City of Longview

1525 Broadway
Longview, WA 98632
www.ci.longview.wa.us

Agenda

Join Zoom Meeting
https://us02web.zoom.us/j/89240177116?pwd=c09jSFlu YkNFSTg4aml4VnpqVmpTdz09
Meeting ID: 892 4017 7116 Passcode: 1923
Dial by your location
+1 253 215 8782 US (Tacoma)

Planning Commission

Wednesday, June 2, 2021 **7:00 PM** **City Hall**

The City Hall is accessible for persons with disabilities. Special equipment to assist the hearing impaired is also available. Please contact the City Executive Offices at 360.442.5004 48 hours in advance if you require special accommodations to attend the meeting.

1. **ROLL CALL**

2. **APPROVAL OF MINUTES**

   21-000764 MINUTES OF THE MAY 5, 2021 REGULAR MEETING

3. **AUDIENCE PARTICIPATION OF CORRESPONDENCE**

4. **NON-PUBLIC HEARING ITEMS**

   21-000765 PC 2021-4 CESSORY DWELLING UNITS CODE AMENDMENTS WORKSHOP #1
   This is the first workshop to discuss potential directions for modifying the accessory dwelling unit (ADU) regulations to be more permissive of ADU's to meet housing goals.

5. **PLANNER'S REPORT**

6. **ADJOURNMENT**

City of Longview

1525 Broadway
Longview, WA 98632
www.ci.longview.wa.us

Minutes

Agenda

Join Zoom Meeting
https://us02web.zoom.us/j/89240177116?pwd=c09jSFluYkNFSTg4aml4VnpqVmpTdz09
Meeting ID: 892 4017 7116 Passcode: 1923
Or call in for audio: +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston)

Planning Commission

Wednesday, May 5, 2021 **7:00 PM** **City Hall**

The City Hall is accessible for persons with disabilities. Special equipment to assist the hearing impaired is also available. Please contact the City Executive Offices at 360.442.5004 48 hours in advance if you require special accommodations to attend the meeting.

1. ROLL CALL

Chairman Collins called the meeting to order at 7:00 p.m.

***Present**: Member Craig Collins, Member Trey Davis, Member Bill Josh, Member Ramona Leber, Member Kalei LaFave, Member Stacey Dalgarno*
***Absent**: Member Shawn Marvin*

***Staff Present**: Ken Hash, Public Works Director; Steve Schuman, Assistant City Attorney; Adam Trimble, Planner; Sam Barham, Engineer; Lisa Vertrees, Administrative Assistant*

2. APPROVAL OF MINUTES

21-000708 Minutes of the April 7, 2021 Planning Commission meeting

A motion was made by Stacey Dalgarno, seconded by Kalei LaFave, to Approve the minutes of the April 4, 2021 regular Planning Commission meeting. The motion carried by the following vote:

Ayes: Member Craig Collins, Member Trey Davis, Member Bill Josh, Member Ramona Leber, Kalei LaFave, Stacey Dalgarno
Nays: None

3. AUDIENCE PARTICIPATION OF CORRESPONDENCE

None at this time.

4. DECLARATION OF EX-PARTE COMMUNICATIONS AND APPEARNESS OF FAIRNESS

Read in to the record.

5. PUBLIC HEARINGS

21-000705 PC 2021-2 PeaceHealth/St. John Rezone and Comprehensive Plan amendment proposal for 4 lots on 800 Block of 18th Avenue & Staff recommendation to include 1 additional lot.

Recommended Action: Motion to adopt the findings and recommendation of the staff report and recommend the City Council approve the proposed rezone and Comprehensive Plan Amendment for 5 properties, from R-1 to R-4, and re-designate 4 of the properties (828 18th Avenue, 840 18th Avenue, and 846 18th Avenue, and 1751 Delaware Street per staff recommendation) from Low Density Residential to Public/Quasi-Public/institutional.

Mr. Trimble reviewed the staff report.

Chairman Collins opened the public hearing. The following persons spoke:
Erin Forbes, with Schwabe, Williams and Wyatt, PC - representing Peace Health
Chairman Collins closed the public hearing.

The R-4 zone does allow medical offices and will not create non-conforming uses for current homeowners. The proposal is consistent with the 2019 Comprehensive Plan goals policies and objectives.

A motion was made by Member Ramona Leber, seconded by Member Bill Josh, to adopt the findings and recommendation of the staff report and recommend the City Council approve the proposed rezone and Comprehensive Plan Amendment for 5 properties, from R-1 to R-4, and re-designate 4 of the properties (828 18th Avenue, 840 18th Avenue, and 846 18th Avenue, and 1751 Delaware Street per staff recommendation) from Low Density Residential to Public/Quasi-Public/institutional. The motion carried by the following vote:

Ayes: Member Craig Collins, Member Trey Davis, Member Bill Josh, Member Ramona Leber, Member Kalei LaFave, Member Stacey Dalgarno
Nays: None

21-000707 PC 2021-3 Zone text amendment to allow Outdoor continuous entertainment activities such as miniature golf and skateboard facilities in the Mixed Use Commercial/Industrial district, MU-C/I

Recommended Action: Motion to adopt the findings of the staff report and recommend that the City Council to adopt the subject zoning code amendments.

Mr. Trimble reviewed the staff report.

Chairman Collins opened the public hearing.
Hearing no speakers, Chairman Collins closed the public hearing.

Applicant is proposing a mini-golf course on vacant land next to Pie@Trios. The Planning Commission is voting on the zone amendments, not the proposed project.

A motion was made by Member Bill Josh, seconded by Member Trey Davis, to adopt the findings of the staff report and recommend that the City Council to adopt the subject zoning code amendments.
The motion carried by the following vote:

Ayes: Member Craig Collins, Member Trey Davis, Member Bill Josh, Member Ramona Leber, Member Kalei LaFave, Member Stacey Dalgarno
Nays: None

6. OTHER BUSINESS

Infill vs. ADU code amendments.
Staff proposes to work on infill code amendments and ADU code amendments on parallel tracks.
Identify future possible road connections. If there are no possible road connections, that is where the infill ordinance would step in.

7. NON-PUBLIC HEARING ITEMS

None at this time.

8. PLANNER'S REPORT

** Mt. Solo Place - applying for the final plat on Phase II. A pre-app meeting is scheduled for Phases 4, 5.*
** Manufactured home park proposal environmental statement beginning soon.*
** Vale at Overlook - approval to apply for permits to construct the development.*
** Interest in building in Longview from national-scale developers.*
** The food truck ordinance was adopted by City Council.*

Public Works
** 34 utility connection permits issued in 202. 33 already issued in 2021 as of May 5th.*
** Longview Business Park is moving forward.*
**Beech St. project will be starting up soon.*
** Oregon Way/Baltimore improvements planned*
** California Way work upcoming*
** 46th Ave. paving design underway - 2022*
** Ocean Beach/Olympia Way will be a complete street project.*

9. ADJOURNMENT

The next regular Planning Commission meeting is scheduled for June 2, 2021, 7 p.m.

With no further business to discuss, the meeting adjourned at 8:36 p.m.

_____

Lisa Vertrees, Recorder

May 28, 2021

TO: Longview Planning Commission

FROM: Adam Trimble, Interim Planning Manager

MEETING DATE: June 2, 2021

SUBJECT: **PC 2021-4 – Workshop on Accessory Dwelling Unit code amendments**

The Longview Comprehensive Plan adopted in 2019 includes goals, objectives and policies to encourage use of accessory dwelling units (ADU's) to meet housing goals. ADU's, like infill, take advantage of areas where infrastructure is already in place and where there are fewer environmental constraints.

An entire Goal is dedicated to accessory dwelling units on page 62:

Neighborhood Preservation and Renewal

Goal HO-E Facilitate lifecycle neighborhoods and community stability by providing for alternative living arrangements such as accessory dwelling units (ADUs), shared housing, cohousing, and smaller housing types; and by encouraging infill.

Policy HO-E.1.1 Promote the use of accessory dwelling units to meet housing needs.

Policy HO-E.1.2 Encourage alternative housing and ownership models that will address shifting demographics and unmet needs for affordable housing options, such as accessory units, cottage housing, and cohousing.

Accessory dwelling units are one strategy to accommodate the expected growth and demand for housing over the next 20 years. Table 3-16 below on Page 55 of the Comprehensive play lays out the projected number and types of units needed by 2040:

Table 3-16. Number of New Housing Units Needed, By Type, 2017 – 2040

Unit Type	Census 2010	%	Estimate 2017	%	Projected 2040	# New Units
Single Family	10,856	66.3	10,986	66.2	12,520	1,571
Multi-family	4,863	29.7	4,912	29.6	5,598	703
Manufactured Home	661	4.0	641	4.2	794	100
Total Units	**16,380**	**100.0**	**16,539**	**100.0**	**18,912**	**2,374**

Source: Census 2010, Washington Office of Financial Management, CWCOG

"The need for new housing units can be met by using three basic strategies:

- Compiling and redeveloping existing low-density residential with a higher density (smaller single-family lots, increased height to allow extra stories in multi-family housing, etc.)
- Development of "leftover" properties in existing residential neighborhoods (infill)

- Annexation of additional area for residential development"

The comprehensive plan assumes a slow rate of growth but also identifies how the lack of recent housing development has resulted in an immediate need for more housing: 579 units needed in 2020 according to table 3-15 on page 54, growing to 1,011 units needed by 2025. With constrained land supply in the growth area of the city, ADU's and infill will have to make up part of the new units.

