

# Accessory Dwelling Units 2024 Update

Exhibit A



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# Introduction

- This presentation continues the dialogue on the topic of Accessory Dwelling Units begun at prior meetings and workshops held on November 20, 2019, February 19, 2020, December 16, 2020, and March 20, 2021.
- Following the last meeting, staff put this process on hold. We utilized this pause to address parking concerns and transient rental concerns related to ADUs and to research best practices nationwide and around the world. Since that time, in reviewing code complaints and observing our existing rental properties and ADUs, staff has not found ADUs to be the cause of disproportionate and excessive code enforcement issues.
- From our previous outreach efforts, staff has taken into account a range of opinions from the general public, private stakeholders, and Town Commission on ADU implementation. Recurring points of interest and concern include: **transient occupancy, vehicle parking, and aesthetic and use harmony with the surrounding neighborhood.**

# Introduction (Cont.)

- Based on what we've learned from all stakeholder participants as well as our own research into how ADUs have been implemented elsewhere, staff has put together a set of draft ADU code recommendations we feel will allow for safe, orderly, harmonious, and compatible ADUs in the Town.
- These recommendations are intended to be the framework under which an ADU ordinance would be brought forward to the Commission.
- Tonight we'd like to provide an overview of our recommendations to receive direction on how to proceed.

# Agenda

- What's an ADU and what's not?
- Why ADUs?
  - Affordability
  - Flexibility
  - Sustainability
- How would ADUs work?
  - Current zoning rules and staff's recommended regulations
- Q and A

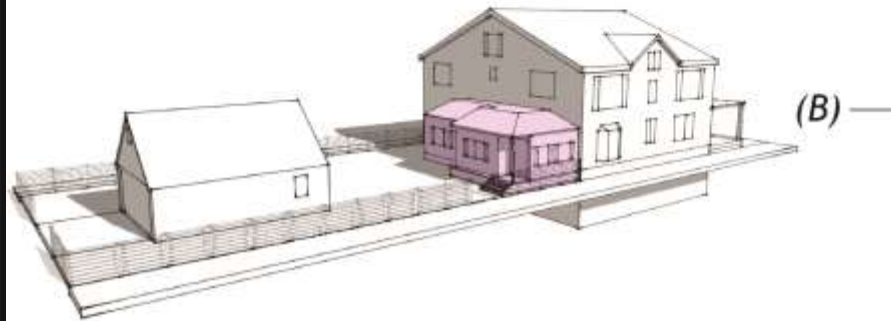




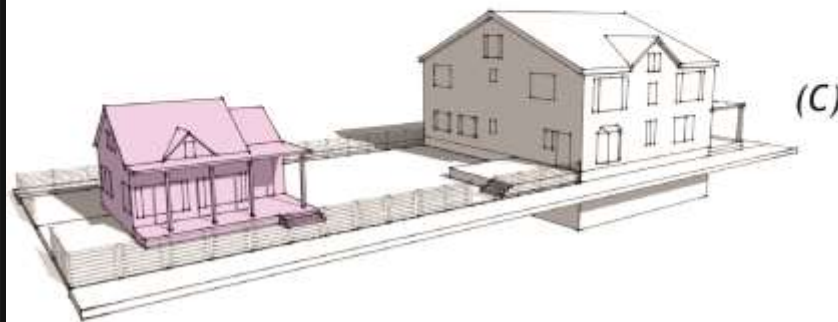
# What's an ADU?

- Accessory dwelling units (ADUs) are secondary dwellings on single-family parcels
- Florida State Statute defines ADUs as “a secondary living unit that has a separate kitchen, bathroom, and sleeping area existing either within the same structure, or the same lot, as the primary dwelling unit.”
- ADUs can be either attached, internal to the primary dwelling or detached (standalone).

1. Attached Accessory Dwelling Unit (ADU)



2. Detached Accessory Dwelling Unit (ADU)



Typical ADU characteristics:

- Smaller massing than the primary home
- Backyard location
- Matching aesthetics with the primary home
- Average 1-2 person occupancy

