



CONGRESS
FOR THE NEW
URBANISM
CENTRAL TEXAS
CHAPTER

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November 12, 2015

Mayor Adler, Mayor Pro Tem Tovo, and Council Members Houston, Garza, Renteria, Casar, Kitchen, Zimmerman, Pool, Troxclair, Gallo

re: Accessory Dwelling Units (ADUs)

via email

Honorable Mayor, Mayor Pro Tem and Council Members

The Central Texas Chapter of the Congress for the New Urbanism would like to join others in congratulating you for your persistence and hard work on eliminating unnecessary barriers to allow greater construction and use of ADUs.

In June 2014, the Austin City Council approved a resolution directing the City Manager to develop an ordinance within 120 days to reduce regulatory barriers to allow the construction of accessory dwelling units. They specifically requested that the ordinance address, but not limit itself to, the following:

- Eliminating parking and driveway requirements;
- Reducing building separation requirements;
- Increasing maximum gross floor area for 2nd story ADUs;
- Allowing a legally non-complying structure to add an ADU; and
- Reducing minimum lot size.

This project was initiated with clear direction from the City Council. This initiative has been under consideration for more than a year. The relevant issues have been thoroughly and repeatedly vetted at each stage of the process. The City Staff, Planning Commission, and the Council's Neighborhood Planning and Zoning Committee have all provided ample opportunities for thorough and exhaustive public discussion of all issues associated with this important initiative.

We urge you to complete your work and to adopt an ordinance without further delay.

Accessory dwelling units (ADUs) address affordability by providing homeowners with additional income to offset increasing property taxes, by providing renters at many income levels the opportunity to live in our established neighborhoods, and by encouraging diversity of housing options. Austin is struggling with its lack of housing choice in our central Austin neighborhoods, and ADUs address this shortage without transforming established neighborhood character. The construction of more ADUs can be an important step towards achieving the goal of having all types of housing, for all types of people, in all parts of town.

We support giving homeowners everywhere in the city the discretion to make their own decisions about accessory dwelling units based on their unique family and financial circumstances. We do not support opt-in/opt-out provisions for ADU regulations that take that discretion away from homeowners. Complicated rules add additional costs, make it difficult for city staff and families to understand and implement regulations, and further weigh down our land development code. We believe the benefits associated with ADUs outweigh the potential risks to such an

extent that ADU construction should be not only allowed but encouraged on a city-wide basis.

The ordinance as recommended by Council's Neighborhood Planning and Zoning Committee is a significant step in the right direction. We urge you to consider removing additional barriers, consistent with the City Council resolution initiating this process, as described below:

- Remove all on-site parking requirements;
- Remove all minimum lot size requirements;
- Reduce building separation to the minimum required by fire protection regulations;
- Allow changes to be implemented city-wide; and
- Allow internal ADUs.

Remove on-site parking requirements

Homeowners should have the discretion to decide for themselves if additional parking is needed or desirable. Some potential occupants don't own cars and many existing homes have a surplus of off-street and/or on-street parking conveniently available. Requiring the addition of an off-street parking space increases both cost and impervious cover. Greater use of available on-street parking provides the benefit of adding security (more eyes on the street) and safety (encouraging slower traffic without requiring traffic calming devices).

Remove minimum lot size requirements

ADUs can be appropriately located on small lots. Excellent examples can be found in Crestview Station and Mueller, as well as other locations in Austin and elsewhere. The concept of an accessory dwelling as a land use is fundamentally different from a two-family use and regulations should reflect this difference. Setback and height regulations and other design standards can ensure ADUs have appropriate relationships to the street/alley and surrounding neighborhood.

Building separation should be reduced to the minimum required for fire protection

The separation between buildings can be reduced to a minimum of 10 feet or less if fire resistant building materials are used as required by fire protection standards.

Allow changes to be implemented city-wide

Based on experiences from other cities, while most homeowners choose not to add an ADU, they highly value having the option. This reflects shifts towards smaller household size, an increase in "empty nesters," and other changing financial and living arrangements that reflect emerging trends for 21st century families. Since ADUs benefit families, neighborhoods, and the community at large they should be encouraged on a city-wide basis and not discouraged by cumbersome "opt-in/opt out" procedures.

Allow internal ADUs

Homeowners with surplus space within their homes can remain in their homes longer and add affordable rental housing in fully developed neighborhoods where the demand is greatest. This option is entirely supportive of Austin's sustainability goals. It doesn't change the

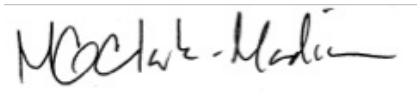
neighborhood's character, doesn't add impervious cover, conserves raw materials and energy, and utilizes otherwise wasted space.

Many progressive cities through the country have already adopted ordinances that encourage increased construction of ADUs. More, such as Austin, are working on such initiatives. We believe ADUs represent an opportunity to increase housing choice as envisioned by the Imagine Austin Comprehensive Plan, as discussed in the 2014 City Council resolution:

- The Imagine Austin Comprehensive Plan prioritizes the need for a mix of housing types across the city, including both rental and homeownership opportunities for singles, families with and without children, seniors, persons with disabilities, and multi-generational families.
- Accessory dwelling units can provide new housing units without changing the feeling or texture of established neighborhoods and allow more efficient use of existing housing stock and infrastructure.
- Accessory dwelling units can help homeowners make ends meet while providing affordable, central-city rental opportunities for single young people, seniors, and multi-generational families by providing a mix of housing that responds to changing family needs and smaller households.
- 34% of Austinites live in single person households.

Once again, we encourage you to complete your work and adopt this important ordinance.

Sincerely,

A handwritten signature in black ink, reading "Michael Clark-Madison". The signature is written in a cursive, flowing style. The first name "Michael" is written in a larger, more prominent script, followed by "Clark-Madison" in a slightly smaller, more compact script. The signature is contained within a thin black rectangular border.

Michael Clark-Madison
President, Central Texas Chapter
Congress for the New Urbanism