At the workshop I will discuss the barriers in the existing ADU code and discuss the national and state-wide movement to eliminate the owner occupancy requirement. I have attached the Longview ADU code and the Auburn WA ADU Code to this memo for a bit of comparison so the Planning Commission can start to consider what changes might be desired.

There is a lot of guidance, examples and professional advice about ADU's, describing many different forms of development from accessory dwelling units to multifamily. I have included some publications and references for you to review ahead of our meeting. If you find you are curious about something check this resource collection out:

The ABCs of ADUs: A Guide to Accessory Dwelling Units and How They Expand Housing Options for People of All Ages

April 2019 By: AARP, Eli Spevak, Melissa Stanton

https://www.aarp.org/livable-communities/housing/info-2019/accessory-dwelling-units-guide-download.html

Clearinghouses on ADU's:

https://mrsc.org/Home/Explore-Topics/Planning/Housing/Accessory-Dwelling-Units.aspx

https://accessorydwellings.org/

Video- Panel Discussion from Portland State University on ADU's

https://www.sightline.org/2017/12/18/video-eliminating-barriers-and-increasing-opportunities-for-building-adus/

A Development Guide for ADU's from Portland, OR.

https://www.portland.gov/sites/default/files/2020-09/accessory-dwelling-units_final_signed_031519.pdf

Examples in Washington State:

https://www.sightline.org/2019/03/20/tacoma-adopts-exemplary-reform-for-in-law-apartments/

In-Depth Article:

Accessory Dwelling Units: A Flexible Free-Market Housing Solution
R Street Policy Study No. 89, March 2017
http://www.rstreet.org/wp-content/uploads/2017/03/89.pdf

19.22.020 Accessory dwelling units.

Accessory dwelling units (ADUs) shall be permitted in residential districts R-1, R-2, R-3, R-4 and TNR as accessory to single-family dwellings, subject to the following provisions:

(1) No ADU shall be permitted to be added to, created within, or constructed on the same lot as the single-family dwelling to which it is accessory without a prior certification from the public works department of the city that the water supply and sanitary sewer facilities serving the site of the proposed ADU are adequate.

(2) Only one ADU shall be permitted (attached or detached) as accessory to a single-family dwelling unit.

(3) ADUs shall be permitted as second dwelling units that are added to or created within or, as provided in LMC 19.12.055, as a special property use, constructed on the same lot as a single-family dwelling.

(4) All housing and building codes and standards shall be applicable to all ADUs including, but not limited to, the building code, the plumbing code, the electrical code, the mechanical code, the fire code, and all requirements of the Cowlitz County health department.

(5) ADUs are not required to have separate independent utility connections and solid waste collection.

(6) The square foot size of any ADUs, excluding any garage area, shall not exceed 40 percent of the square foot size of the single-family dwelling to which it is accessory; it shall be of not less than 300 square feet nor in excess of 1,200 square feet, and it shall contain no more than two bedrooms.

(7) All ADUs shall be designed to maintain the appearance of the single-family dwelling to which they are accessory. If an ADU extends beyond the current footprint of the single-family dwelling, it must be consistent with the existing roof pitch, siding and windows of the single-family dwelling. If a separate entrance door is provided, it must be located either off the rear or side of the single-family dwelling. Any additions to an existing structure or building shall not exceed the allowable lot coverage or encroach into the required setbacks.

(8) All ADUs which are attached to a single-family dwelling shall be connected thereto with a common wall and provided with an interior passage door (not located in a bedroom or bathroom) to allow accessibility from both the ADU and the single-family dwelling to which it is accessory.

(9) A minimum of one off-street parking space shall be provided for each ADU in addition to the off-street parking space required for the single-family dwelling.

(10) No ADU may be the residence of more than four persons.

(11) All ADUs shall have separate street addresses that are visible from both the street and alley that clearly identify the location of the ADU.

(12) The owner or contract purchaser of record of the single-family dwelling to which an ADU is accessory shall reside either in the single-family dwelling or the ADU as a permanent place of residence; only one of the residences may be rented or leased. The ownership of ADUs may not be separated from ownership of the single-family dwelling to which they are accessory. The owner or purchaser of record shall execute an affidavit biannually (once every two years) stating that he, she or they are and will remain in compliance with this provision. Said affidavit shall be filed and maintained in the office of the community development department.

(13) No home occupations, day care centers or adult family homes shall be permitted in ADUs or in single-family dwellings to which they are accessory.

(14) The following permit and inspection requirements shall be met:

(a) No ADU may be added to, created within, or constructed upon the same lot as a single-family dwelling without a permit having been issued by the community development department;

(b) All applications for ADU permits shall be on forms provided by the community development department, and the fee for such permit shall be as provided in the building code;

(c) No ADU may be occupied unless the owner of record of the single-family dwelling to which it is accessory possesses a current certificate of occupancy for such ADU;

(d) Before any permit for the creation or construction of an ADU is granted, the proposed site thereof and the plans and specifications therefor shall be inspected by the building official to assure that the provisions of this chapter are not violated; and

(e) The building official shall inspect all ADUs at least once biannually (every two years). The purpose of such inspection shall be to determine if such ADU is in compliance with the requirements of this chapter. If such inspection reveals that such ADU is in compliance, the building official shall issue a certificate of occupancy for said ADU which shall be valid for a period of two years from its date. If such inspection reveals that such ADU is not in compliance, the building official shall not issue a certificate of occupancy for said ADU, and shall notify the owner or contract purchaser of the single-family dwelling to which said ADU is accessory that said ADU must be vacated and not occupied until it is re-inspected by the building official and a certificate of occupancy is issued.

(15) Detached ADU Units. In the event that the appeal board of adjustment grants a special property use permit for the construction of a detached ADU (i.e., an ADU that is not added to or created within the single-family dwelling) in accordance with LMC 19.12.055, all of the provisions of this chapter shall be applicable thereto. In addition, the following provisions shall be applicable to such detached ADUs:

(a) The lot or tract of land upon which such ADU is to be constructed is 10,000 square feet or more in size;

(b) The front property line of the lot or tract of land upon such ADU is to be constructed is 85 feet or more in distance;

(c) The lot or tract of land upon which such ADU is to be constructed has no direct access to an alley or any street other than the street upon which the single-family dwelling to which the ADU is accessory fronts;

(d) All detached ADUs shall comply with all setback and separation requirements for detached accessory buildings except that the minimum rear yard setback shall be 10 feet;

(e) Detached ADUs shall be designed in such a manner as to blend with or complement the architectural design of the single-family dwelling to which such ADU is accessory; approval of such design shall be made by the appeal board of adjustment;

(f) Detached ADUs shall share the same hard-surfaced driveway as the single-family dwelling to which such ADU is accessory, and shall have direct access to the street upon which the single-family dwelling fronts, unless alley access is provided. No new or additional curb cuts shall be permitted for the ADU;

(g) Detached ADUs shall have a minimum of 25 feet of unobstructed street frontage with no intervening structures present, to ensure adequate visibility and access for emergency vehicles; and

(h) Detached accessory dwelling units are not permitted in townhouse, zero lot line detached housing, or attached zero lot line housing developments. (Ord. 3182 § 6, 2011; Ord. 3122 § 15, 2010).

18.31.120 Accessory dwelling units.

Accessory dwelling units are permitted outright in all residential zones that permit single-family homes, and may be developed with new or existing single-family homes. The development standards of the underlying zone and the following siting and performance standards shall apply to all accessory dwelling units as defined by ACC 18.04.018.

A. The home or accessory dwelling unit must be the principal place of residence for the homeowner.

B. Only one accessory dwelling unit may be permitted per single-family residence.

C. An accessory dwelling unit shall not be larger than 50 percent of the square footage of the single-family home with garage space not being included in the calculation. In no case shall the accessory dwelling unit be more than 950 square feet, nor less than 300 square feet, nor have more than two bedrooms.

D. Exterior Appearance/Modifications.

1. Any alterations shall not change the appearance from that of a single-family residence, as determined by the planning director.

2. Only one exterior entrance is allowed to the accessory dwelling unit and it can be located no closer than 10 feet to an adjoining property line.

3. Any exterior stairs shall be placed in the rear or side setback and no closer than 10 feet to an adjoining property line.