# What's an ADU?

415 Greenbriar Drive



**Primary Home: 1925**

**ADU: 1925**

500 Evergreen Drive



**Primary Home: 1925**

**ADU: 1930**

## Existing ADU Locations in Lake Park



### Legend

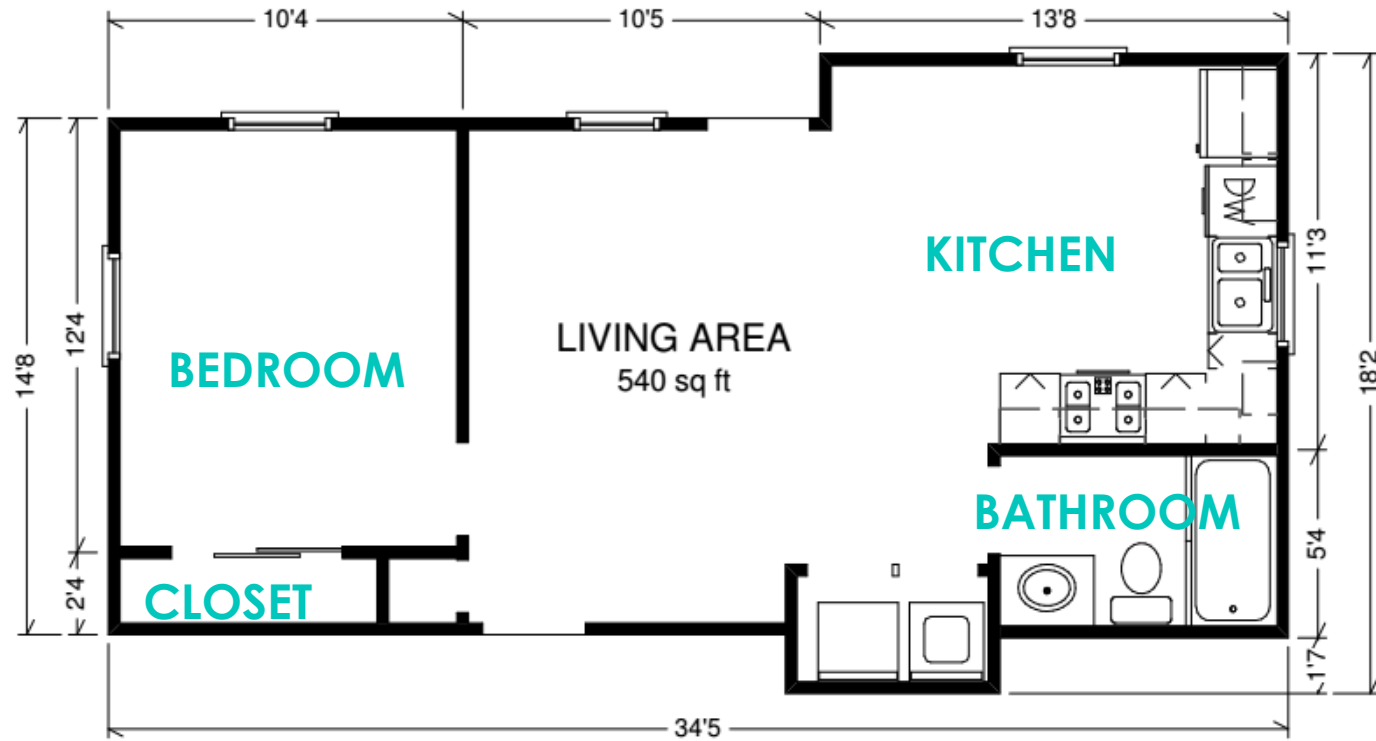
 ADU Locations

Source: Town of Lake Park Community Development (2020)

- ADUs have historically served as a natural outlet for growth in Lake Park and can again!



# Inside an ADU





# What's NOT an ADU?





# Why ADUs in Lake Park?

○Affordability – for current owners, new buyers, and renters



○Flexibility – for multigenerational households, parents and young adults



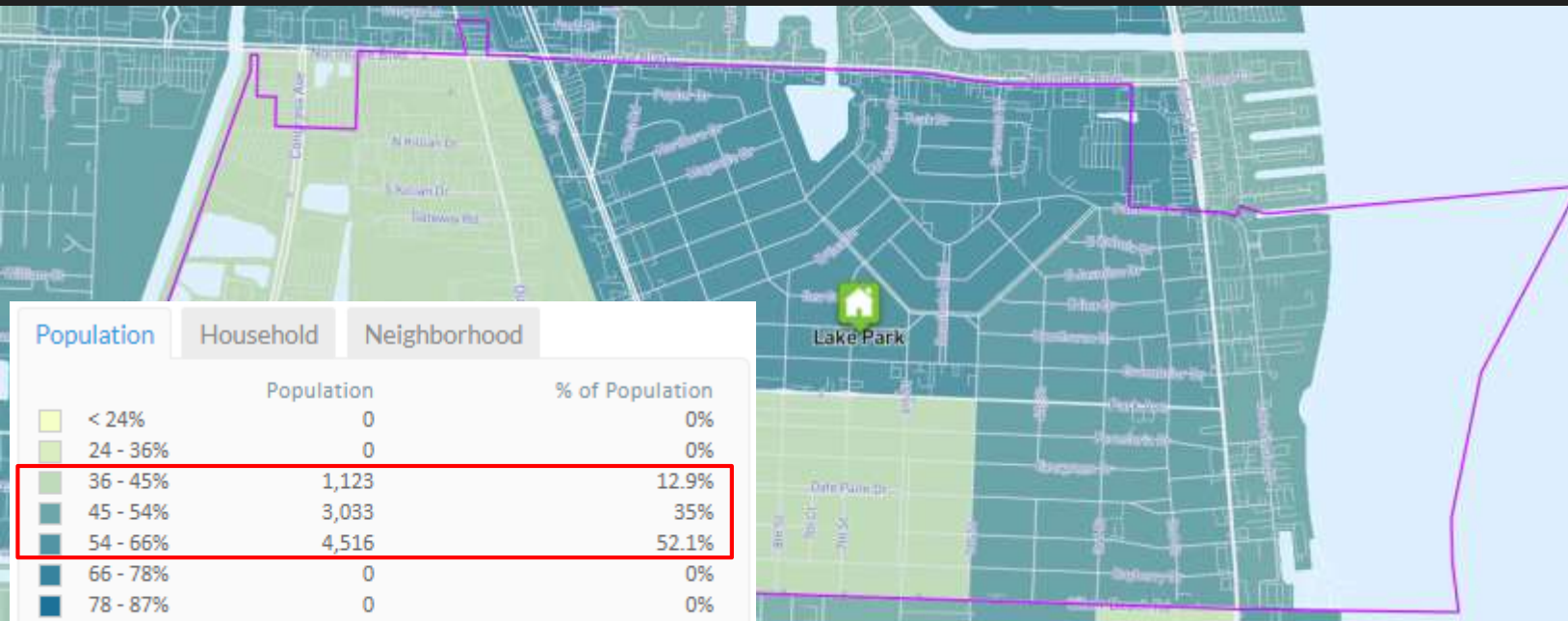
○Sustainability – for community health and the environment



