

Zoning for Inclusion:

Phases 2 & 3: Accessory Dwelling Units (ADUs)
and Minimum Lot size

City Plan Department, City of New Haven

December 14, 2023

City Plan Executive Director, Laura Brown
Deputy Director of Zoning, Nate Hougrand



Zoning Matters

Zoning determines where housing can be built, the type of housing that is allowed, and the form it takes. Regulations can directly or indirectly affect the cost of developing housing, making it harder or easier to accommodate affordable housing.

Exclusionary Zoning

Regulations regarding housing type, minimum lot size, parking and density that reduce housing choices and opportunities.

Eliminate exclusionary zoning and harmful land use policies. For decades, exclusionary zoning laws – like minimum lot sizes, mandatory parking requirements, and prohibitions on multifamily housing – have inflated housing and construction costs and locked families out of areas with more opportunities. President Biden is calling on Congress to enact an innovative, new competitive grant program that awards flexible and attractive funding to jurisdictions that take concrete steps to eliminate such needless barriers to producing affordable housing.

Fact Sheet-The American Jobs Act- The White House
March 31st, 2021

Opinion

The 'New Redlining' Is Deciding Who Lives in Your Neighborhood

If you care about social justice, you have to care about zoning.

By Richard D. Kahlenberg

Mr. Kahlenberg is a senior fellow at the Century Foundation who focuses on segregation in schools and housing.

April 19, 2021

<https://www.nytimes.com/2021/04/19/opinion/biden-zoning-social-justice.html?action=click&module=Opinion&pgtype=Homepage>

RESIDENTIAL SECURITY MAP

LEGEND

- A FIRST GRADE
- B SECOND GRADE
- C THIRD GRADE
- D FOURTH GRADE
- SPARSELY BUILT UP
- INDUSTRIAL
- COMMERCIAL
- UNDEVELOPED AND FARMLAND



HOUSING FOR ALL

Accessory Dwelling Unit (ADU) Zoning Updates: Purpose and Intent

- Increase affordable housing choices especially for residents of all income levels including very low-income residents.
- Provide housing that responds to changing family needs, smaller households, and increasing housing costs; and
- Provide accessible housing for seniors and persons with disabilities.
- Create new housing units while respecting the scale of historic fabric and neighborhood patterns of development.
- Support more efficient use of existing housing stock and infrastructure;
- Offer environmentally friendly housing choices with less average space per person and smaller associated carbon footprints;
- Create small contractor work force opportunities
- Bring “illegal” rental units into compliance



ADU Types

Interior: located within the building envelope of an existing primary residential structure and located as a subdivision of existing living space including but not limited to basement and attic spaces.

Attached: located within an addition to an existing primary residential structure with a separate entrance.

Detached: located in an accessory structure that is detached from the primary residential structure (by conversion of existing garage/carriage house, or new construction)

Interior ADU: Attic or Basement



Attached ADU: Addition



Detached ADU: Stand Alone



ADU Types-Phase 1

Interior: ADU located within the existing structure (attic/basement)
+1 as of right for density
Variance for bulk changes required

Detached: Either by way of conversion of an existing garage/carriage house, or new construction within existing envelope dimensions.

+ 1 as of right density

Owner Occupancy required
No additional parking

Within the same envelope of an existing primary structure*

Interior ADU: Attic or Basement



Within the same envelope dimensions of an existing accessory structure (replacement allowed)

Detached ADU: Stand Alone



*Dormers and other “non –conforming” changes to elements still require BZA relief.



ADU Toolkit - www.newhavenadu.com

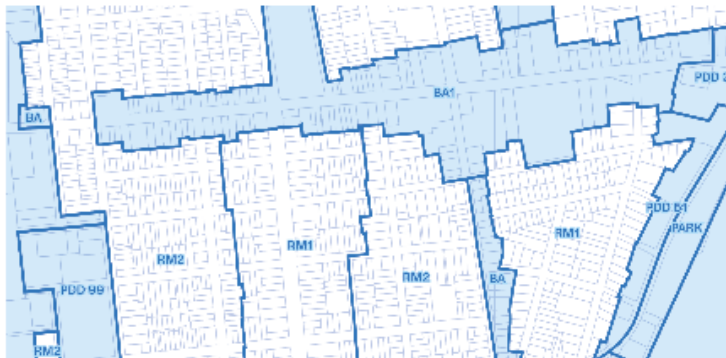


[Can I Build One?](#) [How Do I Build One?](#) [Resources](#)