4. Where garage space is converted to living space, the garage door shall be replaced with materials that match the exterior of the house. If a detached garage is converted, its appearance must still be that of a detached garage and the detached garage must be able to be used for parking of at least one vehicle.

E. *Parking Requirements.*

1. The parking required for the existing single-family home must meet all requirements of the zoning code including amount, size and setback requirements in order for an accessory dwelling unit to be allowed.

2. One additional parking space, beyond those required for the single-family home, is required for an accessory dwelling unit. The additional parking space must also meet all requirements of the zoning code.

3. Newly created parking shall make use of existing curb cuts, when possible.

F. An accessory dwelling unit may not be sold as a separate piece of property, or as a condominium unit, unless allowed by the existing zoning on the property.

G. Any homeowner seeking to establish an accessory dwelling unit shall apply for approval in accordance with the following procedures:

1. The homeowner shall apply for an accessory dwelling unit permit with the city. A complete application shall include a properly completed application form, floor and structural plans, and fees.

2. Before issuance of the certificate of occupancy for an accessory dwelling unit, the homeowner must provide a copy of a statement recorded with the county in which the subject property is located. The statement must read:

> An application for a permit for an accessory dwelling unit has been submitted to the city of Auburn by the owner of this property. Future owners are advised that the owner of the property must comply with all requirements of the Auburn Zoning Code, as amended, if the accessory dwelling unit is to be occupied or rented.

H. If an accessory dwelling unit is to be removed, appropriate permits and inspections must first be received from the city. If a homeowner wants to remove the statement as required by subsection (G)(2) of this section from the property's title, then the city shall issue an appropriate release upon evidence that the accessory dwelling unit has been removed. The release shall be recorded by the homeowner with the county records and elections office and a copy of the recorded release shall be provided to the city. (Ord. 6419 § 4, 2012; Ord. 6245 § 15, 2009.)

ZONING PRACTICE MAY 2018

AMERICAN PLANNING ASSOCIATION

ISSUE NUMBER 5

PRACTICE GARAGE APARTMENTS

5

Zoning to Promote Garage Apartments

By Anne Brown, Vinit Mukhija, and Donald Shoup, FAICP

American cities have a large supply of garages that could be converted into affordable apartments, but off-street parking requirements prevent converting most of these garages into housing for people.

Converted garages in single-family neighborhoods are variously called second units, accessory dwelling units, garage apartments, granny flats, and backyard cottages. To convert a garage into an apartment, off-street parking requirements typically force a home owner to replace the two garage parking spaces with two new off-street parking spaces, plus an additional off-street parking space for the new apartment. These parking requirements make it almost impossible—financially and physically—for most home owners to legally convert garages into housing.

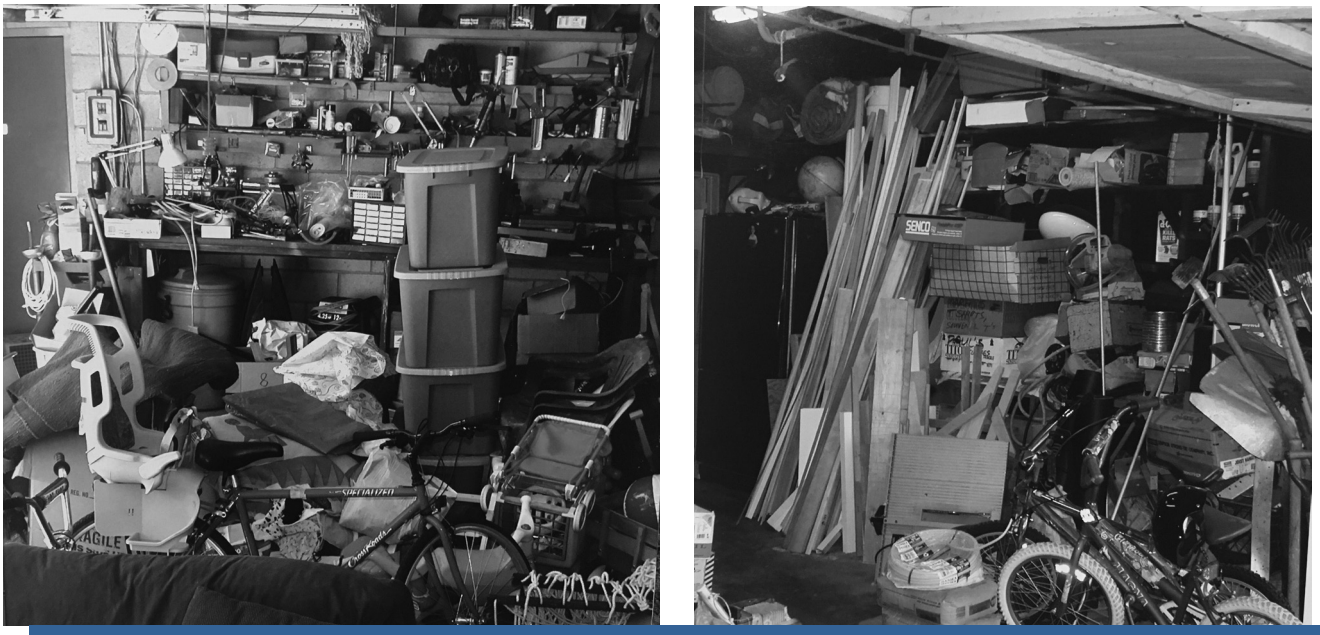
To make it easier to convert garages into housing, some cities have removed parking requirements for the second units. Although the residents of the garage apartments are less likely than others to own cars, many do own cars—some of which are parked on the street. Thus, converting a two-car garage into an apartment can add three cars parked on the street, and neighbors may fear that the conversions will congest on-street parking.

This dilemma can be resolved in neighborhoods with a residential parking permit district. We propose that cities remove the off-street parking requirements for single-family homes that have second units, and limit the number of on-street parking permits at that address to the number of cars that can park in front of the property. Managing on-street parking in this way can eliminate fears that converting garages into housing will flood the street with parked cars.

NOT IN MY NEIGHBOR'S BACKYARD

While reduced parking requirements for garage apartments can increase the supply of affordable housing, home owners often oppose garage conversions in their own neighborhood because of concerns about on-street parking. Explaining why she opposed garage apartments, one planning commissioner in a Southern California city said that she bought her house in a neighborhood "where I wouldn't have to worry if I was going to be able to park in front of my own house." Garage conversions can face severe political problems if local officials fear that the new residents will create parking problems.

This fear is exaggerated. A study of middle-income single-family home owners in the Los Angeles area found that 75 percent of garages were used to store old furniture or other household goods, not cars. Figure 1 shows two of these garages, where cars are out and just about everything else is in. In addition, many older garages are too small to accommodate larger modern vehicles such as pickup trucks or sports utility vehicles. Garage conversions are unlikely to displace many cars from garages because many cars are *already* in driveways or on the streets. Nevertheless, many residents fear garage conversions will lead to overcrowded on-street parking. How can cities remove off-street parking requirements for houses with garage apartments without crowding on-street parking and arousing political opposition?



UCLA Center on Everyday Lives of Families

Figure 1. A Look Inside Garages in Los Angeles. 2012. From *Life at Home in the 21st Century: 32 Families Open Their Doors*. Berkeley, California: University of California Press.

TABLE 1. SHARE OF UNPERMITTED SINGLE-FAMILY UNITS IN THE LARGEST METROPOLITAN STATISTICAL AREAS, 2000–2014

MSA	Increase in Number of Housing Units	Number of Building Permits	Number of New Units without Permits	Percentage of New Units without Permits	Wharton Regulatory Index
	(1)	(2)	(3) = (1) - (2)	(4) = (3)/(1)	(5)
Los Angeles	454,728	155,344	299,384	66%	0.51
New York	566,167	235,846	330,321	58%	0.63
Boston	205,337	86,102	119,235	58%	1.54
Philadelphia	317,891	153,821	164,070	52%	1.03
Chicago	514,888	292,800	222,088	43%	0.06
Miami	298,554	188,632	109,922	37%	NA
Washington, D.C.	398,169	279,401	118,768	30%	0.33
Dallas	608,604	459,609	148,995	24%	-0.35
Atlanta	582,114	471,479	110,635	19%	0.04
Houston	581,674	526,312	55,362	10%	-0.19
Total	**4,528,127**	**2,849,346**	**1,678,781**	**37%**	

Complete sources and methodology available in "Converting Garages into Housing," published in the *Journal of Planning Education and Research*.

Instead of requiring off-street parking to prevent crowded on-street spaces, cities can better manage the on-street parking. Parking is not the only reason why neighbors may object to garage conversions, but it is a major reason and a politically powerful one. If cities remove on-street parking problems as an objection to garage apartments, the other issues (such as concerns about noise or attracting lower-income residents to high-income neighborhoods) can be discussed more openly. Other zoning regulations for second units (location, size, safety, construction materials, and occupancy limits) can remain largely unchanged.

