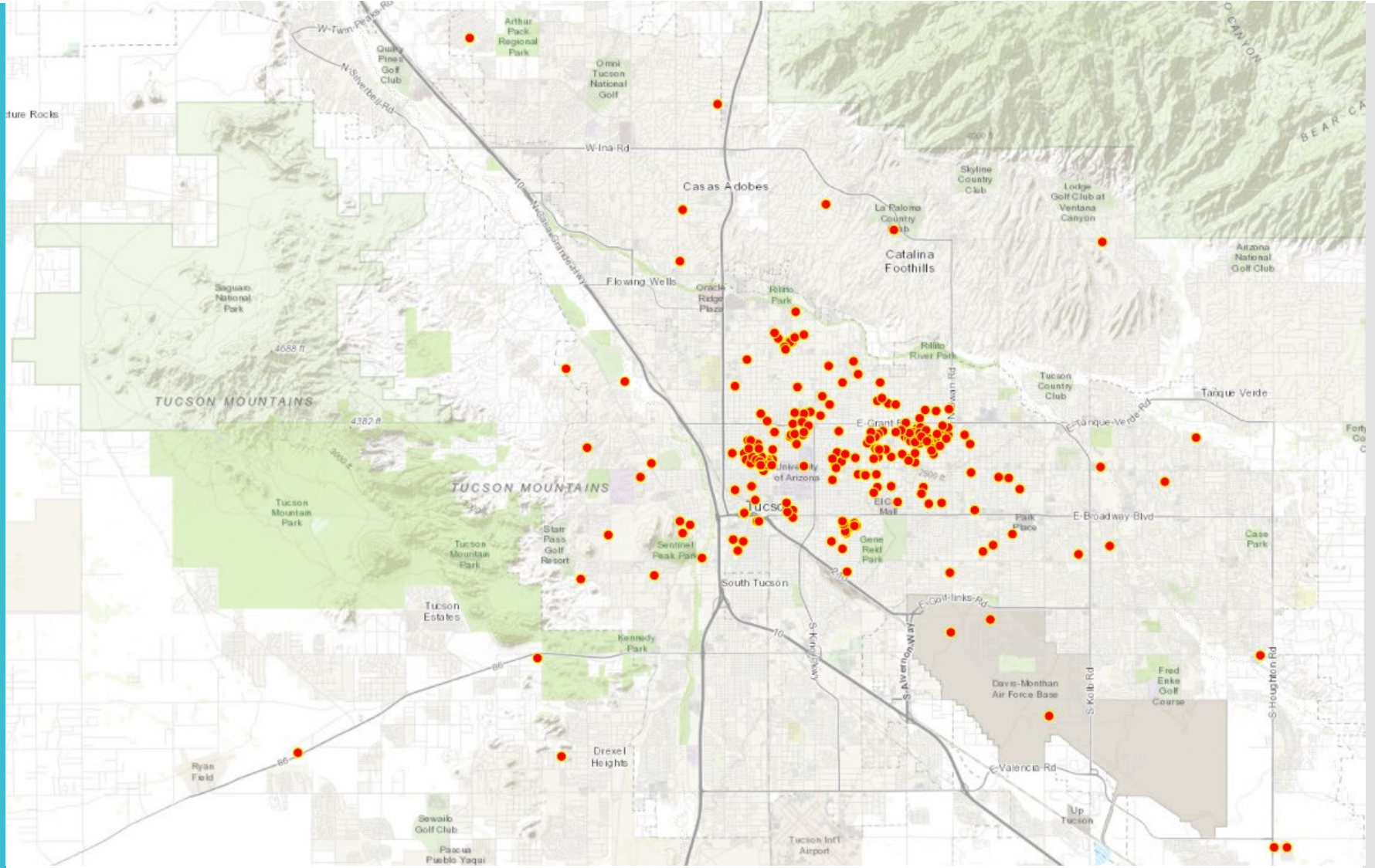
What neighborhood do you currently live in?



