

# ***ACCESSORY DWELLING UNIT ORDINANCES***

***“ADUs” are a mechanism  
to create an affordable additional dwelling -  
usually from a portion  
of an existing single-family residence -  
while avoiding some of the costly  
requirements of the Building Code.***

# *What are the essential elements of an ADU ordinance?*

- *An ADU is defined as **NOT** being a separate dwelling unit.*
- *This can avoid costs of being a “duplex”, such as separating water service, electric panels, fire separations, heating, utility connection fees, etc.*

**20.10.035 - Accessory Dwelling Units**

**Converting an Existing Structure to Include a New ADU**

An existing single family residence is altered, to create a new ADU within the structure, for a total of two dwelling units. One units is owner occupied.

**Utilities:**

The entire structure may be served by one shared underground service lateral, from the utility's main to the structure, for water, sewer and natural gas. An accessible shut-off valve must be in place upstream of the gas meter, on the exterior of the structure. The water shut-off must be accessible to the occupants of both units.

**Electrical:**

A single shared electrical service, a single meter, and a single main service panel would be allowed, provided that (a) occupants of both dwelling units have equal and unrestricted access to the main electrical shut-off device, and provided further that (b) the capacity of the service panel shall be sufficient to safely handle the electrical loads attributed to two dwelling units, as determined by the electrical code in effect at the time application is made for permits relevant to the conversion.

**Plumbing:**

Both dwelling units may share common supply and waste plumbing systems and a common water heater appliance, so long as the occupants of both dwelling units have equal and unrestricted access to the water heater appliance.

**Heating:**

Both dwelling units may be provided their space heat by a shared, common forced air system (contrary to 1994 UMC 317.8) provided that (a) listed fire/smoke dampers are properly installed at all duct penetrations through all structural elements (walls, floor, ceiling, etc.) which separate the two dwelling units, and (b) listed carbon monoxide detector/alarm devices are installed in each of the dwelling units.

**Bellingham WA**

**BUILDING  
CODE  
and  
SDC  
EXEMPTIONS**

**Smoke Detectors:**

Smoke detectors shall be installed throughout both dwelling units in compliance with the code's requirements for new construction in effect as the time application is made for permits associated with the conversion. All detectors, in both dwelling units, shall be interconnected so that the activation of any one detector at any location anywhere within the entire structure shall also activate all other detectors, in both dwelling units, throughout the entire structure.

**Exiting:**

All components of the required exit systems in both dwelling units shall comply, as near as practicable, with code requirements in effect at the time application is made for permits associated with the conversion, especially with regard to egress windows in all rooms used for sleeping.

**Fire Separation:**

Listed fire separation assemblies are preferred where the code requires a "one-hour" separation between dwelling units. Listed assemblies shall be provided wherever the construction of walls or floor/ceiling assemblies is new, constructed during the conversion. Where existing walls and/or floor/ceiling assemblies compose part or all of the separation, Building Services Division will accept nominal 2" studs or joist, on regularly spaced centers, enclosed completely in 0.5" gypsum wall board or an equivalent lath and plaster. Doors in tenant separation walls may be either listed in 20-minute assemblies, or 1.75" thick solid-core tight fitting doors, equipped with a self-closing device and smoke gasketing material on both sides and the top of the door.

**Ceiling Height:**

The minimum ceiling height for ADU's located within existing structures shall be 7'.

**New Structures and Additions to Existing Structures**

Normal code compliance is appropriate for all newly built structures which incorporate a single family unit with an ADU, except for the following two provisions:

**Electrical:**

The overall structure may be served by a single service and a single meter. Each dwelling unit must, however, be provided its own, separate main panel and disconnect. Occupants of each dwelling unit must be able to turn off the electrical power to their own dwelling unit without disrupting electrical service to the other dwelling unit.

**Plumbing:**

The entire structure, including both dwelling units, may share a common water supply and waste plumbing systems. Each dwelling unit must, however, be provided its own separate hot water appliance, and occupants of each dwelling unit must have equal and unrestricted access to the main water shut-off valve.

# Santa Cruz, CA

# ADU Incentives

## 26.16.180 Zoning Incentives.

The following incentives are to encourage construction of accessory dwelling units.