REFORMING OFF-STREET PARKING REQUIREMENTS

One way to manage on-street parking is to limit the number of cars permitted to park on the street. In residential permit parking (RPP) districts, the city can limit the number of on-street parking permits for cars registered at any address with a second unit. An RPP district is necessary but not sufficient to prevent garage conversions from crowding the curb. Although cities create permit districts only where parking is already scarce, they can be irresponsible about the number of permits issued.

For example, a political firestorm erupted in San Francisco when journalists discovered that romance novelist Danielle Steel had 26 residential parking permits for her mansion in Pacific Heights.

To solve the on-street parking problem, cities can impose an *if-then* condition for garage conversions: *If* an owner receives a permit to convert a garage into to housing, *then* the owner accepts a limit on the number of on-street parking permits at that address. This *if-then* condition can be included in the zoning for single-family neighborhoods with RPP districts.

There are good precedents for this if-then policy. In 2016, Washington, D.C., halved its off-street parking requirements for multifamily buildings near transit with the provision that the residents cannot receive residential parking permits (§702.1(c)). In 2017, California adopted legislation that prohibits local governments from requiring any off-street parking for some multifamily developments "when on-street parking permits are required but not offered to the occupants of the development" (Government Code §65913.4(d)(1)(C)). Limiting the number of on-street parking permits at every address with a converted garage can eliminate the parking-related concerns of neighbors and thus reduce the political opposition to garage conversions.

The option to convert a garage into housing in exchange for a limit on parking permits is far less restrictive than prohibiting garage conversions entirely. Furthermore, if a city limits the number of on-street parking permits only at addresses with second units, the neighbors without second units can continue receiving permits as usual. Because the if-then permit solution does what off-street parking requirements were intended to do—manage on-street parking congestion—cities can remove the off-street parking requirements altogether.

Some cities offer permits that allow residents to park on the street in front of their own driveway, effectively creating a reserved curb space in front of every house and substantially increasing the on-street parking supply. If residents convert their garages into housing, these block-your-own-driveway permits can give property owners a guaranteed on-street parking space for themselves, guests, home help, and service vehicles.

LEGALIZING UNPERMITTED GARAGE CONVERSIONS

After a city has created a clear path for legal garage conversions, it can begin targeted code enforcement for illegally converted garages following a grace period, during which home owners may comply with new regulations. While heavy-handed enforcement would previously have been "inhumane" due to the widespread displacement it would have caused, enforcement can now encourage

TABLE 2. COST AND REVENUE FOR CONVERTING A TWO-CAR GARAGE INTO A 400-SQUARE-FOOT APARTMENT

	Low	High
Construction Cost		
Architectural plans	$3,000	$5,000
Permit fees	$2,000	$3,000
Construction	$45,000	$60,000
Fixtures	$10,000	$12,000
Total	**$60,000**	**$80,000**
Monthly Cost		
Mortgage payment	$474	$633
Maintenance	$50	$67
Insurance	$73	$73
Total	**$597**	**$772**
Monthly Gross Revenue	**$1,440**	**$1,440**
Monthly Net Revenue	**$843**	**$668**

Complete sources and methodology available in "Converting Garages into Housing," published in the *Journal of Planning Education and Research*.

regularizing illegal conversions along with a limit to on-street parking. For example, Lawndale, California, requires an inspection and a report that "states whether the property is in compliance with the requirements for off-street parking" before any residential property is sold. A similar inspection-at-sale requirement in other cities would lead home owners to upgrade or remove conversions.

Garages converted without a legal permit are surprisingly widespread in the U.S. To estimate the increase in the number of unpermitted single-family housing units in the 10 largest Metropolitan Statistical Areas (MSAs), we compared the number of new single-family housing units reported in the U.S. Census with the number of single-family building permits reported by the U.S. Department of Housing and Urban Development. (Detached inhabited garages are counted as single-family housing units in both data sets.) Column 4 in Table 1 suggests that, between 2000 and 2014, 37 percent of new single-family units were unpermitted. In total, 1.7 million unpermitted housing units were added in the 10 largest MSAs.

Column 5 shows the Wharton Residential Land Use Regulatory Index, which measures the strictness of land-use regulation. MSAs with more regulation have higher values and those with less regulation have lower values. The MSAs with more regulatory barriers to new housing (Boston, Los Angeles, New York, and Philadelphia) have high shares of unpermitted units in their metropolitan areas, while the MSAs with fewer barriers (Atlanta, Dallas, and Houston) have low shares. Providing a pathway to legalization can greatly reduce the number of illegal garage conversions.

THE ECONOMICS OF GARAGE CONVERSIONS

Converting garages into housing can have far-reaching benefits for home owners, including an improved financial footing. According to Pearl Remodeling, a company that converts garages into livable space in Los Angeles, the cost of converting a two-car garage into a 400-square-foot apartment ranges from $60,000 to $80,000. If the home owner finances the conversion at five percent interest over a 15-year period, monthly loan payments would be between $474 and $633 per month. Using Craigslist, we surveyed rental listings of second units in Los Angeles County in May 2016 and estimated that the average rent for a 400- to 450-square-foot second unit in Los Angeles is $1,440, so the rent from a garage apartment can cover the mortgage payments and give the home owner between $602 and $793 a month in additional income. If the owner pays $60,000 for the conversion without borrowing, the rate of return on the investment is 25 percent per year and the payback period is 3.9 years; if the conversion cost is $80,000, the rate of return is 18 percent per year and the payback period is 5.4 years.

Some owners may not want to borrow money to convert a garage, or may have too little equity to do so. A policy that can help in this case is being tested in Portland, Oregon. The government offers to build a second unit on a single-family property if the home owner agrees to allow a homeless family to live in it rent-free for five years, after which the home owner has unrestricted use of the property. The sites considered for the second units are close to public transit, schools, grocery stores, and day care, and the formerly homeless families receive full support from social services.

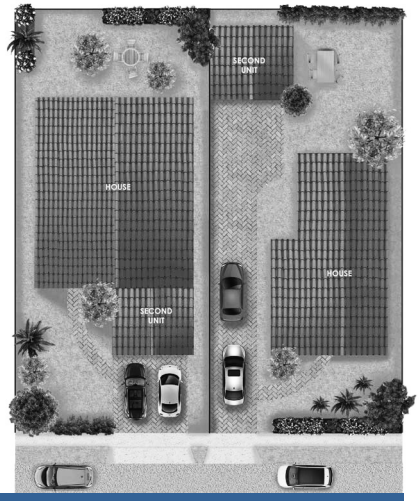
The government's cost to build the second unit is around $75,000, about the same as the cost to convert a garage into a second unit—far less than the average $372,000 per unit it costs to build subsidized affordable housing in California.

If a city wants to provide housing for homeless families, subsidizing second units can be cheaper than subsidizing the rent for existing apartments.

Unlike rent subsidies, which increase the demand for affordable housing, subsidized second units increase the supply of affordable housing. After five years, home owners get the second units at no cost.

If an agency is committed to providing shelter for a specific group, subsidized second units can be a cost-neutral or even a less expensive alternative.

For example, because the U.S. Department of Veterans Affairs offers a wide array of programs to help homeless veterans, it can also offer to pay for converting garages into housing in exchange for letting veterans occupy the new housing rent-free for a specified period. This offer seems especially appropriate if the home owner appreciates a veteran's service to the country and if the neighbors approve of (or at least hesitate to publicly oppose) allowing a formerly homeless military veteran to live nearby.



Anne Brown, Vinit Mukhija, and Donald Shoup, FAICP

Figure 2. Garages converted to second units at the front and back of houses.

GARAGE CONVERSIONS AND URBAN DESIGN

The large scale and bad design of some high-density infill projects often provoke opposition from home owners who want to preserve their neighborhood's physical character. In contrast, garage apartments do not overwhelm existing houses and may even go unnoticed by neighbors. Garage conversions merely swap people for cars or storage, leaving exteriors virtually unchanged. Critics cannot say that a converted garage will be out of scale in the neighborhood because the garage is already there. Garage apartments create horizontal, distributed, and almost invisible density instead of vertical, concentrated, and obtrusive density. Home owners may begin to consider their garages like unfinished attics or basements that can be converted into living space when the need arises. With a garage conversion, no one has to build more housing because it's already there. The problem is that the city requires it to be reserved for cars, not people.

Figure 2 shows single-family homes with converted garages in front of and behind the house. Both have enough parking to accommodate two, three, or more cars parked in the driveway or on the street in front of the house.

Because most garage conversions have been illegal, most of them have been in backyards where they are inconspicuous. Few home owners would be foolhardy enough to illegally convert a street-facing garage into housing because it would be obvious to everyone, including city inspectors. The investment would be risky because of the high chance of being cited for two violations: converting the garage to housing and not having the required off-street parking. Nevertheless, street-facing garages may be the most suitable for conversion to housing, for several reasons.