# Affordability – Lake Park Overview (2024)

PBC 2010: 1,320,135 → 2024: 1,492,191

LP 2020: 8,556 → 2024: 9,047



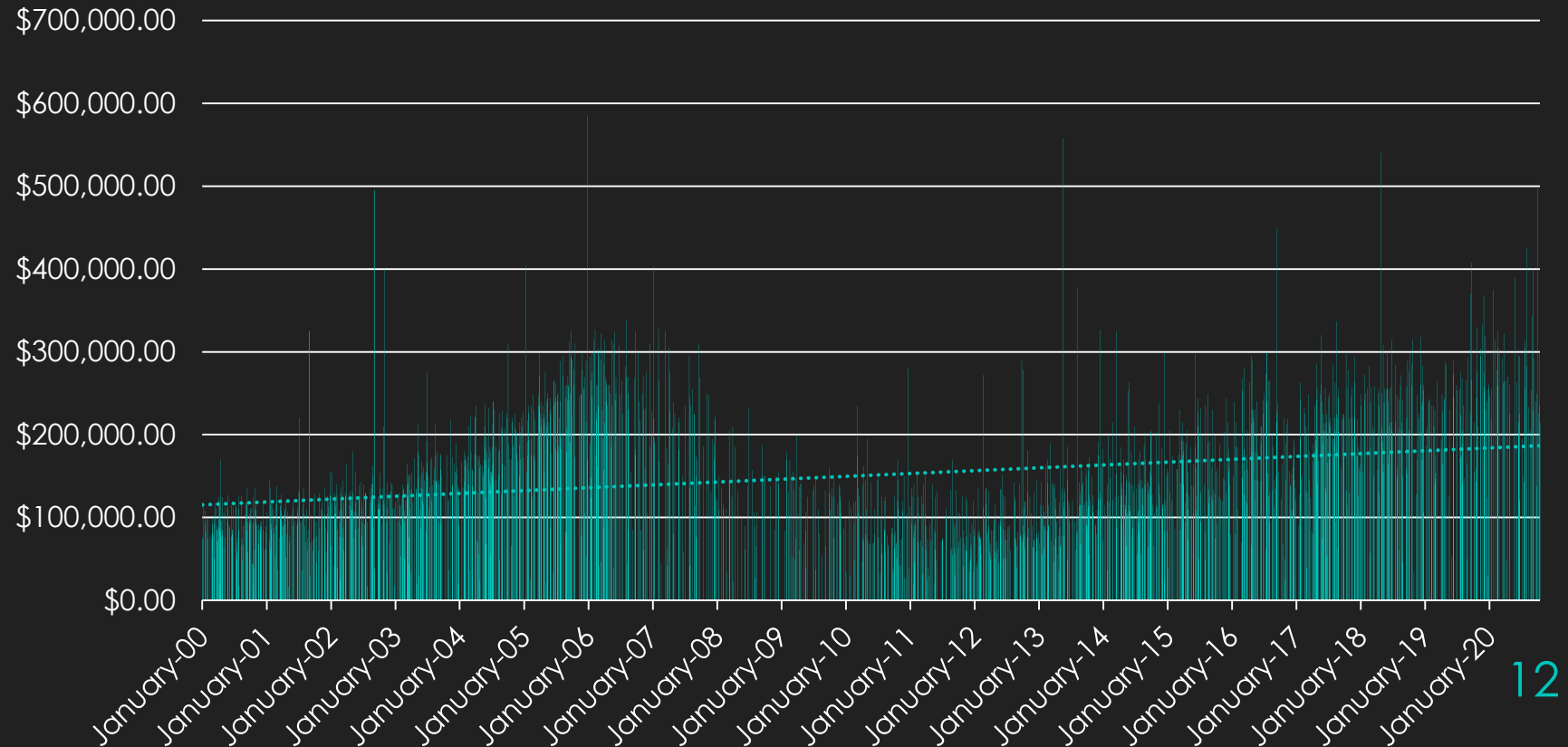
- Demographic change puts pressure on the supply-and-demand relationship of our housing market, impacting renters and owners.
- If you spend more than 30% of your income on housing, you are cost burdened.
- At the HUD standard, an owner making Lake Park's median income of \$56,775 (H + T Index) could mortgage \$255,487 over 15 <sup>11</sup> years.



# On Affordability (2024, partial update)

- Housing prices in Lake Park have risen and may rise further
- ADUs can help control rental costs by increasing supply
- Additionally, the rental income ADUs can generate could help facilitate purchases.
- It is worth noting, however, ADUs may also increase property value beyond what can be financed even with a rental agreement in some cases for new buyers.