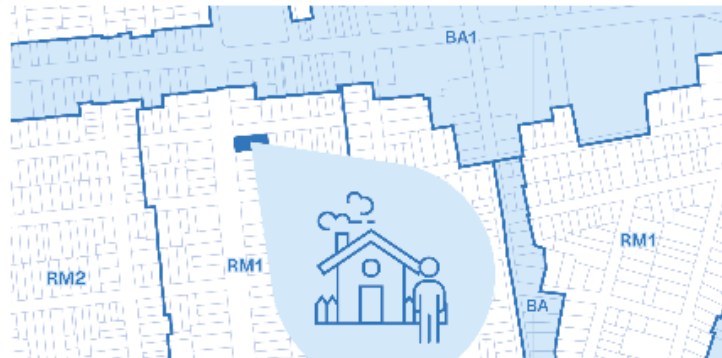
The following requirements determine your eligibility.

You can build an ADU on your property if...

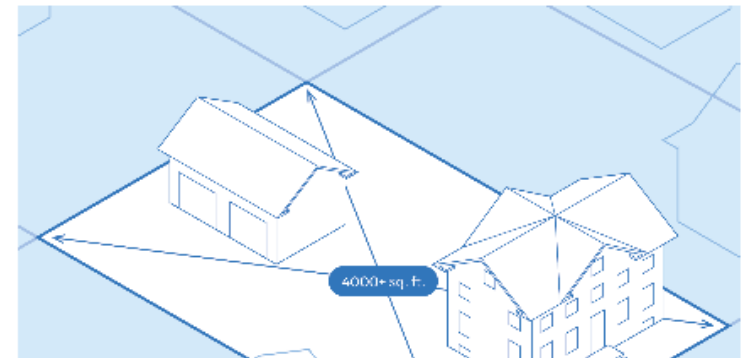
Your property is in an approved zoning district.



You are the homeowner and you reside on the property.



Your property lot is over 4,000 square feet.



ADU Types-Phase 2 & 3

Interior: ADU located within the existing structure (attic/basement)
+1 as of right for density
Variance for bulk changes required

Attached: ADU in addition to primary structure as of right with dimensional guidelines

Detached: Either by way of conversion of an existing garage/carriage house, or new construction with dimensional guidelines + 1 as of right density