1. **Affordability Requirements for Fee Waivers.** Accessory units proposed to be rented at affordable rents as established by the city, may have development fees waived per Part 4 of Chapter 24.16 of the Zoning Ordinance. Existing accessory dwelling units shall be relieved of the affordability condition upon payment of fees in the amount previously waived as a result of affordability requirements, subject to an annual CPI increase commencing with the date of application for Building Permit.
2. **Covered Parking.** The covered parking requirement for the primary residence shall not apply if an accessory dwelling unit is provided.
3. **Front or Exterior Yard Parking.** Three parking spaces may be provided in the front or exterior yard setback under this incentive with the parking design subject to approval of the Zoning Administrator. The maximum impervious surfaces devoted to the parking area shall be no greater than the existing driveway surfaces at time of application. Not more than 50% of the front yard width shall be allowed to be parking area.
4. **Tandem Parking.** For a parcel with a permitted accessory dwelling unit, required parking spaces for the primary residence and the accessory dwelling unit may be provided in tandem on a driveway. A tandem arrangement consists of one car behind the other. No more than three total cars in tandem may be counted towards meeting the parking requirement.
5. **Alley Presence.** If an accessory dwelling unit faces an alley as noted in the design standards in this chapter, the limitations on rear yard coverage as specified in Section 24.16.160 (2) and/or Section 24.12.140 (5) do not apply.  
(Ord. 2003-17 § 2 (part), 2003; Ord. 2003-16 § 2 (part), 2003).

# Santa Cruz, CA

# ADU Incentives

## **24.16.300 Units Eligible for Fee Waivers.**

Developments involving residential units affordable to low or very-low income households may apply for a waiver of the following development fees:

1. Sewer and water connection fees for units affordable to low and very low income households.
2. Planning application and planning plan check fees for projects that are one hundred percent affordable to low and very-low income households.
3. Building permit and plan check fees for units affordable to very-low income households.
4. Park land and open space dedication in-lieu fee for units affordable to very low income households.
5. Parking deficiency fee for units affordable to very-low income households.
6. Fire fees for those units affordable to very-low income households.  
(Ord. 93-51 § 6, 1993).

# *What is essential in ADU ordinances for affordable housing on our coast?*

- *Restricted to full-time residents  
(to keep from becoming motel units).*
- *Rents restricted to what is affordable  
by 80% AMI incomes.*
- *Registered, to ensure compliance with above.*
- *Efficiency upgrades,  
to qualify for possible SDC waivers.*

## *Other details of ADU ordinances* *vary to meet local preferences in areas such as:*

- *More building on a lot vs. splitting existing; building size, and lot coverage limitations.*
- *Parking, and energy upgrade requirements*
- *Owner-occupancy requirements*
- *Number of occupants, handicapped access*
- *Design/appearance requirements*
- *ADU Occupant requirements, home occupations*
- *Attached vs. detached ADUs*
- *Lot size, density, # of ADUs per lot*
- *Utility service, registration of ADUs*



# ***COMMUNITY BENEFITS OF ADUs:***

- ***Very affordable housing without government subsidies.***
- ***Efficient use of existing housing and infrastructure.***
- ***More density to support transit, neighborhood stores.***
- ***Income for homeowners.***
- ***Better maintenance and neighborhood stability.***
- ***More housing opportunities within existing communities.***
- ***Energy and resource efficiency.***