Lake Park Single-Family Sales Prices



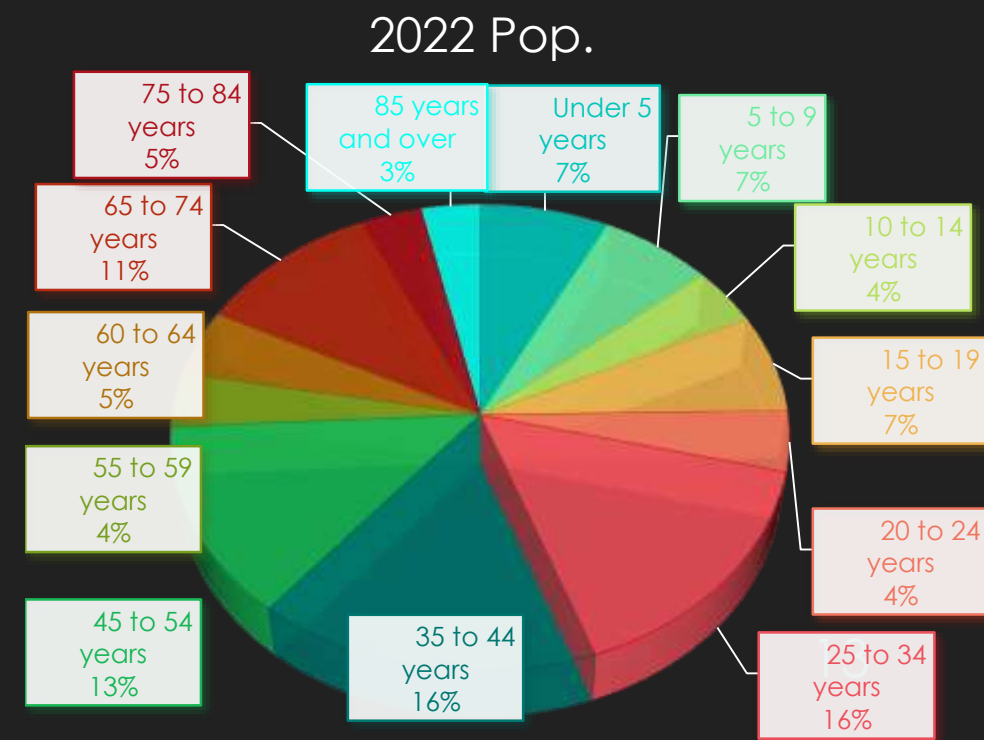
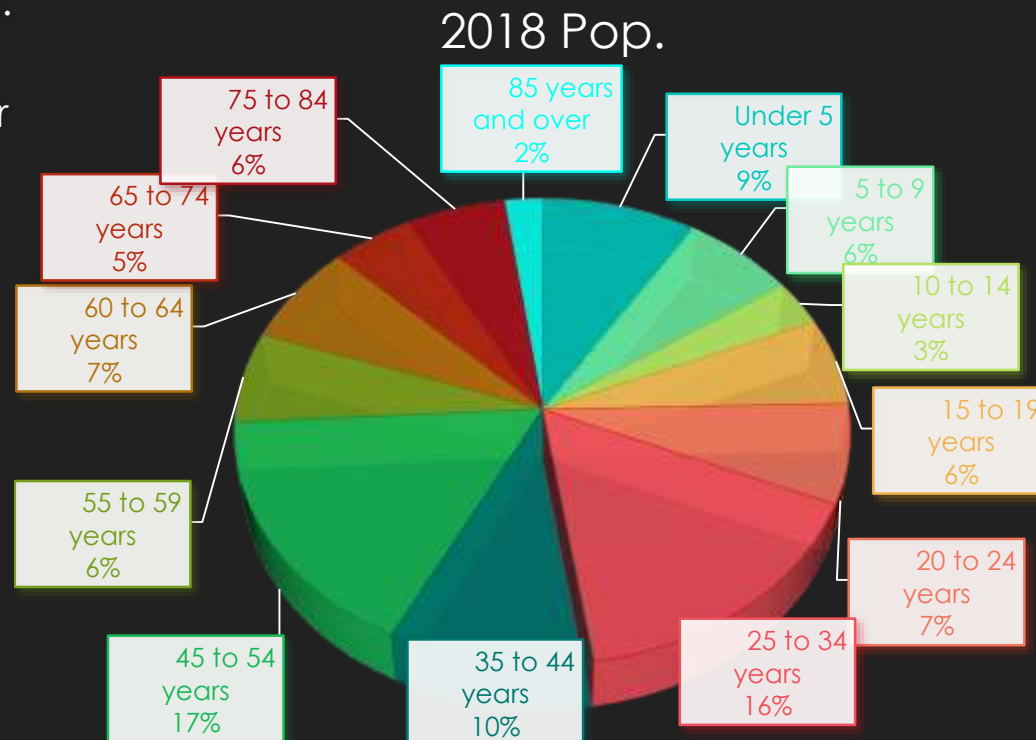
Source: Palm Beach County Property Appraiser (2020)

# On Flexibility (2024)

Source: American Community Survey(2022)

Palm Beach County Household Types 2018-2022		Lake Park Household Types 2014-2018	
Percentage		Percentage	
Persons per household	2.49	Persons per household	2.67

- Lake Park still has more extended families and persons per household than the PBC Average.
- ADUs facilitate flexible living arrangements for Lake Park's extended and multigenerational households.
- Case studies suggest ADUs are usually rented to close friends or the family of the owner. Rather than bringing strangers into the community, ADUs will most likely bring families closer together.





# On Sustainability

- ADUs promote sustainability by refreshing the housing stock and consolidating new development on existing parcels rather than greenfields.
- The average age of a Lake Park house is 64! New ADUs, equipped with new technologies and built to today's standards reduce energy consumption and may "refresh" older homes, giving them a unique asset to boost resale value.
- Additionally, the rental income an ADU may generate could be reinvested into improvements in the main home. In this way, ADUs facilitate healthy community upkeep.
- ADUs are consistent with Comprehensive Plan objectives, which are detailed more in the Fact Sheet.

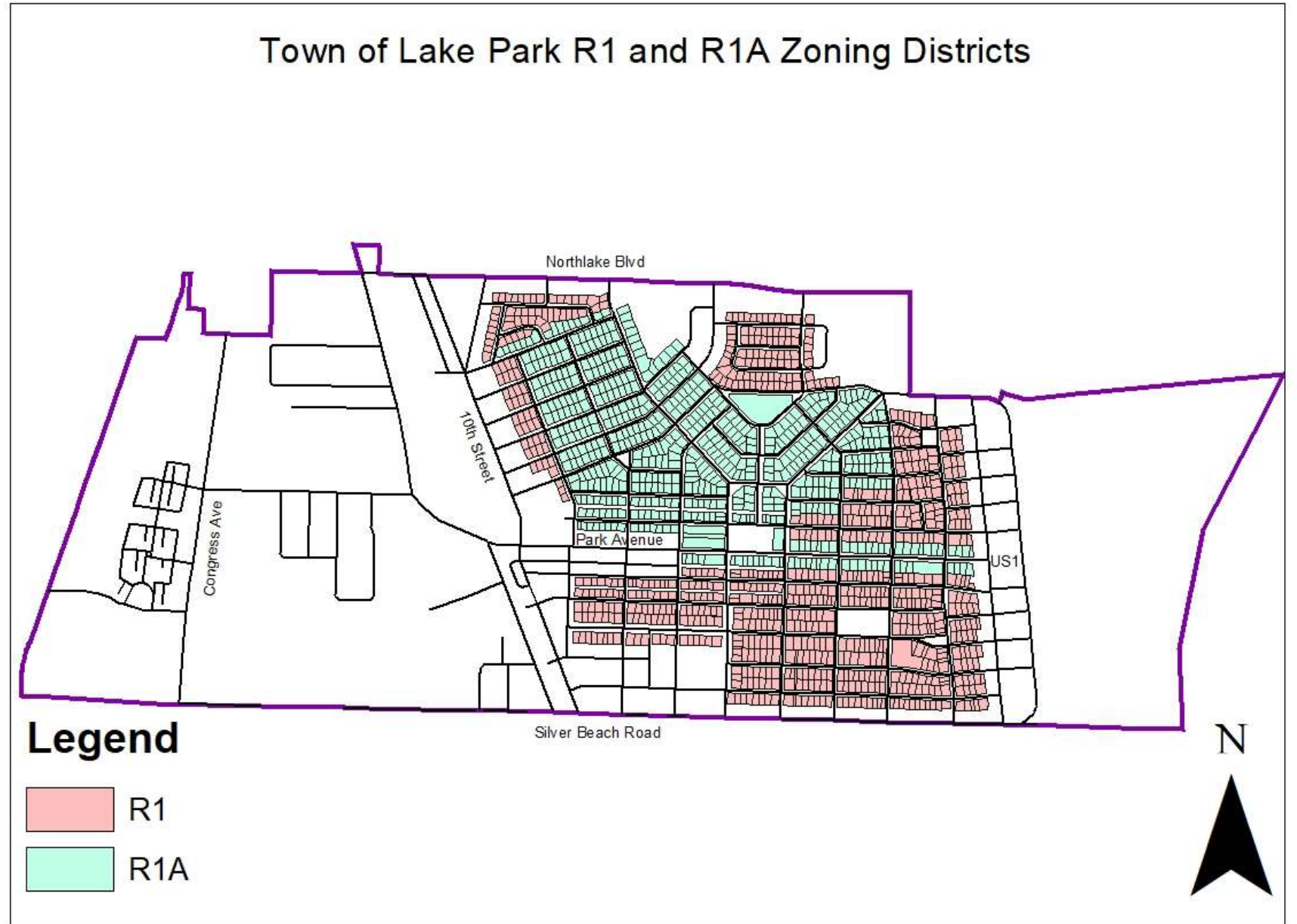
# How to ADU (Best Practices)

