

Accessory Dwelling Units

AURA's Alternative Proposal



Proposal for a substitute ordinance

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1. Background

1.1. What is an Accessory Dwelling Unit?

Accessory Dwelling Units are known by many names: granny flats, in-law flats, garage apartments, secondary suites, etc. By their very nature, ADUs are modest, and by design they blend seamlessly with the neighborhood. Because an ADU is an addition to an existing house, it will match neighborhood character. They are no more intrusive than solar panels.

2. Limitations of current regulations

2.1. Lack of “Missing Middle” housing deepens affordability crisis

Austin City Council passed Resolution No. 20140612-062 in 2014. The goals of this resolution was to draft an ordinance that reduced regulatory barriers to ADUs, including reducing minimum lot size, reducing building separation requirements, increasing maximum gross floor area for 2nd story ADUs and creating design standards.

Current regulations are too burdensome for many property owners, primarily due to the issues addressed in the resolution. ADUs are just one affordable housing option for a market that desperately needs more choice. According to COA staff, 34% of households are occupied by a single resident, and 55% of households rent. In addition, the growing “silver tsunami” of Austinites 65 or older are in danger of being

priced out of the homes they've lived in for decades.

3. AURA proposal to enhance staff recommendation

3.1. Staff recommendation is a good start, but we can create more opportunities

AURA believes the staff proposal is a good first step. In addition to the staff amendments, we propose additional amendments to the current code that put more opportunities for affordable housing within reach to average Austin property owners.

Amendment	AURA	COA Staff
Smaller lot sizes	As long as a lot meets setback and impervious cover requirements, it should be eligible for an ADU. Remove the minimum lot size requirement.	Staff offers no amendment. Current requirement is 7000 sq. ft. for most lots.
Internal ADU	<p>Allow internal ADUs, which are attached to or contained within the primary dwelling and includes a separate exit. Currently, these are only allowed for relatives or caretakers, and cannot be rented.</p> <p>This lowers the capital required of owners who have more space than they currently need (e.g. empty nesters looking for rental income), presents ZERO threat to "neighborhood character" and also helps people with odd-shaped lots.</p>	Staff offers no amendment, despite suspicion of a number of internal ADUs being rented illegally around the city.
Parking requirements	In addition to staff proposal, remove parking requirements for all ADUs on parcels within ½ mile of Transit Oriented Districts, Core Transit Corridors and Future Transit Corridors . AURA strongly supports ensuring that grandfathering parking for the primary residence is actually codified, and not up to staff interpretation.	<p>Staff recommends requiring 0 parking spaces for ADUs less than 550 sq. ft., and 1 space for larger ADUs.</p> <p>Staff also recommends grandfathering parking for the primary residence. Owners wouldn't have to add parking to the primary residence to be code compliant.</p>
ADU size	Increase allowable ADU square footage to 900 sq. ft., and remove the second-story ADU maximum of 550 sq. ft. Other options include setting a FAR-based limit (e.g. Vancouver is 0.16 FAR or 900 sf, whichever is less) and a total developed area limit (e.g. 35% of the total gross floor area under the	Staff offers no amendment on ADU size.

	already existing 0.4 FAR cap of McMansion would permit 2,600 sf total on a 6,500 sf lot. Of that, up to 910 sf could be an ADU, leaving 1,690 sf for the main house.)	
Reduce building separation	While 10ft is an improvement, the Land Development Code should defer to the relevant fire codes for a given construction type. If an owner wishes to appropriately fire-rate the walls, there should be no reason to require additional separation.	Staff recommends reducing the building separation to 10 ft. from 15 ft.
Entrance placement	AURA agrees with staff	Allow an entrance within 10 ft. of a lot line. Allows for a side door when a back door isn't feasible.
Driveway regulation	AURA agrees with staff	Remove driveway requirement. Only adds to impervious cover.
Window Requirements	Adding a special window requirement on ADUs but not on primary dwelling units is overly prescriptive and counter productive.	Staff suggests particular window requirements for ADUs.
Water Meter Requirements	AURA encourages metering choices and submetering, as called for by CR 20141211-105	Staff offers no amendment on metering.

4. Examples of ADUs

1.1. ADUs in Austin

Current regulations contain too many obstacles for the common Austin property owner to build an ADU. In popular new communities like Mueller and Crestview Station, the city adopted more flexible zoning requirements. ADUs have become a common feature in these areas.

Crestview Station exists within the Justin-Lamar Transit Oriented District (TOD). It is a mix of single family homes, townhomes and single family homes with ADUs. It is located between 0.25 mile and 0.5 mile from the MetroRail Crestview Station and 801 MetroRapid Crestview Station. It is also located within 0.25 mile of three separate stops for the 1 MetroBus, Austin's busiest bus line.

Important note: The ADUs in Crestview Station couldn't be legally built in most of Austin. Current regulations require a 7,000 sq. ft. lot, or 5,750 sq. ft. in the few areas that adopted the Secondary Apartment Infill Tool. Crestview Station has a 2,500 sq. ft. minimum lot size.

Can you guess which of these single family homes features a garage apartment?



Cavalier Street in Crestview Station.

If you guessed these 3, then you are right!



By design, ADUs blend seamlessly with the neighborhood character.

Here, you can see the garage apartments from the back, but they are difficult to see from the street.



In fact, ADUs are no more intrusive than solar panels (and this house has both)



ADUs make parks & greenspace more accessible to more people, especially kids and families



Banyon Street in Crestview Station. The blue house at left has a garage apartment. The area at right is a future pocket park with recreation activities. Crestview Station will feature several pocket parks.

Fire Code allows buildings closer than 15 feet.



Single family home with garage apartment under construction in Crestview Station. Note the 10 ft. separation between the main house and the garage.

Examples of modest ADUs built around Brentwood.

