

## BRIEFING NOTES

**NAME OF GROUP:** PLANNING COMMISSION

**DATE, TIME AND PLACE OF MEETING:** Wednesday, January 18, 2017, 12:15 p.m., Bill Luxford Studio, Room 113, County-City Building, 555 South 10<sup>th</sup> Street, Lincoln, Nebraska.

**MEMBERS IN ATTENDANCE:** Tom Beckius, Tracy Edgerton, Deane Finnegan, Chris Hove and Sändra Washington; Tracy Corr, Maja Harris, Dennis Scheer and Ken Weber absent.

**OTHERS IN ATTENDANCE:** David Cary, Steve Henrichsen, Paul Barnes, Brandon Garrett, Andrew Thierolf and Teresa McKinstry of the Planning Dept.

**STATED PURPOSE:** Briefing on **“Accessory Dwelling Units”**

Brandon Garrett stated that accessory dwelling units have more informally been called accessory apartments or mother-in-law apartments. An accessory dwelling unit is a self-contained dwelling on the same lot as a single-family dwelling. This would be a place to sleep, a full restroom and shower, along with a kitchen. Typically, an accessory dwelling unit or ADU has shared utilities with the main house. It has its own entrance. It has typically no more than two bedrooms and one bathroom. The ADU and the single-family dwelling are typically considered one property with one owner and may not be subdivided.

Hove understands that if the ADU is rented out or not, is not part of the definition. Garrett replied that is correct. This is one property that is bound together and one cannot be split off from the other. Many communities have said that the owner must live on the property.

Garrett continued that some reasons people have stated they want to acquire an ADU is they want to provide a home for a relative. Some communities view this as an affordable housing option. A lot of people in Lincoln would already desire an ADU for a guest house or hobby house. This is also an option for special needs housing, such as people who need medical assistance or disabilities. Some places view it as an alternative source of income for the homeowner. This can be another way to “age in place” in the same neighborhood. There are a lot of neighborhoods in Lincoln that are a monoculture. This would provide a way to diversify living options. Demographic forces noted in the Comprehensive Plan would be baby boomers and millennials. Baby boomers are entering the retirement phase and perhaps downsizing. Millennials are perhaps starting out in the housing market. The increase in single person households in Lancaster County is projected to increase from about 32,000 in 2010 to 58,000 in 2040. There are two major types of ADU’s, attached or detached. Attached could be an expansion of the house, attic space or above an attached garage, a basement conversion or a

remodel of existing living space. Detached could be a standalone house or cottage, or a garage conversion above a detached garage.

Hove stated that sometimes a person will convert a basement that could be considered an apartment. Garrett believes that Building and Safety will have the person sign a statement that this will be used for personal use and not rented out. There might be some kind of fire code for separation if this was to be rented.

Washington noted there are a lot of basement apartments. Would this be considered an ADU? Garrett replied that those that have been approved already, would be grandfathered in. These will be things that a working group will discuss.

Garrett showed some sketches of possible configurations of an accessory dwelling unit on a lot. There is the idea of a medical cottage. It is a self-contained unit to serve someone with medical needs. A typical requirement for having tenants is the owner must reside on the property somewhere and this is usually limited to a definition of one family. The sizes of ADUs range up to 1,000 square feet in some communities. The most common is in the 400 to 800 square foot range. These are usually no more than two bedroom. Minimum lot size was addressed by some communities. Lot sizes range from 4,000 to 40,000 square feet. 5,000 and 10,000 was the most common lot size required. The most common requirement for parking was if you added one ADU, you needed to add one parking stall. There are design considerations. Some communities have design standards for ADUs. In Lincoln, we have the Neighborhood Design Standards that could be a guide for helping to develop design standards for ADUs. In Lincoln today, there are some ways you can have an ADU. They aren't allowed as a permitted, conditional or special permitted use in R-1 to R-4 zoning districts. They are allowed in R-5 to R-8 if they can meet lot, area and setback requirements. There are existing grandfathered ADU's. You can also go through the step of obtaining a historic preservation special permit. A Planned Unit Development (PUD) or Community Unit Plan (CUP) is a development tool. The Planning Dept. is working on an ADU Working Group to examine the topic and formulate a solution that is suitable for Lincoln and/or in the rural setting.

Edgerton wondered why this is on the radar. Garrett replied that the Planning Dept. gets two to three requests a year. The City Council also requested that we look into this topic. We have briefed the City Council on our findings.

Andrew Theirolf stated that the working group includes Maja Harris and Tracy Corr. The working group will look at a couple of different topics. They will review the idea of an ADU and will work on putting together the actual text. We will look at size, setbacks, etc. There are representatives from home builders and architects as well. The group meets next Wednesday. He is expecting this to be a two to three month process. Once the draft text is determined, there will be some community outreach. Staff foresees a draft text amendment in the spring.

Beckius questioned if the ADU ties into the main house in the utility scheme. Garrett replied yes. This ties the two dwelling units together. He also believes if you are sharing utilities with someone then you have more control over who lives back there. It also helps with how things are metered. Addressing is a question for mail and emergency services.

Washington wondered if the ADUs that have been requested in the past were approved. Garrett replied at this point no, unless they are able to obtain a historic preservation special permit or if something was in a PUD or CUP. In some cases, a building could look like an ADU but could be a pool house or something without a full kitchen. Steve Henrichsen added that Fallbrook and Village Gardens have pre-approved ADUs in their areas. It is something that was specifically written into their development. Garrett believes that Black Forest Estates has also been approved for this as well.

Finnegan questioned if these could be used for a guest house. Garrett replied that yes, they could. Finnegan wondered if they can be rented out. Henrichsen stated that this working group is working on permanent residents in ADUs. The main issue for a lot of neighborhood associations is there was a lot of downzoning that was done to try and preserve the single family housing. They are concerned that this is a way to convert a single family house to a duplex. This will be a challenge for the working group. Some communities have said that these are just for family members. Garrett added that if you consider the expense of adding one of these, it could take a while to get a return on your money if you rent it out. Henrichsen stated that a lot of these requests have been for a dwelling for family members.

Beckius questioned if most communities require this as an improvement to the land or how it is handled. Does this address the tiny house movement? Garrett believes that this would not address the tiny house movement. It would definitely not apply to a house on wheels.

Washington wondered what would be done with a medical unit that could be wheeled in. Garrett replied that there is a company that could wheel in a medical unit. At such time as the unit is no longer needed, it would be retrieved by the company. He is not sure how this would work with building codes.

Hove wondered how intensely these are regulated. Anyone can rent a bedroom or basement and there is no process. If an ADU is a rental, then you are changing the whole dynamic. Garrett noted there is also the scenario of what happens in the future. We need to define what these will be when a family sells and moves from the property.

There being no further business, the meeting was adjourned at 12:55 p.m.