- ADU's exist throughout the US and around the world. They can be tailored to the unique needs of the communities that allow them.
- Since ADU's are widespread, there are a lot of best practices to learn from and staff has researched ADUs in a dozen municipalities from coast to coast and selected those standards we feel would fit best in Lake Park.
- Many of our existing rules and regulations will still apply to ADUs. In the following sections, existing rules that apply to ADUs will be orange. New regulations staff is proposing to regulate ADUs will be blue.



# Districts

- The R-1 and R-1A zoning districts already allow for accessory structures.
- ★ Add ADUs to our accessory uses in the R1 and R1A.

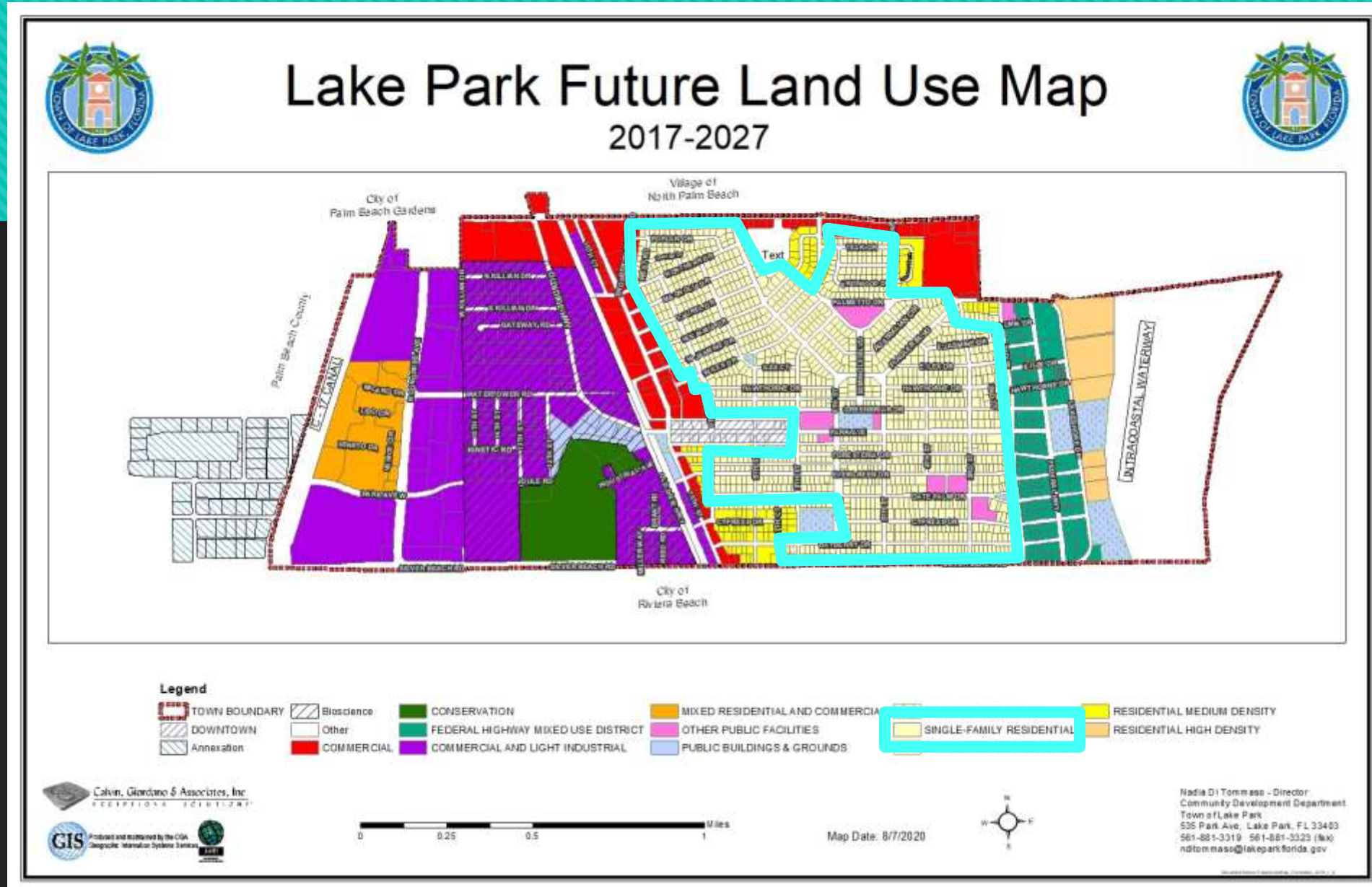


# Density

## 3.4.3 Future Land Use:

Single family detached residences, with a maximum density not to exceed six (6) units per gross acre including permitted accessory uses.

