

Accessory Dwelling Units (ADU) Roundtable

28th Annual USC/SCAG Demographic Workshop
June 26, 2017

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What's New?

- 4 pieces of legislation enacted in 2016
 - Effective January 1, 2017
 - Encourage additional rental housing
 - Streamline approval processes & setting form standards
 - Renders null and void local ordinances if they have not been updated; i.e. ADUs are allowed anywhere there is a single family home unless ordinance is updated.
- Accessory Dwelling Units (ADUs)- a.k.a. second units, granny flats, in-law units, casitas...
 - Two types: ADU & JADU (junior accessory dwelling unit)
 - Four forms: detached ADU; attached ADU; and repurposed space ADU & JADU
 - Purpose: rental housing, cannot be sold separately from primary housing unit

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Table 1

REQUIREMENTS	ADU- Detached (ADU-D)	ADU- Attached (ADU-A)	ADU- Attached; repurposing of existing space (ADU-R)	JADU- Attached; repurposing of existing space (JADU)
Activity Type	New construction	New construction; addition to existing structure	Conversion; conversion of existing space	Conversion; conversion of existing space
Lot/existing structure	Single family residence on SF or MF lot	Single family residence on SF or MF lot	Single family residence on SF or MF lot	Must be within existing SF residence on SF zoned lot
Maximum ADU Size	1,200 square feet	50% of living area up to 1,200 square feet	No size limits	500 square foot maximum
Kitchen	Required	Required	Required	Required: efficiency kitchen
Bathroom	Required	Required	Required	Not required; shared bath with primary residence is allowed
Separate Entrance	Jurisdiction may require	Jurisdiction may require	Required	Required
Parking	Depends, parking may be eliminated and cannot be required under specified conditions	Depends, parking may be eliminated and cannot be required under specified conditions	No, parking cannot be required	No, parking cannot be required
Prohibition on ADU Sale	Yes	Yes	Yes	Yes
Ministerial Approval Process	Yes	Yes	Yes	Yes

U.S. Census Bureau Housing Unit Definitions

Single family-detached unit	A one-unit structure with open space on all four sides. The unit often possesses an attached garage.
Single family-attached unit	A one-unit structure attached to another unit by a common wall, commonly referred to as a townhouse, half-plex, or row house. Each must be separated from the adjacent unit by a ground-to-roof wall in order to be classified as a single-family structure. Also, these units must not share heating/air-conditioning systems or utilities, such as water supply, power supply, or sewage disposal lines.
Mobile/Manufactured home unit	A manufactured home is defined as a movable dwelling, 8 feet or more wide and 40 feet or more long, designed to be towed on its own chassis, with transportation gear integral to the unit when it leaves the factory, and without need of a permanent foundation. These homes are built in accordance with the U.S. Department of Housing and Urban Development (HUD) building code.
Multifamily units	Residential buildings containing units built one on top of another and those built side-by-side which do not have a ground-to-roof wall and/or have common facilities (i.e., attic, basement, heating plant, plumbing, etc.) Multifamily structures are classified by the number of housing units in the structure. Data are tabulated for 2 units, 3 and 4 units combined, and 5 or more unit structures.
Unconventional	Boat, RV, van, tent, etc.; if someone lives in the structure permanently and doesn't have a permanent residence elsewhere. ⁴

U.S. Census Bureau LUCA

- Local Update of Census Addresses program
- Provides a voluntary opportunity for designated representatives of tribal, state and local governments to review and comment on the addresses used to conduct the decennial census
- Strict confidentiality and security guidelines through Title 13
- Timeline
 - July 2017- Register to participate (deadline December 15, 2017)
 - Fall/Winter 2017- Attend training workshops
 - Feb-April 2018- Conduct LUCA review

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DOF Annual Housing Unit Survey

- Annual tracking of jurisdiction-level housing unit activity through Housing Change Form
 - Part of DOF's annual subcounty/county population estimates program
 - Survey of all 482 cities and 58 counties in California
 - new construction
 - conversions
 - demolitions
- ADU classification for DOF form
 - DOF follows the same definitions of housing structure types as the U.S. Census Bureau American Community Survey (ACS).
 - The DOF form can't change any classification without Census first changing the categories measured in the ACS due to the benchmarking of our population estimates program on the decennial census.

