

Accessory Dwelling Unit (ADU)

Accessory dwelling units are currently being written into local zoning codes for many reasons. They allow for new trends in providing housing solutions. I am recommending that this board consider the merits for adding it to their own code as well.

According to the precedents already set in other areas, an ADU is defined as:

An attached or detached residential unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, cooking and sanitation on the same parcel as the single-family dwelling.

The following may be considered an ADU:

Guest Cottage

Garage/ Shed Conversion

An Efficiency Unit

Manufactured Home

Granny Pod/ Echo Cottage

Tiny House On Wheels (THOW)

Benefits:

Helps local families- Provides an independent living arrangement, which enables elder care options, student housing and may help adult children to stay in the area while saving for down payment on a conventional home

Additional income- can provide extra income, especially for those on a fixed budget, allowing them to stay on their property after retirement

Stimulates local economy –attracts tourism revenues for local shops and attractions through long and short-term rentals, Airbnb, etc.

Helps with area density – used as a means of infill; increasing density without infrastructure or sprawl issues

Affordable Housing- great solution to infuse town with affordable housing options, funded by the residents themselves, at no cost to town

Proposed Regulation and Oversight

As with any proposal under zoning board consideration, we are concerned with negatively effecting property values, public safety and how a new proposal would fit regarding the town's comprehensive plan. Here are some steps that other municipalities have incorporated into their zoning laws for ADUs:

- 1. Designate areas** within the town where ADUs will be permitted. This is based on certain criteria including adequacy of water and sewer, traffic flow, public safety, etc.
- 2. Designate standards** including lot size, height restrictions, set-backs, parking, location of unit on the lot and in relation to primary dwelling, appearance, design, etc.
- 3. Designate Standards** for the particular type of ADU
 - i. For guest cottages, garage and shed conversions and efficiency units- they must meet standards in NYS and local building codes, with standard permitting process and typical inspections
 - ii. For granny pods, echo cottages and manufactured homes- they must meet standards set forth in **section i.**, or be HUD certified for compliance
 - iii. For Tiny Homes on Wheels (THOWs)- they must meet ANSI 119.2 or 119.5 (NFPA 1192) and be third party certified for RVIA (Recreational Vehicles Industry of America), NOAH (National Organization for Alternative Housing) or other approved agency
- 4. Require Indemnity and Covenant** – providing written liability coverage and verify property owner occupancy of one dwelling on the property.
- 5. Dependency-** ADU must be an accessory to primary dwelling unit for address and utilities (no separate address or utility meters), Where septic is in question, owner of primary dwelling may designate the ADU as a replacement for one of the bedrooms in primary dwelling.
- 6. Limitations-** such as number of ADUs allowed per lot, based on lot size

Fee Schedules/permitting

These are a few suggestions for maintaining accountability and oversight for the ADU's by the town:

1. Initial ADU Permit- requires review for intent of use, location, design standards, establishes fee and inspection schedule, type of unit, pad or foundation requirements, final inspection w/ C of O and/or certification review.

2. Periodic Renewal Permit- requires safety inspection (ext. lighting, smoke detectors, etc.), verification of no new additions or changes to original permit, no changes to effect HUD compliance, proof of insurance and covenant agreement for owner occupancy.

3. Airbnb permit- a separate permit may be incorporated for an ADU designed for an Airbnb type of business.