★ Staff recommends amending the comprehensive plan to provide for an additional half-unit density entitlement for ADUs.





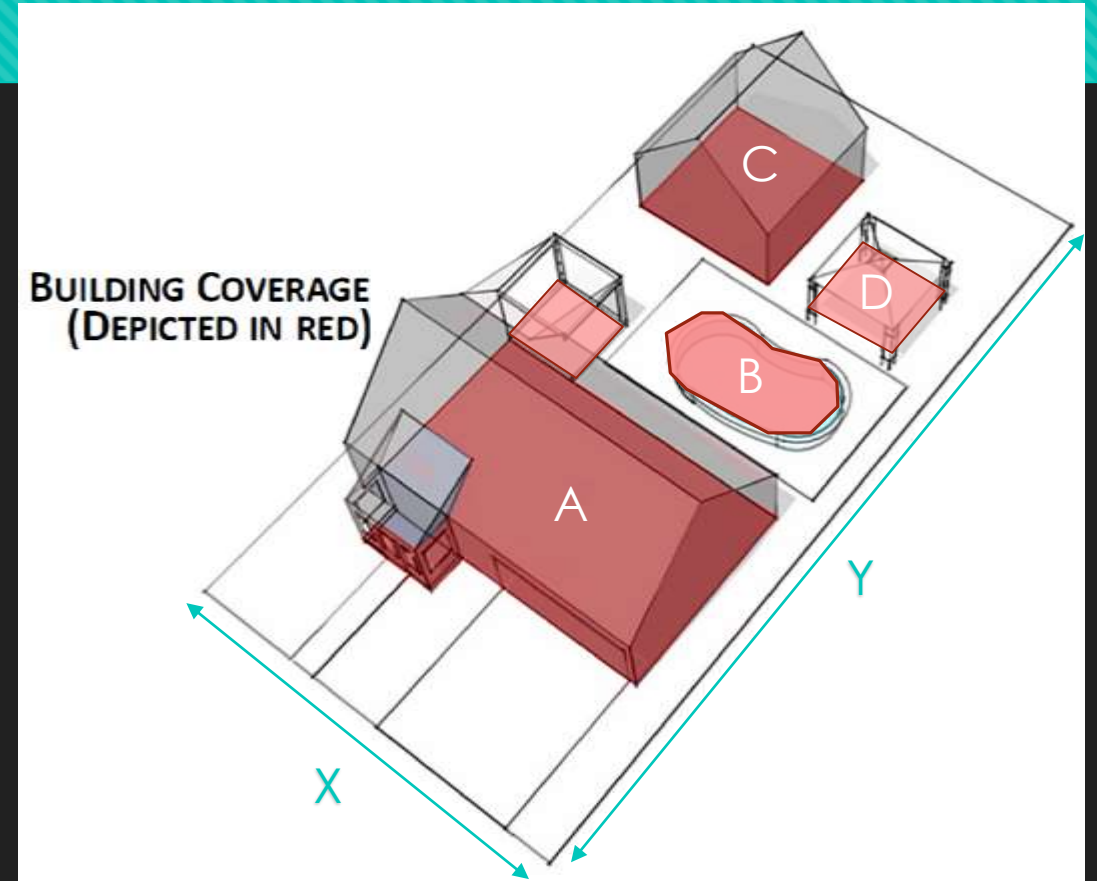
# Minimum Lot Size

- In Lake Park, the smallest legally conforming lot is 7,500 SF for an interior parcel and 10,000 SF for a corner lot.
- The average lot size is 10,495 SF.
- Staff recommends making all parcels eligible for an accessory dwelling structure, provided they meet the maximum building coverage in their district.



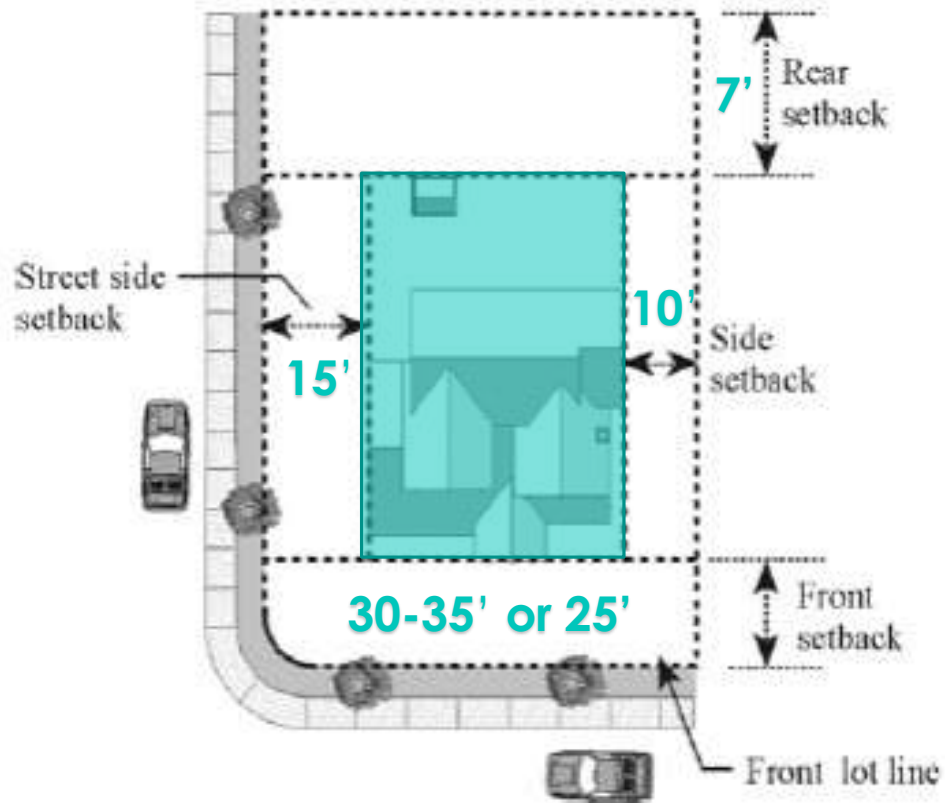
# Building Coverage

- Built coverage deals with “how much” structure you can build on your property.
- Buildable area is 50% in the R-1A and 60% in the R-1 District.
- Minimum 35% pervious area required.
- ADUs would be regulated under this same framework but could also be controlled with a maximum area.
- ★ Staff recommends a maximum ADU coverage of 1000 SF. So long as an ADU doesn't exceed the maximum ADU area and the maximum built coverage on the lot, it would be permitted.