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DOF Housing Unit Definitions

Single-detached unit	A one-unit structure with open space on all four sides. The unit often possesses an attached garage.
Single-attached unit	A one-unit structure attached to another unit by a common wall, commonly referred to as a townhouse, half-plex, or row house. The shared wall or walls extend from the foundation to the roof with adjoining units to form a property line. Each unit has individual heating and plumbing systems.
Mobile home unit	A one-unit structure that was originally constructed to be towed on its own chassis.
2-, 3-, and 4-plex units per structure	A structure containing two, three, or four units and not classified as single-unit attached structure. The units in the structure share attic space and heating and plumbing systems.
5 or more units per structure	A structure containing five or more housing units. The units share attic space, and heating and plumbing systems.
Affordable Units	Any unit with a legally enforceable agreement for at least 30 years that restricts occupancy and requires affordable housing costs (Health and Safety Code section 50052.5) or affordable rent (Health and Safety Code section 50053) be provided to person(s) whose household income qualifies as extremely-low, very-low, low, or moderate income. Legally enforceable agreements may include deed-restrictions recorded by the local County Recorder or affordability restrictions enforceable by a public agency (e.g. local inclusionary ordinances or density bonus units).

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Scenario 1

+ ADU = Converting Existing Housing Type

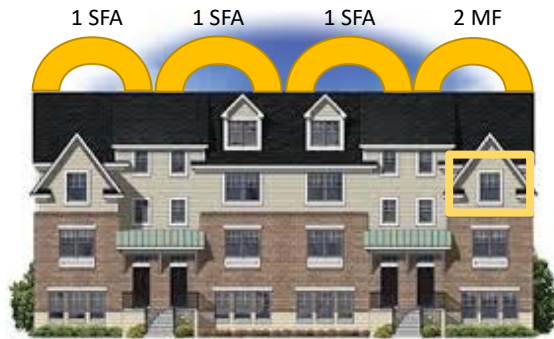


Start with: 4 townhomes (single family attached-SFA) on single family (SF) lots

Add ADU: Convert existing bedroom/bath into ADU

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Scenario 1 + ADU = Converting Existing Housing Type



Units with shared attic space & plumbing are defined as multi family housing units

Activity:
Convert 1 SFA into 2 MF

Result:
3 SFA & 2 MF on SF lots

SFA- single family attached
MF- multi family

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Scenario 1 Alternative + ADU to primary unit



Why not track ADUs separately?

Separate rental unit from owner unit and retain primary unit type/usage and add accessory unit

Why not retain existing unit's primary status and have result be 4 SFA & 1 ADU?

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Scenario 2

- City X
- 2,000 housing units from American Community Survey (ACS)
 - All residential lots zoned single-family
 - No townhomes, apartments or multi-plex units in the city
 - 1,975 single family detached (SFD)
 - 25 attached accessory units = 25 single family attached (SFA)
- New ADU law and strict definitions would characterize these as multi-family structures & change housing stock to:
 - 1,950 single family detached
 - 50 multi-family with 2-4 units in structure; creates legal, non-conforming units

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Accessory Dwelling Unit (ADU) Reference Info

- <http://www.leginfo.ca.gov/NewLaws.html>
 - SB 1069 (2016)
 - AB 2299 (2016)
 - AB 2406 (2016)
 - AB 2501 (2016)
- CA HCD ADU website
<http://www.hcd.ca.gov/policy-research/AccessoryDwellingUnits.shtml>
- CA HCD ADU Technical Assistance Booklet
<http://www.hcd.ca.gov/policy-research/docs/17Jan30-ADU-TA-Memo.pdf>
- CA Dept. of Finance (DOF) Housing Unit Change form & instructions
http://www.dof.ca.gov/Forecasting/Demographics/Housing_Unit_Survey/
- U.S. Census Bureau Housing Unit Definitions
<https://www.census.gov/construction/chars/definitions/>
- U.S. Census Bureau Local Update of Census Addresses Program (LUCA)
<https://www.census.gov/geo/partnerships/luca.html>

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Questions

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