First, street-facing garages already comply with zoning-required setbacks and height limits. Second, converting a street-facing garage into an apartment will not reduce privacy in the home owner's or the neighbors' backyards. The garage apartment's resident will also have more privacy with a separate entrance to the street. Third, converting a street-facing garage that is part of the house into an apartment should be cheaper than converting a freestanding backyard garage. The apartment can connect with the electricity, central heating, air conditioning, and plumbing in the main house, and can have a door into the main house if the apartment is occupied by a family member or caregiver. Fourth, fire engines or ambulances can easily access a garage apartment in the front, removing an objection often raised against backyard cottages. Fifth, garage residents will provide more eyes on the street, and the home owners can feel safer while they are away if someone is living in the former garage. Sixth, converting a street-facing garage into an apartment can improve both the architecture of the house and the urban design of the street. Street-facing garages can be much more valuable for people than for cars.

Anne Brown, Vinit Mukhija, and Donald Shoup, FAICP

Figure 3. Design improvements from street-facing garage conversions, Los Angeles.

All this can be accomplished with little effect on parking or aesthetics. Cars can still park side-by-side in the driveway of a front-facing converted garage. If a garage abuts the sidewalk and has no driveway, the city can issue a block-your-own-driveway permit to provide a guaranteed on-street parking space along the curb cut in front of the house. Moreover, a city can require design review for any garage conversion to ensure that it is consistent with the design of both the house and the neighborhood.

The two renderings in Figure 3 illustrate the improvements possible when a residential facade replaces a garage door that formerly dominated the front of a house. (The entry door to the second unit can be in the side setback.)

AFFORDABLE HOUSING

Off-street parking requirements in single-family neighborhoods prevent on-street parking congestion mainly by preventing second units, and most garage conversions that do occur are confined to the unregulated housing market rather than the formal market. Some home owners ignore not just parking requirements but also important safety precautions when converting their garages without building permits. These unregulated garage units may then not adhere to building codes, thus exacerbating existing concerns over the safety of converted garages.

Urban economists have argued that high housing prices result not from a shortage of land, but from a zoning-induced shortage of building permits. Parking reforms that allow second units can provide a new supply of small, well-located, and high-quality dwellings within walking distance of stores and public transit. Allowing home owners to convert their garages into second units will allow the market to supply more housing with less parking and less traffic.

By creating new affordable housing, garage conversions can reduce the demand for existing affordable housing—which is in short supply—by increasing both the number of units and their geographical availability. If reformed parking requirements

allow it, garage apartments can create income-integrated communities not only in the sense of income diversity within a neighborhood but also of people with different incomes living on the same piece of property. The garage apartments will be what has been called naturally occurring affordable housing (NOAH): units that are affordable without being supported by public subsidies. Because the residents of the new garage apartments will not be competing for the existing supply of affordable housing, the benefits of the new NOAH units will trickle sideways and benefit everyone seeking affordable housing.

ALL PARKING IS POLITICAL

Diverse interests from across the political spectrum may support reducing the off-street parking requirements for second units if a city limits the number of on-street parking permits at any address with a second unit. Taken together, reforms for both on-street and off-street parking regulations are likely to appeal to important interest groups.

Housing advocates can see that allowing garage conversions will create affordable homes without requiring any subsidy. Property-rights advocates can see that it will increase owners' ability to manage their property. Environmentalists can see that it will reduce energy consumption, air pollution, and carbon emissions. Elected officials can see that it will encourage infill development and reduce traffic congestion without any new taxes. Contractors can see that it will increase investment in new housing. Urban designers can see that unobtrusive microapartments will enable people to live at higher density without being overwhelmed by cars. Libertarians can see greater opportunities for individual choice. Older people can see the potential to have on-site housing for caregivers or boomerang children. Opponents of illegal second units can see the potential for cities to legalize or remove these units.

Home owners can see the opportunities for guest quarters or rental income. Potential residents can see the prospect of affordable housing close to their workplace. Across the political spectrum, the left can see that garage conversions provide affordable, mixed-income housing in good neighborhoods, while the right can see they are 100 percent capitalist.

If many home owners convert their garages into apartments, cities can consider charging market prices for the on-street parking permits and spending the revenue to improve public services in the neighborhood. Everyone will have an incentive to economize on curb parking. Some residents who formerly parked their cars at the curb will park in the driveway, and others might sell an old car that isn't worth the price of an on-street parking permit. If more home owners convert their garages into apartments, rising permit prices will prevent a curb parking shortage, and will increase the revenue to pay for neighborhood public services.

CONCLUSION

One goal of city planning is to avoid conflicts before they happen, such as by regulating setbacks, fence heights, signs, and other features of real estate. Off-street parking requirements help to avoid conflicts about on-street parking, but they have serious unintended consequences, one of which is reducing the supply of housing. Garage conversions can increase the supply of housing but off-street parking requirements inhibit converting garages into housing.

SAMPLE LOCAL LEGISLATION

Off-street parking requirements shall be removed where the following conditions are met:

- The lot sits within a residential parking permit district; and
- On-street parking permits are limited.
- This condition shall remain in effect so long as the normally required number of off-street spaces are not provided on the lot.

SAMPLE STATE LEGISLATION

[A] local agency . . . shall not impose parking standards for an accessory dwelling unit in any of the following instances:

- The accessory dwelling unit is located within one-half mile of public transit.
- The accessory dwelling unit is located within an architecturally and historically significant historic district.
- The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.
- When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
- When there is a car-share vehicle located within one block of the accessory dwelling unit.

[Excerpted from California Government Code §65852.2(d)]

COMMENTARY

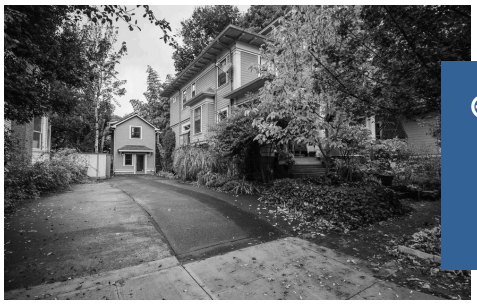
In California, all cities and counties must allow garage conversions and other second units through a ministerial review process (Government Code §65852.2).

Additionally, the California Vehicle Code authorizes block-your-own driveway permits (§22507.2):

> A local authority may, by ordinance, authorize the owner or lessee of property to park a vehicle in front of the owner's or lessee's private driveway when the vehicle displays a permit issued pursuant to the ordinance authorizing such parking. The local authority may charge a nonrefundable fee to defray the costs of issuing and administering the permits.

Cities can issue block-your-own-driveway permits in neighborhoods zoned for single-family residential use. Block-your-own driveway permits substantially increase the on-street parking supply and give property owners a guaranteed on-street parking space for themselves, guests, home help, and service vehicles.

This is not an unprecedented approach. Hermosa Beach, California, has authorized block-your-own driveway permits since 1989 (§10.32.080). Here is the city's permit application and the original ordinance: http://bit.ly/2uycyXT.



buildinganadu.com

Figure 4. An example of a two-story garage-to-ADU conversion in Portland, Oregon's historic Irvington neighborhood.

Off-street parking requirements put space for cars ahead of housing for people by making it difficult to convert garages into apartments. Instead, cities should remove off-street parking requirements for houses within RPP districts and limit the number of on-street parking permits at any address where a garage has been converted to housing. Limiting parking permits will prevent on-street parking congestion and help make garage conversions politically feasible. By increasing both home values and the supply of affordable housing, this parking reform can achieve individual and collective benefits of converting garages into housing without creating costs to neighboring home owners.

Parking reform for garage conversions can be offered first as a pilot program in one district. If the first district where garage conversions are allowed is successful, the policy can be offered in other parts of the city. Because they offer flexibility and may be adopted on a piecemeal basis, the parking reforms can allow residential districts to implement gradual change at the neighborhood level. The policy can also be expanded to allow other kinds of second units such as new detached structures, additions to the main house, or carve-outs in the main house, such as basement apartments. Parking reform can reduce the barriers to all forms of second units in both old and new housing while removing concerns about on-street parking congestion

Parking reforms offer a simple solution to encourage the addition of affordable housing while also providing home owners with improved choice and opportunities for mortgage financing and home equity loans. While parking regulations will change, other city regulations for second units, particularly building and safety codes, can remain the same. Existing garage conversions can be grandfathered if they are brought up to code, as is often done with other nonconforming land uses. New houses can also be built with second units or designed with garages and other spaces that are ready for conversion to second units.

The most appropriate method of managing on-street parking for houses with second units will depend on the nature of the neighborhood. In older neighborhoods with narrow lots, for example, only one on-street parking permit may be possible for a house with a second unit. In newer neighborhoods with wider lots, several parking permits for a house with a second unit may not crowd the street. Even in the densest neighborhoods, cities can allow second units such as basement flats if they manage the on-street parking properly. In this way, relatively minor parking reforms can allow home owners to create second units and adapt the urban landscape to a new future, one garage at a time.