$$\text{If } A + B + C + D \leq 50\% \text{ or } 60\% \text{ of } X * Y$$

# Setbacks



- Setbacks promote harmony between structures and properties
- In the R-1 and R-1A, setbacks are as follows:
  - 30' Front in R-1 or 25' in blocks where established
  - 35' Front in R-1A or 25' in blocks where established
  - 15' Street Side
  - 10' Side
  - 7' Rear
- ★ Staff recommends applying the existing setback standards to accessory structures in the R1 and R1A districts. Additionally, staff proposes a new accessory dwelling structure be set back at least 10 feet from the primary structure, per the Florida Building Code.

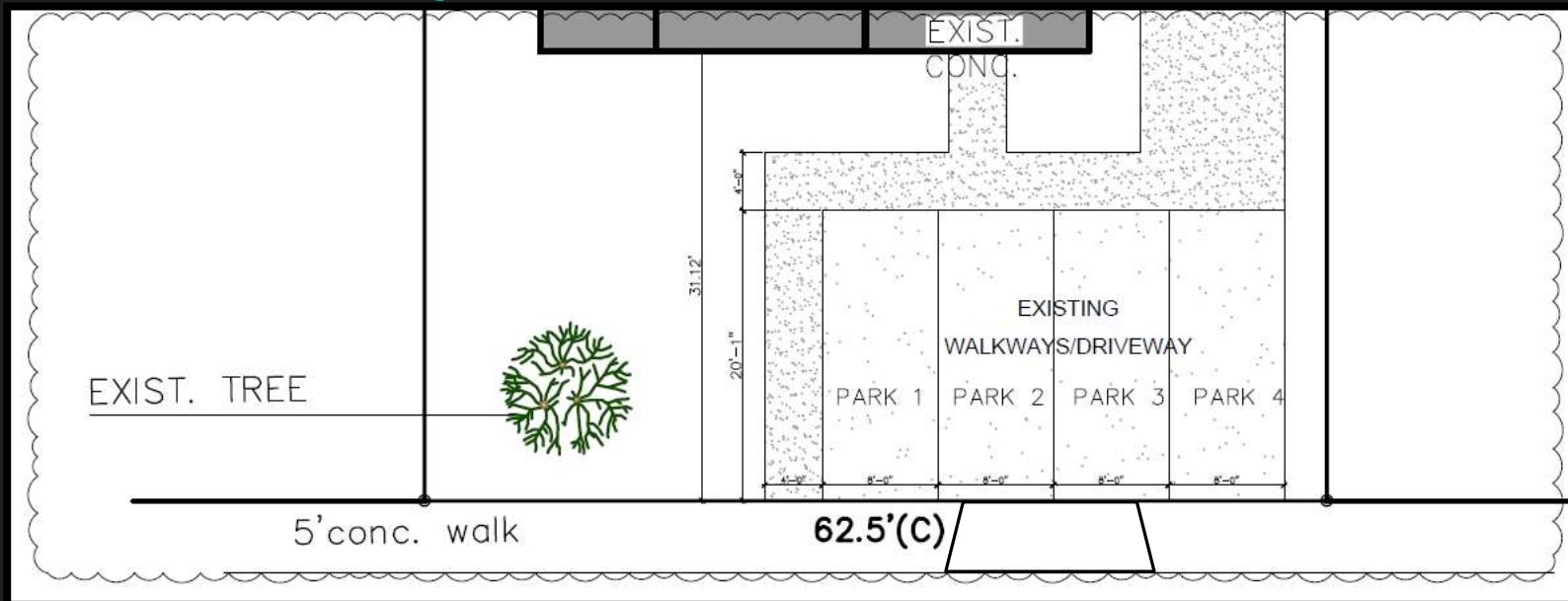


# Access

- Since ADUs are not currently allowed, there are no access standards for ADUs.
- Staff recommends that ADU owners be able to access their unit through the side yard of their property along a sidewalk that connects from the right-of-way to the ADU's front door, set back from the side property line by at least 4 feet.



# Parking



- ★ Staff recommends that every accessory dwelling unit either demonstrate the ability to accommodate parking on site using existing driveway area or provide a new space per 78-142-1 (1) and 78-142 (c)(9)c.1. No grass parking and no exceptions!

- The Town Parking code requires at least two 8' X 20' spaces per dwelling unit.
- Staff believes ADUs will not generate significant additional traffic.
- Based on the Institute of Traffic Engineers' Trip Generation Manual, it is estimated that ADUs would generate no more than 10 trips per day per unit.

# Architectural Standards



- Lake Park currently requires all accessory structures be “harmonious and compatible” with the primary dwelling in design.
- Maximum height would be 2 stories or 35'
- Architectural design standards are a commonsense inclusion for any ADU ordinance and shouldn't serve to hinder ADU development.

★ Staff recommends that accessory dwelling units conform to the preexisting standards for accessory structures generally, which requires they be harmonious and compatible with the primary dwelling in features such as color, height, and materials.