No owner occupancy required
No additional parking

Within the same envelope of an existing primary structure*

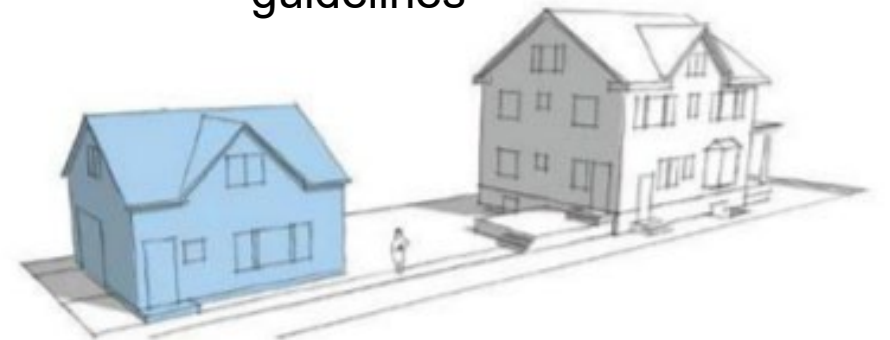
Interior ADU: Attic or Basement



Attached ADU: Addition



Detached ADU: Stand Alone



Attached to existing primary structure as of right with dimensional guidelines

Allow new detached ADUS as of right with dimensional guidelines

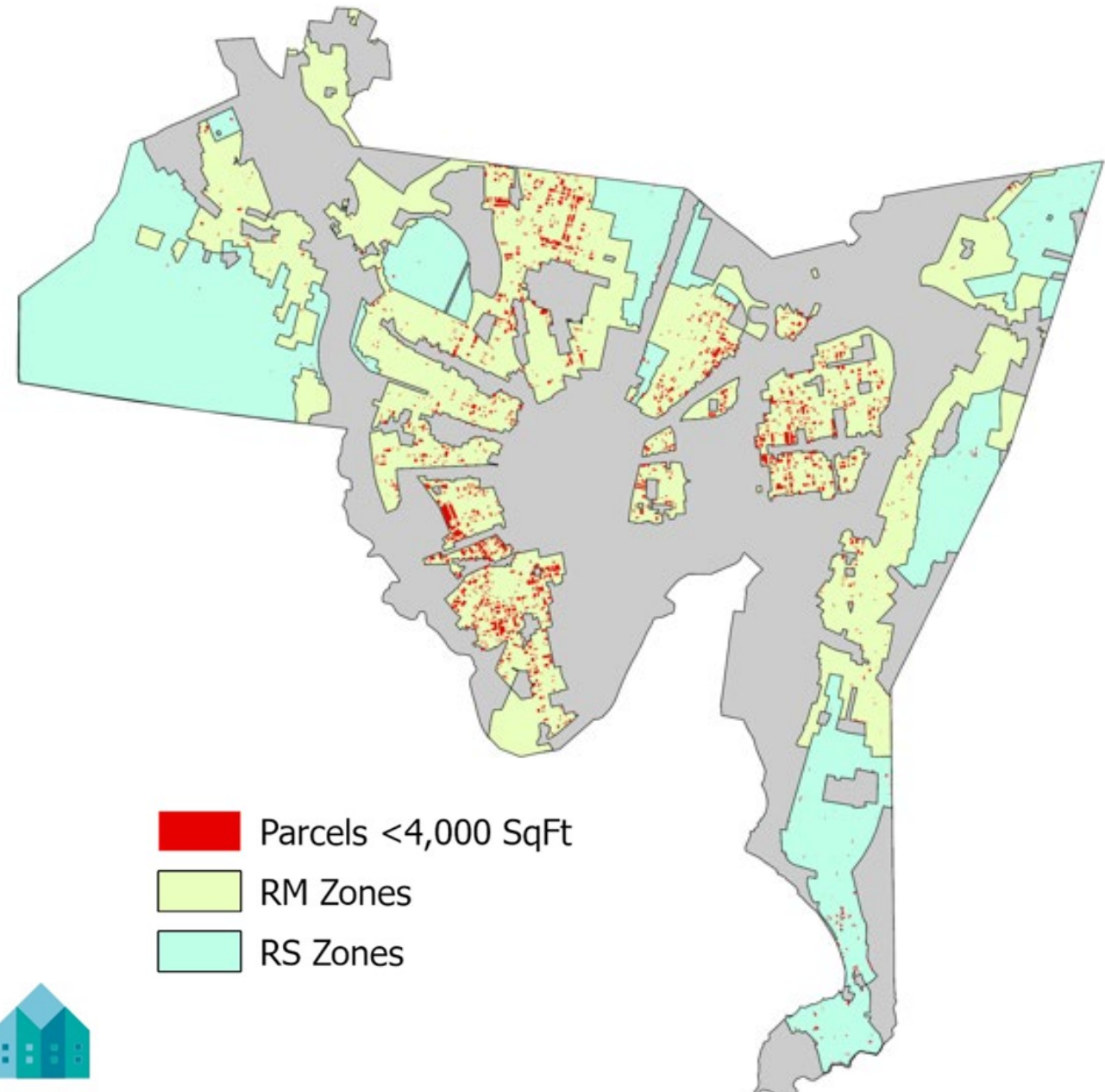


ADU Phase 2 & 3

Eliminates Minimum Lots Size Requirements for ADU (currently 4,000 square feet)

Aligns setback requirements with those of accessory buildings and the building code - 5' from lot lines but not allowable in front yard

Eliminates deed restriction but does not allow parcels to be sold separately from the principal dwelling or for the lot to be subdivided