Note: This article is condensed from "Converting Garages into Housing," in the *Journal of Planning Education and Research*.

Cover: ©iStockphotos.com

ABOUT THE AUTHORS

Anne Brown is a PhD candidate in the Department of Urban Planning at the University of California, Los Angeles and a graduate student researcher in UCLA's Lewis Center for Regional Policy Studies and the UCLA Institute of Transportation Studies. Her research examines the intersection of transportation equity, finance, and travel behavior. Brown's dissertation research investigates the equity implications of ride-hail services.

Vinit Mukhija is a professor and department chair of urban planning in the Luskin School of Public Affairs at UCLA. His research focuses on informal housing and slums in developing countries and "Third World-like" housing conditions (including *colonias*, unpermitted trailer parks, and illegal garage apartments) in the U.S. He is particularly interested in understanding the nature and necessity of informal housing, and strategies for upgrading and improving living conditions in unregulated housing. His work also examines how planners and urban designers in both developing and developed countries can learn from the everyday and informal city.

Donald Shoup, FAICP, is distinguished research professor in the Department of Urban Planning at UCLA. His research has focused on how parking policies affect cities, the economy, and the environment. Shoup is a Fellow of the American Institute of Certified Planners and an Honorary Professor at the Beijing Transportation Research Center. In 2015, he received APA's National Excellence Award for a Planning Pioneer.

VOL. 35, NO. 5

Zoning Practice (ISSN 1548–0135) is a monthly publication of the American Planning Association. James M. Drinan, JD, Chief Executive Officer; David Rouse, FAICP, Managing Director of Research and Advisory Services; Joseph DeAngelis and David Morley, AICP, Editors.

Subscriptions are available for $95 (U.S.) and $120 (foreign). Missing and damaged print issues: Contact APA Customer Service (312-431-9100 or subscriptions@planning.org) within 90 days of the publication date.

ZONING **PRACTICE**
AMERICAN PLANNING ASSOCIATION

205 N. Michigan Ave.
Suite 1200
Chicago, IL 60601–5927

ARE YOUR PARKING STANDARDS BLOCKING GARAGE APARTMENT CONVERSIONS?

5

ZONING **PRACTICE** FEBRUARY **2018**

AMERICAN PLANNING ASSOCIATION

ISSUE NUMBER 2

PRACTICE ADAPTIVE REUSE

Repurposing Single-Family Homes and Neighborhoods

By Jeffrey Beiswenger, AICP, and Zachary Tusinger

A wave of change is coming to single-family neighborhoods. Is your community ready?

This edition of *Zoning Practice* will outline strategies for addressing the changes that are likely to come to single-family neighborhoods nationwide, including the demographic changes that will drive housing booms in some communities and widespread vacancies in others, code enforcement tools for addressing vacant properties, strategies for reusing vacant parcels where demand for single-family homes has declined, and accommodating housing in those neighborhoods that are in demand.

THE PAST AND FUTURE OF AMERICAN SUBURBS

Dramatic demographic changes are unfolding in the United States. This will continue to have a significant impact on the nation's existing and future housing supply. According to professor and demographer Arthur C. Nelson, FAICP, nearly half of all buildings that will be standing in 2030 do not exist today (Nelson 2013). The economic fortunes of cities will shape (and be shaped by) both the form and location of these new buildings. Employment opportunities are also changing—rapidly. From a peak in 1979, more than seven million manufacturing jobs have been lost, according to the Bureau of Labor Statistics, while 53 million jobs were gained in other sectors—including 33 million service-sector jobs (Worstall 2016). In the coming decades, the rise of widespread automation is expected to bring economic upheaval. Will jobs lost to automation be replaced? And where will these jobs be located?

Given this backdrop of seismic economic shifts, home-buying preferences are changing as well. Millennials are more likely to live with their parents, yet are also required to be more mobile than previous generations, given rapidly changing employment prospects. Millennials are also more burdened by debt than previous generations, and are delaying their first forays into the housing market (Lerner 2017). The combination of these macroeconomic and social factors will serve to create a housing-supply mismatch in the single-family home market that may result in a surplus of single-family homes by 2030 and beyond.

The historical context for these changes is vital to our understanding of how communities are likely to evolve into the near future. In the postwar area, the demand for large neighborhoods of single-family homes was driven by the family formation that occurred from the silent generation (born from 1925 to 1945) as WWII ended and in the population boom that occurred afterward. Federal action in the form of large-scale highway building and the desire of this generation (and baby boomers) to own single-family homes in the suburbs fueled the expansion of suburban (and exurban) communities throughout the U.S.

According to a study by Arthur Nelson, the U.S. will have a surplus of approximately 28 million conventional (medium- to large-lot) single-family homes by 2030. This is primarily due to changing preferences for more small-lot and attached housing units (Nelson 2013). According to Nelson, the 2030 demand will wane for conventional, large-lot homes with a demand for only 32.6 million new units. In 2011, the supply of units was already more than 60.5 million—creating a supply-demand mismatch. Meanwhile, developers may need to catch up on the construction of attached and small-lot units. Additionally, multigenerational and multihousehold occupancies of single-family homes are becoming increasingly common. Few alternatives exist for those who cannot afford, or do not want, a large single-family home in the suburbs. The repurposing of single-family homes into multifamily dwellings, care homes, mixed use buildings, offices, and other uses is more common than ever, both with and without the appropriate zoning in place.

Beyond Infill: Changing Neighborhoods and Density

As the housing market continues to heat up following the Great Recession, cities are facing new challenges. Increased housing costs, a shortage of available homes in high-demand areas, and entire generations dealing with the effects of lost income and savings are leading to new pressures on the single-family neighborhoods that once formed the backbone of the American Dream. A half-century slide in the number of people living under one roof has ended and is beginning to reverse, with average household sizes inching up in many states. Increased densities challenge the placid character of suburban single-family neighborhoods. Since federal and state laws limit how much cities can regulate the number of individuals living under one roof, the solution must be multipronged.

Not only do challenges exist in rapidly depopulating communities, but also in hot coastal regions facing housing shortages. In the near term, many cities, particularly in the coastal regions, are dealing with high demand for housing of all types, including single-family homes. Consequently, costs are through the roof, and the rate of creation of new housing units in many markets is frustratingly slow.

Missing Middle Housing

Part of the pressure on existing neighborhoods stems from the fact that in the U.S., housing is largely constructed in two forms: large, suburban style single-family homes, and large, mid-rise apartment complexes. This gap in housing types is what is often called the "missing middle:" duplexes, fourplexes, small multiplexes, live-work units, and bungalows. Missing middle housing, if properly designed, can bridge the gap between dense mid-rise residential neighborhoods and lower-density, auto-oriented neighborhoods. Missing middle housing has a small footprint and medium density (but is perceived as lower), and can be walkable. This type of housing preserves many of the community and neighborhood aspects of single-family homes, but allows for the added densities that are needed to reduce sprawl and retrofit American neighborhoods.

Vancouver, British Columbia, which is currently dealing with explosive housing

costs, recently released a 10-year housing strategy that has the potential to radically transform a city that is predominately made up of single-family houses, even though it is perhaps better known for its high rises. The strategy relies to a large degree on the creation of more missing middle housing. Of the 72,000 homes the city hopes will be created over the next decade, 4,000 are intended to be "laneway homes," or accessory dwelling units. Another 10,000 of those are anticipated to be ground-level town houses, row houses, and other forms of medium-density infill grafted strategically into the city's existing single-family neighborhoods (City of Vancouver 2017)

DEALING WITH VACANT HOMES

Due to shifting demographics and changing economic conditions, certain neighborhoods could see widespread vacancies of surplus single-family homes. Fortunately, tools are available for addressing these vacancies. During the foreclosure crisis of the late 2000s, effective tools were developed as entire neighborhoods were emptying. In the case of widespread foreclosures, the vacancies were often temporary. In the future, vacancies may be more permanent as demand for single-family homes dissipates in certain areas. The following tools can help keep vacant homes from falling into disrepair, or help find alternative uses for them.

Code Enforcement Tools—VPOs and Receivership

An effective tool to address vacant homes in your community is the vacant property ordinance (VPO). The tool can be easily incorporated into your municipal code, but also requires some enforcement capacity. Fees can be established to help offset some of the enforcements costs.

During the foreclosure crisis of the late 2000s, the VPO was developed and utilized by towns and cities nationwide to address the abandonment of homes and prevalence of bank-owned homes. Many communities adopted VPOs and code enforcement protocols to help minimize the impact of vacant properties. Doug Leeper, the code enforcement division manager in Chula Vista, California, shepherded a vacant property registry and fee program through the approval process in 2007 (§15.60). Leeper estimated that there were more than 9,000 foreclosed homes in Chula Vista during the housing crisis; the vacant property program registered more than 2,600 homes by 2007.

