



Accessory Dwelling Units

Best Management Practices - 2021

Background Information

- In fall 2020, the CD/H/GG Committee asked staff to research best management practices for Accessory Dwelling Units.
- ADUs are small, secondary dwellings built on the same lot as a principal dwelling.
- Sometimes called backyard cottages, carriage houses, in-law apartments, or granny flats.
- Can be attached to the main dwelling or a stand-alone, detached unit.



Credit: American Planning Association



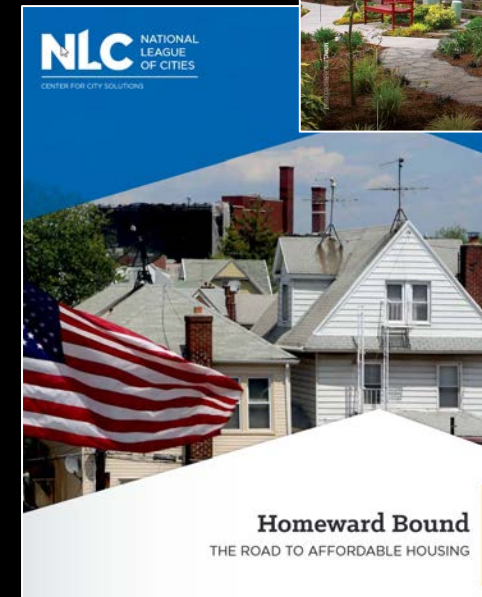
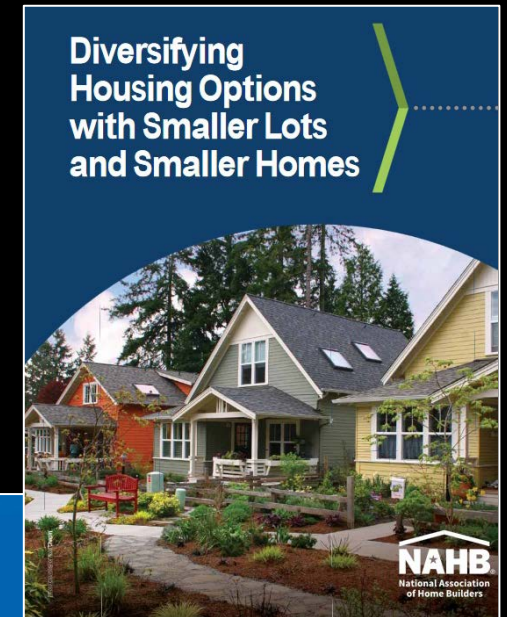
Benefits of Accessory Dwelling Units

- ADUs provide multiple benefits for communities such as:
 - Increasing “missing middle” housing options.
 - Allowing citizens to age-in-place in their neighborhoods.
 - Gently increasing density to help support transit.
 - Providing affordable housing options.
 - Providing additional income for homeowners.
 - Making more efficient use of existing City infrastructure.



Benefits of Accessory Dwelling Units

- Several recent publications by National organizations have noted the benefits of ADUs - including the National League of Cities, the National Association of Homebuilders, and the AARP.
- The *Winston-Salem/Forsyth County Housing Study and Needs Assessment* also recommended ADUs as a way to help the community's housing stock better match household size.
- The *Legacy* plan recommends the use of ADUs in urban and suburban neighborhoods.
- Revising local ADU regulations to better encourage their use is the #1 recommendation of the City's Affordable Housing Coalition.



ADUs in Winston-Salem

- ADUs have been allowed locally at least since the 1930s, but were only allowed to be occupied by relatives or caretakers in recent decades.
 - Attached ADUs were allowed with staff approval.
 - Detached units were allowed with a BOA special use permit.
- A court case in Wilmington invalidated occupancy requirements for ADUs, prompting City Council to adopt an ADU ordinance amendment in 2017:
 - Occupant limitations were eliminated, but new ADUs now require approval via the Special-Use District rezoning process (\$1000 fee vs \$100 fee).
 - No new ADUs have been built since 2017, reflecting challenges and costs posed by this process.



Accessory Dwelling Units - Recent Trends

- In recent years, ordinances allowing ADUs have become more widespread across the country.
- Statewide ADU ordinances have been adopted in Oregon, New Hampshire, Vermont, and California.

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New Hampshire Says Yes to ADUs

By allowing accessory dwelling units (or secondary residences) on single-family lots, a state law helps create needed housing for people of all ages

by Peter Morelli, **AARP Livable Communities**

Towns, cities and communities throughout New Hampshire are experiencing one of the biggest housing policy changes in

Best Management Practices for Regulating ADUs

Cities which have fostered a climate for ADUs which are compatible with community character have several best management practices in common:

- Use a permitting process that allows staff to approve ADUs that meet ordinance requirements.
- Do not require additional parking spaces for ADUs, especially for conversions of existing structures.
- Minimize additional setback requirements for ADUs beyond those of other accessory structures.



Best Management Practices for Regulating ADUs

- Establish height limits which reinforce the subordinate nature of these units while still allowing design flexibility
- Allow ADUs for duplexes, townhomes, and other uses beyond single family homes.
- Consider increasing the number of ADUs allowed on a lot, as long as neighborhood character is maintained.



Best Management Practices for Regulating ADUs

- Minimize ADU permit and impact fees or waive them in specific situations
- Provide education for property owners on the ADU development process.



Peer City ADU Regulations

	Review Process	Required Parking	Maximum Size	Minimum Setbacks	Maximum Height
Raleigh	Staff review; No public hearing	No additional parking required	800sf for lots under 1 acre; 1000sf for lots over 1 acre	5-10'; based on lot size	26'
Durham	Staff review; No public hearing	No additional parking required	50% of principal structure in Rural Residential District; 800sf in other districts	Same as other accessory structures (3-5' based on zoning district)	25' detached; same as principal structure for attached
Greensboro	Staff review; No public hearing	1 space per ADU	30% of principal structure, 400sf allowed in all cases	Same as principal structure	Same as principal structure
Charlotte	Staff review; No public hearing	No additional parking required	35-50% of principal structure, 800sf maximum	15' in most cases	Not to exceed height of principal structure on lot
Winston-Salem	Special-Use Rezoning; Planning Board and City Council public hearings	1 space per ADU	5% of lot area, 576sf allowed in all cases	Same as other accessory structures (3') for units under 17'; same as principal structure for taller units	17' where 3' setbacks used; same as principal structure where underlying district setbacks used

Summary

- Many of our peer cities have taken recent steps to promote construction of ADUs, and tweaking local standards to promote ADUs is the #1 recommendation of the City's Affordable Housing Coalition.
- ADUs are a valuable tool in the “affordable housing toolbox” and can help address Winston-Salem's housing affordability and supply challenges, but no ADUs have been built here since our current standards were adopted in 2017.
- If the Committee wishes, staff can draft an ADU text amendment which reflects current best management practices.
 - such an amendment would be subject to the formal text amendment process, which includes public outreach and hearings before the Planning Board and City Council.