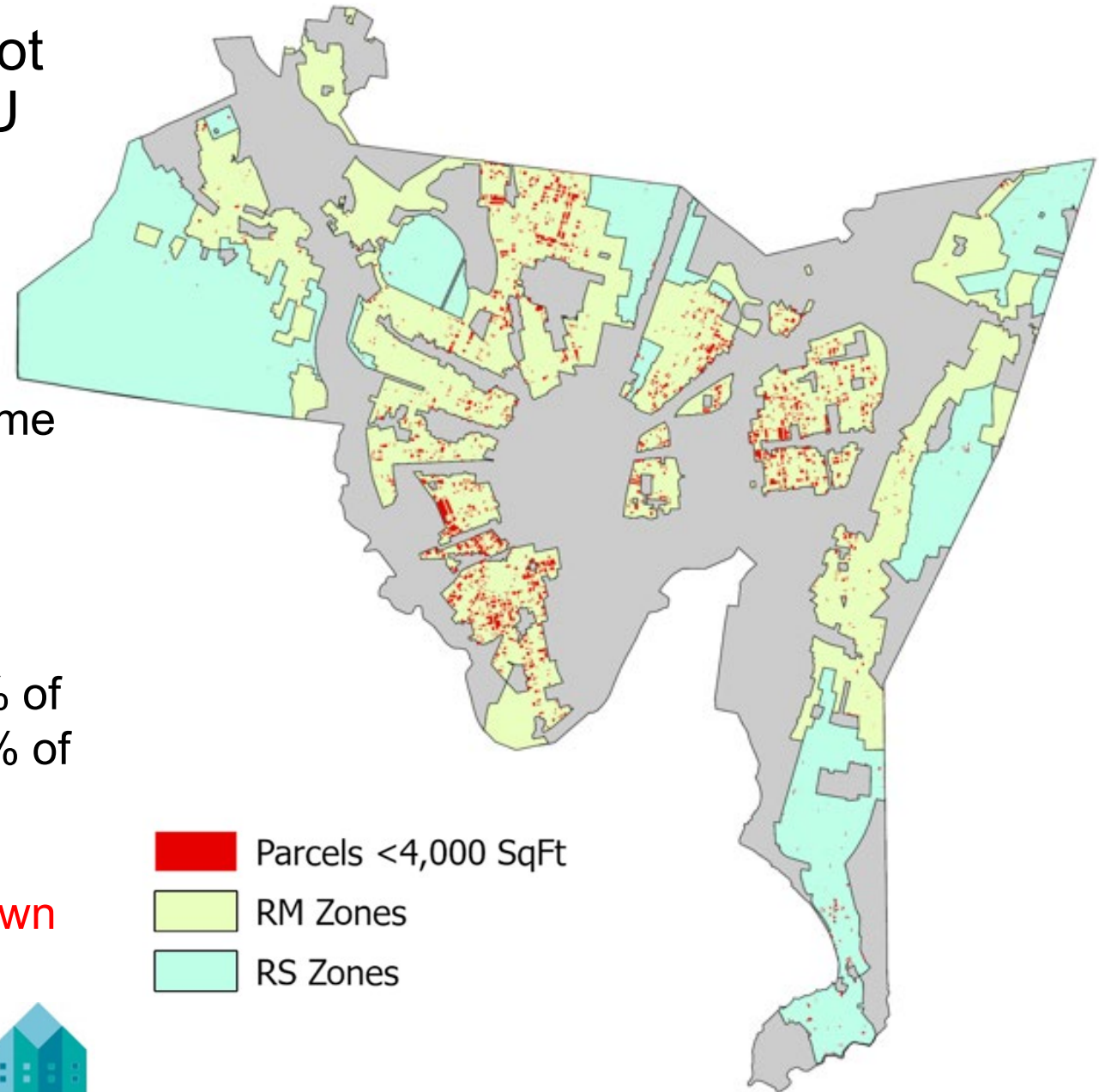


Impact of Elimination of Minimum Lot Size on Eligibility of Parcels for ADU Construction

An additional 4,258 parcels in RM and RS zones under 4,000 square feet would become eligible to create ADUs (18% of 23,370 parcels) if the proposal meets all other dimensional requirements

This includes 449 parcels in RS zones: (6% of 7,136) and 3,809 parcels in RM zones (24% of 16,234)

Parcels that would become eligible are shown on the map in red.



Accessory Dwelling Unit (ADU) Zoning Updates: Next Steps

- Communication for 12/21 BOA meeting
- Outreach and resource page online
- Ongoing internal work to reduce cost/permitting challenges
- CPC hearing in January
- BOA Legislation Committee when scheduled in 2024