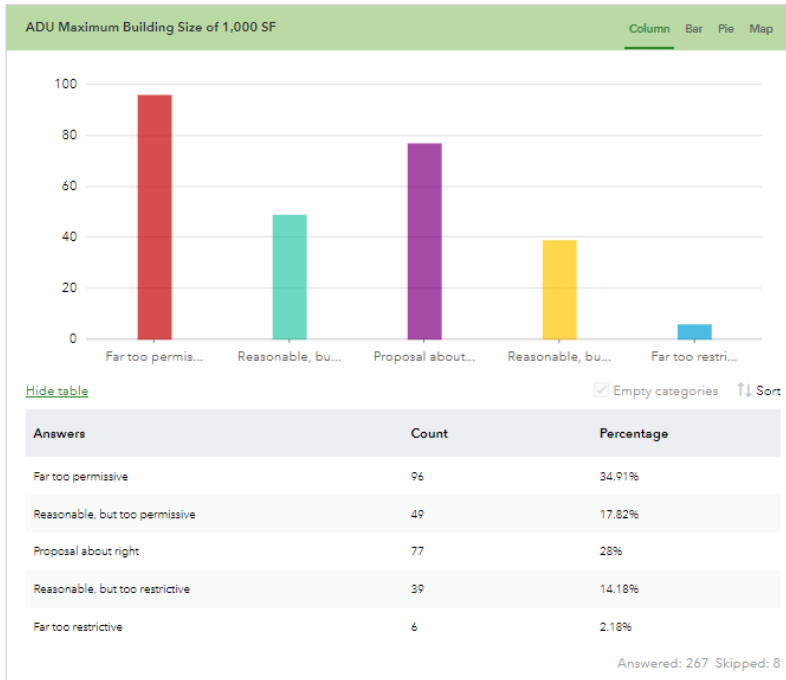
What aspects of the draft proposal do you think need refinement?

ADU size and site standards (unit size, setbacks, etc.)