# Landscaping

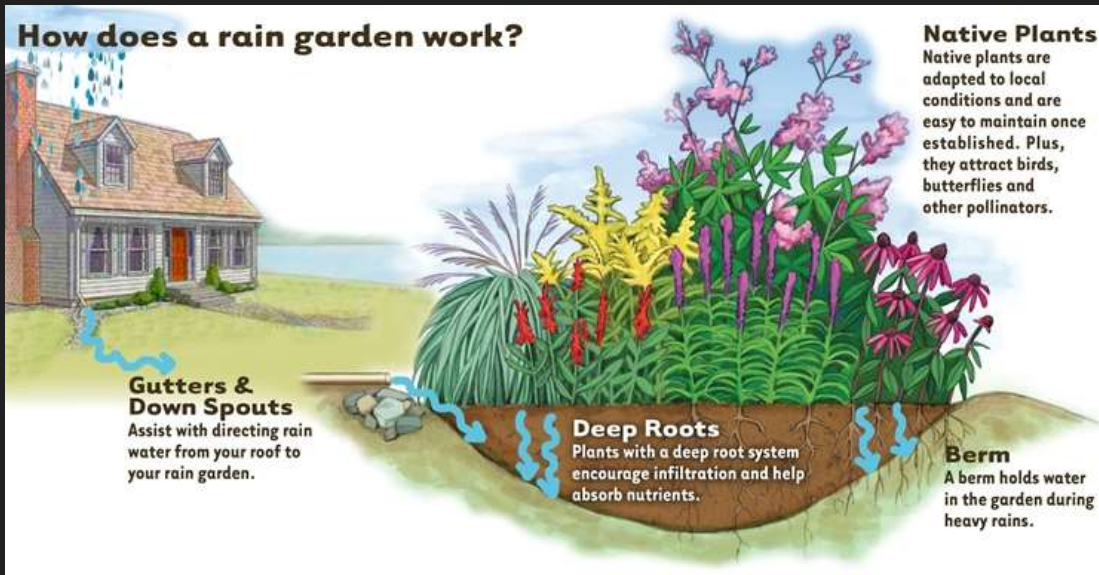
- Lake Park currently requires all residential parcels meet our minimum landscaping requirements.
- Additional landscaping restrictions can be put on ADUs to reduce visual impacts from the street.



Staff recommends that every ADU provide for landscape screening if it is visible from the public right of way or if visible from a neighbor's property.

# Storm Water Retention

- Lake Park currently requires all residential parcels meet the minimum 35% pervious area required.
- ADUs, like any structure, displace runoff, but this can be mitigated.



Staff recommends that every site approved for an ADU provide 1 of the following:

- Rain barrels and Raingardens to collect runoff from the new ADU roof impervious area.
  - Bioswales to trap any runoff before it gets to the road Right-of-Way
  - A vegetated buffer with water holding capacity for infiltration.
  - Any combination of the above
- Additionally, new ADUs should require plan review approval from Public Works/Stormwater Division

# Approval Process

- New accessory structures like cabanas and garages and home additions are already administrative approval items that must meet many of the standards just overviewed.
- ★ Staff recommends ADUs be an administrative approval item. Additionally, staff recommends every ADU, prior to receiving a certificate of occupancy, fill out a sworn affidavit that affirms whether the owner intends to rent. If the owner does intend to rent, they would also be required to fill out a rental business tax receipt application prior to CO.



# Occupancy Standards

- Lake Park currently defines *Family* as “one person or a group of two or more persons living together and interrelated by bonds of legal adoption, blood, or a licit marriage, or a group of not more than three people who need not be related by blood or marriage, living together as a single housekeeping unit in a dwelling.”
- As one dwelling unit, ADUs would be limited to 1 family or no more than 3 unrelated people.
- Staff recommends allowing an ADU owner or their family to occupy either their main home or the ADU. Additionally, staff recommends allowing for families that meet our definition to occupy an ADU.

# Rental Standards

- Who an ADU is rented to and for how much are at the discretion of the ADU owner, but here are the regulations that Lake Park currently applies to single-family rentals.
- Single-family rentals are currently allowed. All single-family rentals currently require a rental business tax receipt and a code enforcement health/safety inspection to operate.
- Transient rental, defined as “a dwelling that is operated or used in such a way that it has a turnover in occupancy of more than two times in any one year,” is prohibited in single-family zones.
- All ADUs would have to follow our existing rental standards. Additionally, pursuant to prior discussions, staff recommends additional conditions on ADU rentals if the current Commission is in agreement. These are: the owner or agent of the owner must reside on-site. Staff recommends applying these criteria to all rentals in Town going forward.
- If any of these conditions are violated, the property would be subject to code enforcement action.

# Utility Considerations

- Applicants will need to provision for additional water and power utility connections to their ADU. These designs will vary on a case-by-case basis depending on the existing infrastructure of the home and will be subject to building permit approval and the standards of Seacoast and FPL, respectively.
- Both utility providers were previously contacted for comment on the ADU concept and reported no concerns.



# Tax and Legal Considerations

- Lake Park ADUs provide significant taxable value to the Town. As of 2021, the Palm Beach County property appraiser acknowledges 50 ADUs in Lake Park, which collectively accounted for \$2,379,599 in taxable value out of a total of \$152,713,615 of taxable value on all single-family residential parcels.
- ADUs, or portions of property, that are rented would not be able to be Homesteaded.
- Historic properties applying for a new ADU would have to go through the special certificate of appropriateness process to determine compliance with the historic code.
- All existing ADUs throughout the Town would be legalized through this ordinance.
- Existing legalized ADUs would be subject to our new zoning standards, so legalizing ADUs will allow for nonconforming ADU properties to come into compliance on issues like parking and rental occupancy over time through the building permit and the business tax receipt processes.

# Next Steps

- ADUs have long been discussed and the need for them has only become more pressing given housing cost trends in Florida.
- Tonight we're seeking Commission direction on next steps. Staff can either prepare an additional workshop to solicit further public input or we can begin drafting an ordinance based on the recommendations shown tonight.
- Thank you for your time and consideration!



253 Evergreen Dr



233 Park Ave

Thank you for your time!



754 Date Palm Dr



Please contact staff with further questions or comments at 561-881-3320 EXT 320.