# ***HOMEOWNER BENEFITS OF ADUs:***

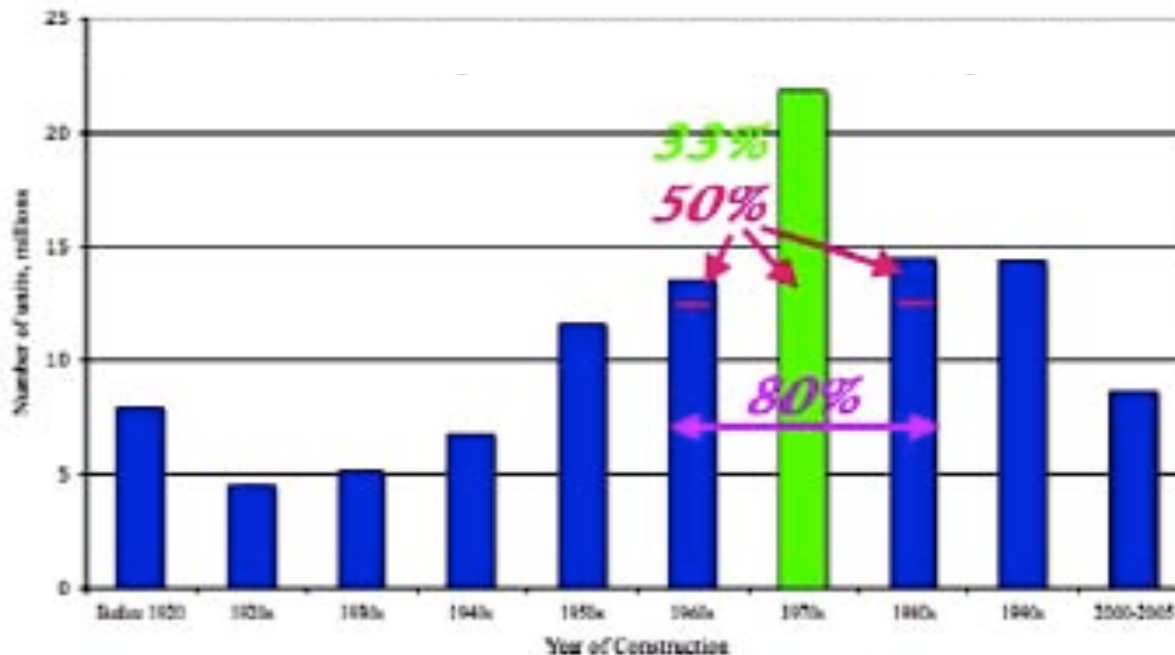
- *Care and support of elderly residents.*
- *Income allowing people to remain in their neighborhood longer, meet rising costs.*
- *Increased security and companionship.*
- *Help first-time homeowners meet payments, qualify for mortgages.*
- *Easy “oversight” of rental property.*
- *Ability to make best use of existing home after children grow up.*

*The 1970s 3-bedroom ranch house is our greatest source of potential affordable housing AND “negawatts”.*



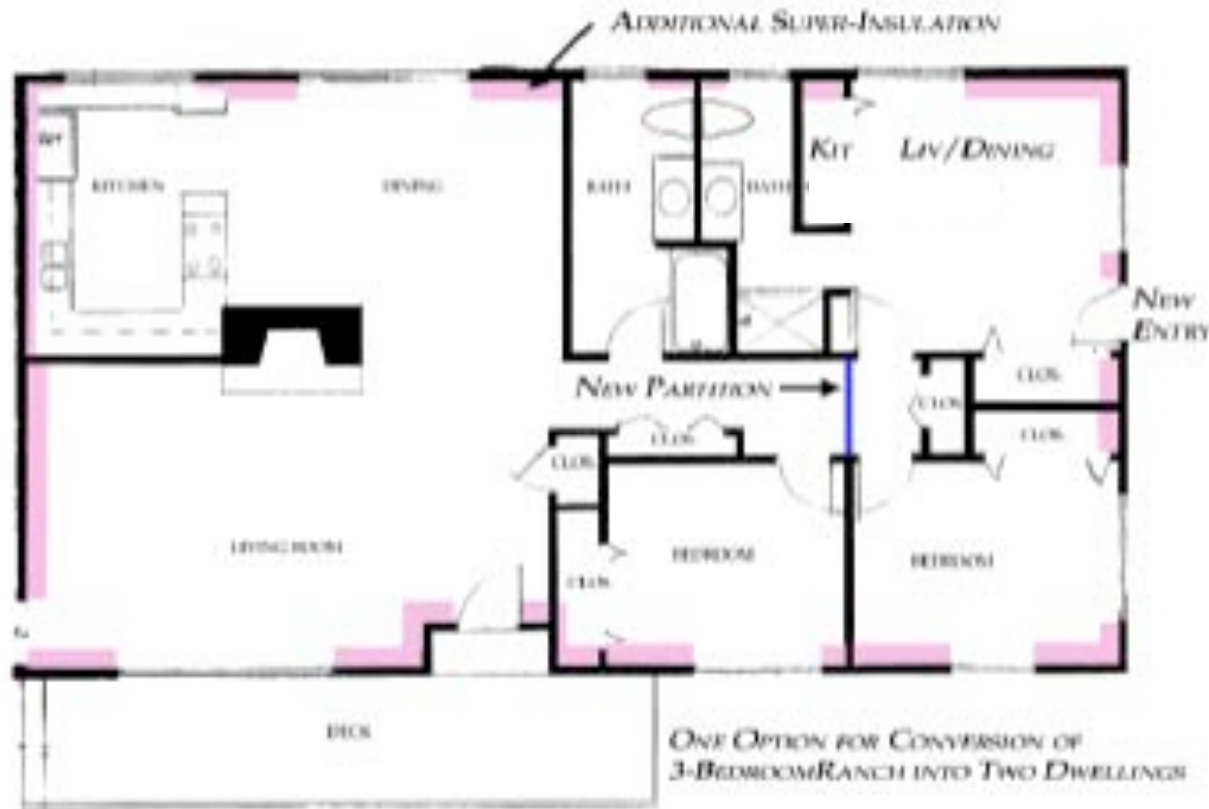
# Why are ADUs such a good deal?