Initial Survey Results – geographic distribution



ADU Maximum Building Size



Development Standards

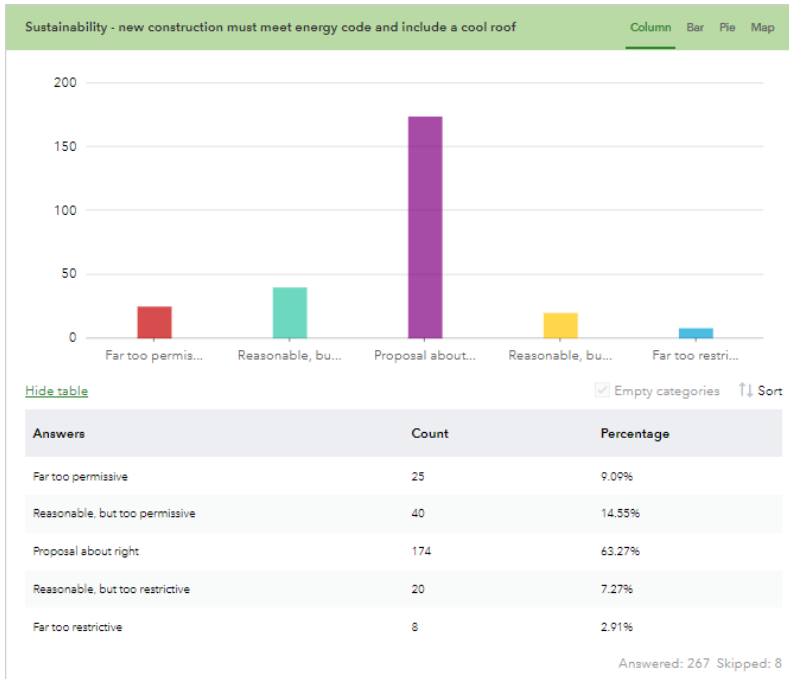


Parking



Initial Survey Results – ADU Size, Development Standards, & Parking

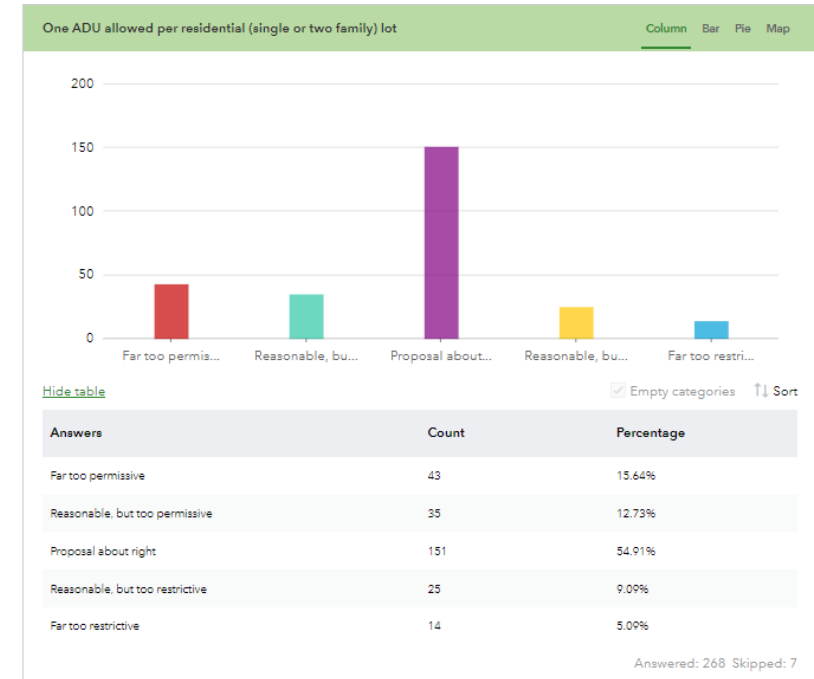
Sustainability



Owner-occupancy

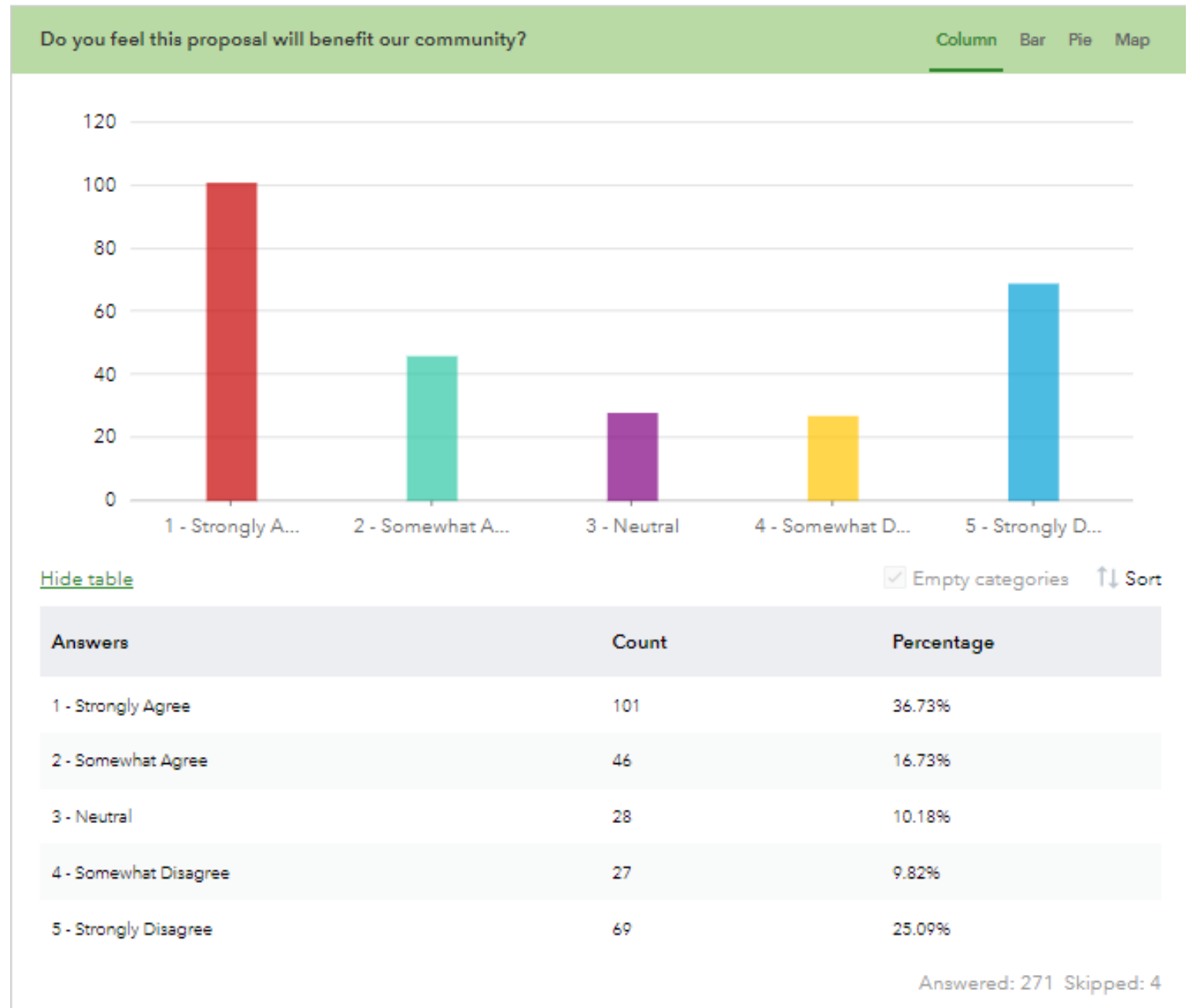


One ADU per Lot



Initial Survey Results – Sustainability, Owner-occupancy, One ADU per Lot

Initial Survey Results – will this benefit the community?



Primary Concerns

- ADU Size too big
 - Too big overall and for lots with smaller homes
- Occupancy
 - Speculative and investor driven rentals
 - Absentee landlords and behavioral issues
- National Register Historic Districts
 - Concern that construction of ADUs will lead to delisting of contributing properties

Primary Reasons for Support

- Provides for more affordable housing options
- Provides additional options for senior housing and supports multi-generational housing and those who would like to age in place.
- Supports sustainability measures in the City of Tucson
 - Density makes multi-modal transportation options more viable
 - Helps to provide housing options in already developed areas instead of pushing residents to the periphery

Recommendation

Staff recommends the Planning Commission approve a motion to:

“Recommend approval of the Accessory Dwelling Units UDC text amendment to Mayor and Council.”