By 2009, more than 400 communities had adopted similar ordinances. Central to the ordinance is a requirement that vacant properties are registered by the city or in a national database accessible by the city. A small annual registration fee is required and properties are required to be maintained. Security must also be provided, with a contact number prominently displayed. If the worst-case scenario materializes in your community, and single-family homes become vacant faster than they can be absorbed by the market, a VPO is a good stop-gap measure.

Ed Kohler, Flickr (CC by 2.0)

VPOs are one tool that municipalities can use to minimize the impacts of vacant and abandoned homes.

A more aggressive approach is through a vacant building receivership ordinance. Referred to as "fix it or lose it" by the city of Baltimore, it provides a building official with the authority to petition the court for the appointment of a receiver to help raze, rehabilitate, or sell a vacant building. The city also has a "Vacant to Value" program that allows for property under city ownership to be transferred to a developer for improvements and eventual sale. Receivership has the potential to quickly address and remedy nuisance properties (City of Baltimore).

A key benefit to a more aggressive approach is that it prevents property speculators from sitting on dilapidated properties over an extended period. It also allows for the receiver to pass property to an organization or developer quickly, to put the property back to productive use. The ordinance also provides a mechanism whereby the jurisdiction can collect liens and penalties from delinquent property owners (Jacobsen 2015).

The Agrihood

The local food movement is alive and well in the U.S. In Detroit, a collection of forward-thinking advocates from the city's urban agricultural community have turned vacant single-family homes and lots into community resources for urban agriculture. Detroit's hard-hit north side has created a neighborhood where agriculture is the centerpiece of a mixed use urban community. A formerly dense urban neighborhood now has a successful working farm at the center.

In 2004, Detroit had only 100 urban farms. By 2013 urban agriculture was recognized as a legal use in the city's zoning ordinance. This reduced uncertainty and allowed existing urban farms to remain in place and expand. In 2016, there were approximately 1,400 urban farms in Detroit.

The Detroit ordinance establishes legal definitions for many urban agriculture uses, including aquaculture, aquaponics, farm stands, farmers markets, greenhouses, rainwater catchment systems, hoop houses, orchards, tree farms, urban farms, and urban gardens. The ordinance operates as an overlay to the city's existing zoning ordinance. The code includes standards for setbacks, lighting, maintenance, drainage, nuisance issues, noise, and hours of operation. Importantly, the ordinance grants legal nonconforming use status to all agricultural operations that predate the ordinance.

Portland, Oregon, has incorporated urban agriculture into the zoning ordinance with the express intent of connecting local food production to the community at a

neighborhood level. The zoning updates include clear definitions of several land-use types, including:

- market gardens (or orchards) where food is grown to be sold
- community gardens, where several individuals collaborate to grow food
- food membership distribution sites, farmers markets

The focus of amendments to the Portland zoning code was to legalize these activities in all zoning districts, while adding performance standards to address possible impacts.

Urban agriculture can be applied to suburban areas, as well. Sacramento County, a mixed urban/suburban county in California, adopted a new urban farm ordinance in 2017. The ordinance permits market gardens, small farms on vacant property, and urban ag stands to sell produce, eggs, honey, and other goods on the site of an urban farm or garden. The ordinance also allows egg-laying hens and ducks on parcels as small as 10,000 square feet, and permits beehives.

Urban agricultural concepts can breathe new life into urban and suburban neighborhoods. These concepts have applicability all over the U.S. as changing demographics and socioeconomic conditions reduce the demand for inner city and large suburban lots. (For more information, see "Urban Agriculture as an Emergent Land Use," *Zoning Practice*, August 2014: planning.org/media/document/9006887.)

GENTLE INFILL

Thus far, we have focused on strategies for unwanted homes and lots in single-family neighborhoods, and how to use code enforcement and site acquisition tools to help address impacts, encourage reuse of structures, or provide alternative uses for the structure or land. What about areas where new housing supply is needed, but the existing homogenous single-family neighborhood is not meeting the market or social demand for new housing, particularly workforce housing? One concept that is gaining traction is "gentle infill," where infill development is compatible with its surroundings to achieve urban design goals and produce more housing.

Jason Meredith, Wikimedia, (CC by 2.0)

Some municipalities explicitly encourage larger, more expensive homes with minimum dwelling unit requirements.

Zoning codes are typically full of provisions that prohibit housing through scale and density constraints. Some jurisdictions even have minimum dwelling unit sizes with the express intent of encouraging larger, more expensive homes. Market solutions, in the form of smaller units, can be facilitated with zoning changes and respond to demand for missing middle housing.

In 2009, the town of Mammoth Lakes, California, recognized that infill could be a way to bring more development and vitality to town, particularly with respect to workforce housing. It adopted a Community Benefit/Incentive Zoning Policy (CB/IZ). The idea behind the CB/IZ was to provide development incentives (zoning flexibility, impact fee reductions, etc.) in exchange for community benefits such as workforce housing.

A draft *Downtown Revitalization Action Plan* was presented to the town council in September 2017. This plan includes an "incremental development overlay ordinance" and includes concepts such as:

- expedited planning and permit processing
- allowing shared parking, off-site parking, and other creative parking solutions
- code flexibility for smaller projects, particularly with regard to existing nonconformities
- preapproved building prototypes (e.g., mixed uses, housing types, etc.) to shorten the review process

Microunits that can be built off-site and brought in on wheels can also play a role in a gentle-infill strategy, particularly as temporary or permanent workforce housing. Microunits can be used as accessory dwelling units, part of multiunit clusters, or as freestanding "skinny" homes on small leftover parcels. Consultant Darin Dinsmore helped Truckee, California, implement this incremental infill process to transform an auto-oriented corridor into a mixed use community by allowing opportunity sites to develop with street-fronting uses such as offices, retail buildings, mixed use buildings, and town houses. In addition to zoning flexibility, a key component of this approach is cost containment—allowing fee reductions or waivers to allow these projects to be built with less cost.

Dinsmore and others argue for permit streamlining, permit fee reductions, parking reductions, and other "breaks" to incentivize infill development. Riverside, California,

has embraced this approach by creating a Residential Infill Incentive Program. It targets underutilized parcels in suburban and rural residential zones that are 21,780 square feet or larger. Properties that qualify are eligible for fee reductions to make additional residential development less expensive in areas where existing infrastructure is in place (City of Riverside).

Davis, California, has taken a much different approach to help facilitate infill development. Instead of providing financial or processing incentives, the city prepared a helpful guide to infill development, including principles and expectations. This document is still in draft form, but is publicly available (see References). This guide recognizes the complexity of infill development and seeks to help developers navigate the process to ensure that high-quality infill is ultimately built (City of Davis).

Accessory Dwelling Units

For years, accessory dwelling units (ADUs) have been a cost-effective way to increase the housing supply. These smaller housing units, either within the existing footprint of a home or in a small accessory structure, were traditionally created with the purpose of housing extended family members nearby. They are generally a good way to increase the density in low-density neighborhoods, while at the same time providing supplementary income for home owners. While some cities have embraced accessory dwelling units, others have put up roadblocks and tried to ban them all together.

Recognizing their potential to limit sprawl and provide additional affordable housing, many states and jurisdictions have taken steps to ease the path for home owners to build accessory dwelling units. At the end of 2016, California enacted a sweeping law streamlining the process whereby cities should approve them, as well as reducing the fees associated with them.

Given the high cost of housing in California, the number of applications for ADUs has exploded in many jurisdictions, including Santa Barbara. ADUs may become one of the key fixtures for a "post-suburban city" where the modern household is not just the traditional nuclear family, but full of many generations, multiple unrelated adults living together, college students moving back home for longer periods of time, and home owners looking for additional cash flow to keep up with housing and living costs (Loudenback 2017).

Cities outside of California are making significant progress, as well. Arlington, Virginia, recently rewrote its regulations to allow for an easier process for home owners to construct and license ADUs after only 20 eligible home owners successfully obtained licenses over an eight-year period (Sullivan 2017). Perhaps no city has seen as much success in promoting or building ADUs as Portland, Oregon. In 2016, the number of ADUs approved (615) was tantalizingly close to the number of single-family homes approved (867) (Law 2017).

This is in stark contrast to just a decade ago, when Portland approved 30 times more single-family home permits than permits for ADUs. As the number of lots available for single-family homes decreases, and as demand for housing remains strong, the economics of maximizing the buildout of a single-family lot by adding an ADU become more profound. With administrative and fee changes that the city has made for processing ADU permits, it becomes even cheaper than it otherwise might have been. Portland exempted ADUs from impact fees for roads, parks, and utilities in 2010 and has since renewed that exemption twice. Even with the recent boom, there is considerable development potential remaining throughout the city as well. Portland State University recently calculated that there are approximately 70,000 single-family lots in the city that could add an ADU. (Law 2017)

Additions and Garage Conversions

One of the biggest limiting factors to how many people can live in a single-family home is the number of bedrooms it is permitted to have. Adding additional bedrooms has traditionally been relatively easy. In some cases, it's a matter of adding a wall or subdividing a room. In other cases, the additional bedroom(s) can take the form of an addition to the home. In still other circumstances, there may be underused or uninhabitable space that can be claimed, like a garage, attic, or basement. In the past, this has been a straightforward process: As long as you obeyed setbacks and floor area ratio requirements, all you needed was a building permit.