*Creating smaller homes from our existing ones is easy!*



*Probably a third of our housing stock is 3-bedroom ranch houses. They are easy to retrofit for net-zero-energy, and can easily be partitioned into a duplex.*

***They use what's already there -  
avoiding the cost of new construction.***



Here two one-bedroom units are created with just a hall partition.





Here a non-bearing partition is removed to make an efficiency, and the old living room partitioned into a bedroom for a two-bedroom unit.

**And ALL can approach Net-Zero-Energy!**

# What's the REAL cost of OVERSIZED homes?

## From Modest to McMansion

The average square footage of a new single-family home

1950		983 sq. ft.
1970		1,500 sq. ft.
1990		2,080 sq. ft.
2004		2,349 sq. ft.

Source: National Association of Home Builders (Housing Facts, Figures and Trends for March 2006)

## SMALL IS BEAUTIFUL HOME:

Space cost: 1200 sq.ft. x \$150 = \$180,000

Lot, @30% = \$54,000

Finance cost, with same payments as for 2400 sq.ft. house: 9 years = \$75,700

Energy for space: \$180,000

Subtotal: \$489,700

Income tax on earnings to pay @25% = \$122,425

**Total cost: \$612,125**

## SUPERSIZED HOME:

Space cost: 2400 sq.ft. x \$150 = \$360,000

Lot, @30% = \$108,000

Finance cost: 30 years = 1.28 = \$599,040

Energy for space: \$360,000

Subtotal: \$1,427,040

Income tax on earnings to pay @25% = \$356,760

**Total cost: \$1,783,800**

# *What is the real cost of two empty bedrooms once the kids are grown?*



## *What is the real cost of an unused bedroom?*

Furnishings: \$1000  
Space cost: 150 sq.ft. x \$150 = \$22,500  
Finance cost: 30 years = 1.28 = \$28,800  
Energy for space: \$22,500  
Subtotal: \$74,800  
Income tax on earnings to pay @25% = \$18,700

**Total cost: \$93,500**

*The space is there,  
why not make better use of it?*





*Small homes don't have to be uncomfortable homes.*

IKEA presents demonstration living spaces in their stores to show that we can live comfortably – not in 1200 square feet but in 590, or 375, or even 235 square feet!



# *Flex-housing can adapt to changing family needs.*

*Direct access from entry to bedroom can allow a home occupation or accessory dwelling unit.*



*Combining ADUs with  
energy efficiency  
upgrades has even  
more benefits.*

*The Tillamook PUD has committed to obtaining  
ALL new energy needs  
through efficiency upgrades  
- at half the cost of ANY new energy source.*

*Net-Zero-Energy upgrades of existing homes  
can cut their energy use by 80%.*

*ADU ordinances allow those homes to  
accommodate two families instead of one, cutting  
per-family energy use in half again!*

*Together, they can improve our efficiency of  
energy use by 90%!*

## *Efficiency improvements in **EXISTING** homes gives us:*

- \* "Negawatts" for the electric utility (ie. us) at a fraction of the cost of ANY new generation - cutting fossil fuel use, global warming, and foreign debt.*
- \* "Storm-proof" homes for residents, who can stay warm in power outages or whatever economic collapse occurs.*
  - \* Expanded ability of existing infrastructure to serve more residents.*
- \* Local-employment-intensive investments, 80-year returns.*
  - \* Capacity for electric vehicles.*