Some cities concerned about overcrowding and its effect on on-street parking in neighborhoods have instituted limits and greater oversight. Berkeley, California, has instituted new restrictions on additional bedrooms that would require reviews and permits before increasing the number of bedrooms on a residential parcel beyond four. Davis, California, similarly requires additional off-street parking for homes with five or more bedrooms. It is probably no coincidence that both cities are college towns with burgeoning student populations. San Luis Obispo, another California college town, regulates high-occupancy residential uses where there are more than six adults living together in one housing unit. This includes greater oversight and higher off-street parking standards.

Another method for increasing the living space in a home is to convert all or part of a garage, either into additional rooms for the main unit or as part of an ADU. The new California state laws for streamlining ADU approval contemplate existing garages as one option for home owners. Finishing garages (or in some parts of the country attics or basements) may often be a more affordable option for adding living space than an expensive addition or freestanding ADU. As driving habits and car ownership levels change, and as (some) cities relax off-street parking requirements, garage conversions may increasingly be part of the reimagining of single-family neighborhoods.

Short-Term Rentals

A pressure on single-family neighborhoods is the rise of the sharing economy and short-term rentals. In popular tourist areas, a well-run Airbnb can generate more money for a home owner than might otherwise be generated through a long-term residential lease. Some recent data has shown that spikes in Airbnb listings can be linked to increases in the monthly cost of rent. This encourages property owners to withdraw their properties from the housing market and rent them out as short-term rentals.

The impact of short-term rentals is more profound than just shrinking the home supply and increasing the cost of rent. Airbnbs and other short-term rentals have the potential to drastically change the character of existing single-family neighborhoods. Imagine—suddenly the

Abe Ezekowitz/Wikimedia (CC SA-3.0)

Converting garages into accessory dwelling units is a popular and effective way to adapt to increased demand in single-family neighborhoods.

home next door has a different someone living there two, three, or four nights a week. Different cars come and go. There's the constant shuffle of luggage and people in and out of the home. People unfamiliar with the neighborhood or sound ordinances host parties. Now imagine that the neighborhood has multiple short-term rentals (maybe it's a popular vacation area and has a view). Now it's not just one house on the block that has become transient in nature, but three. Suddenly the neighborhood begins to lose its cohesion.

Unlike ADUs, short-term rentals have only recently been a regulatory concern. Some cities have prohibited them completely, with Healdsburg, California, a popular wine country destination concerned about the cost of housing and proliferation of vacation homes, being a prime example. Cities like Sonoma, California, have limited how many short-term rental permits can be issued, while others, like New York City, have significantly increased their regulation and oversight.

Regulations for short-term rentals can be tailored to fit the unique needs of the community. So far, there is no one set of best practices. Rohnert Park, California, wanted to maintain the character of its suburban-style residential neighborhoods that were beginning to experience pressure from the proliferation of nearby wine country short-term rentals. The city crafted an ordinance in 2017 that banned whole-house rentals, yet still allowed single-room rentals subject to certain conditions. The city felt this compromise still allowed residents to supplement their incomes through short-term rentals, but helped to maintain the housing supply and preserve neighborhood character.

Multigenerational Housing

The American Planning Association estimates that by 2040, more than 20 percent of the population will be over the age of 65 and over 28 percent of the population will be under the age of 18. Combined, this is nearly half of the total population (Hodgson 2011). It is expected that more and more of these persons will live in multigenerational households. Younger adults are also living at home for longer periods than in the past.

Zoning codes need to be adjusted to accommodate multigenerational households. In 2013, AARP calculated that 51 million American live in multigenerational homes (Abrahms 2013). This is 16.7 percent of the U.S. population. Some builders have begun to recognize this, and are building

dwelling unit typologies that can accommodate more than one household. Others offer two master suites, or dens that can be converted into a bedroom. By making sure that a bedroom and a bathroom are on the first floor, these developments appeal to multigenerational households with elderly parents who may not want or be able to climb the stairs. In response to demographic changes and the related housing demand, a developer in Huntington Beach, California, scrapped plans for a 23-acre, single-family neighborhood and instead designed a multigenerational neighborhood with a mix of small homes, town houses, and carriage houses with dwelling units designed to accommodate home-based businesses. The neighborhood was intentionally designed to allow for young families, downsizing baby boomers, their aging parents, and their boomerang adult children to all live together nearby.

CONCLUSION

Where do single-family neighborhoods go from here? Riding the waves of change, both demographic and economic, will be key for the survival and evolution of these neighborhoods over the coming decades. In areas where population and financial trajectories might otherwise point toward disinvestment, the full toolbox should be available to practitioners to guide the next stage of development: code enforcement, receivership, and urban agriculture are all possibilities. At the other end of the spectrum, where there is pressure for greater densities, municipalities should be prepared to see increasing numbers of short-term rentals, home additions, and accessory dwelling units. In some cases, practitioners should be prepared to guide single-family neighborhoods toward more complete transformations—walkable neighborhoods with a mix of single-family and multifamily development. Regardless, today's single-family neighborhoods will look very different in the coming years.

ABOUT THE AUTHORS

Jeffrey Beiswenger, AICP, is the planning manager in Rohnert Park, California, and previously worked as a consultant specializing in zoning ordinance updates. He has written codes related to sustainable zoning and development codes in 11 states, and was the author of two previous editions of *Zoning Practice*. He holds a bachelor's degree in architecture from the University of Arizona and a master's degree in urban planning from the University of Illinois at Urbana-Champaign.

Zachary Tusinger is a planner for Rohnert Park. He holds a master's degree in urban planning from the University of Kansas and a juris doctor degree from Saint Louis University.

REFERENCES

Abrahms, Sally. 2013. "3 Generations Under One Roof." *AARP Bulletin*. Available at http://bit.ly/2FrGoQU.

City of Vancouver. 2017. *Housing Vancouver Strategy*. Available at http://bit.ly/2CZGyz9.

City of Baltimore. *Vacant to Value*. Available at http://bit.ly/2DkPixn.

City of Davis. *Guide to Infill Development*. Available at http://bit.ly/2ARnihS.

City of Riverside. *Residential Infill Incentive Program*. Available at http://bit.ly/2Di9q33.

Hodgson, Kimberly. 2011. "Multigenerational Planning: using smart growth and universal design to link the needs of children and the aging population." American Planning Association. Available at planning.org/research/family/briefingpapers/multigenerational.htm.

Jacobsen, Joan. 2015. "Receivership: The Key Strategy in Baltimore's Fight Against Vacants." Abell Foundation. Available at http://bit.ly/2mjyKgY.

Law, Steve. 2017. "Portland's New Housing Stock is Tilting to Accessory Dwelling Units", The *Portland Tribune*, March 2. Available at http://bit.ly/2nCKTk5.

Lerner, Michele. 2017. "Report: Student Loan Debt Delays Homeownership by Seven Years." *Washington Post*, October 19. Available at http://wapo.st/2DkPqNn.

Loudenback, Tanza. 2017. "Crazy-High Rent, Record-Low Homeownership, and Overcrowding: California has a Plan to Solve the Housing Crisis, but not Without a Fight." *Business Insider*, March 12. Available at http://read.bi/2nfY7TV.

Nelson, Arthur. 2013. *Reshaping Metropolitan America: Development Trends and Opportunities to 2030*. Washington, D.C.: Island Press. Available at http://bit.ly/2mkgrs4.

Sullivan, Patricia. 2017. "Making Renters More Welcome: Arlington Revisits 'Granny Flat' Regulations." *The Washington Post*, October 29. Available at http://wapo.st/2DlHtYp.

Worstall, Tim. 2016. "The U.S. Lost 7 Million Manufacturing Jobs and Added 33 Million Higher Paying Service Jobs." *Forbes*, October 19. Available at http://bit.ly/2D5WMqY.

Cover: © iStockphotos.com

VOL. 35, NO. 2

Zoning Practice (ISSN 1548–0135) is a monthly publication of the American Planning Association. James M. Drinan, JD, Chief Executive Officer; David Rouse, FAICP, Managing Director of Research and Advisory Services; Joseph DeAngelis and David Morley, AICP, Editors.

Subscriptions are available for $95 (U.S.) and $120 (foreign). Missing and damaged print issues: Contact APA Customer Service (312-431-9100 or subscriptions@planning.org) within 90 days of the publication date.

ZONING **PRACTICE**
AMERICAN PLANNING ASSOCIATION

205 N. Michigan Ave.
Suite 1200
Chicago, IL 60601–5927

HOW CAN YOUR CITY ADAPT TO A CHANGING HOUSING MARKET?

2