

# What is a backyard cottage?

Backyard cottages are a historical housing type currently enjoying a resurgence of interest in North America. Also called elder cottage housing, in-law apartments, mother-daughter units, companion units, guesthouses, and alley flats, they are second, small living units located in the backyards of single-family homes. They are also called accessory dwelling units (ADU's), but an ADU can be an apartment in an existing house, whereas backyard cottages, as their name suggests, are separate, significantly smaller units. Backyard cottages used to be common but, beginning in the mid-20<sup>th</sup> Century, were increasingly zoned out and thus in many cities are illegal.

# What are the pros and cons of backyard cottages?

Opponents of backyard cottages worry they will negatively affect the character of their communities. Frequently cited concerns are that they will result in increased density, traffic and parking; loads on city services, infrastructure and schools; absentee landlords; and substandard or incompatible housing. However, backyard cottages are recognized as a housing option that can provide stable housing as family needs change over time. They can provide a place for a parent or boomerang kid to live, or where homeowners can live as empty nesters (and rent the primary unit), or where a caregiver can live so the homeowner to age in place. Backyard cottages can also provide rental income to subsidize homeowners' mortgage payments allowing people to age in place. And they are sustainable. They use fewer materials and require less energy to heat and cool, thus reducing utility costs and carbon emissions. Additional housing units in inner city neighborhoods can also mitigate sprawl and support public transportation.

# What cities allow backyard cottages?

Many cities do, some of which we consider to be our cultural and economic peers. Austin, Texas, for example, recently updated their zoning ordinance to make it even easier to create backyard cottages. Seattle, Washington, San Antonio, Texas, Phoenix, AZ, Boulder, Golden, and Aspen CO, and San Diego, Sacramento, and San Francisco, CA, have adopted backyard cottages into their development ordinances. In North Carolina Charlotte-Mecklenburg recently updated their legislation to allow them, and Asheville, where they were never taken off the books, has in recent years sensitively added them to their downtown neighborhoods. Some cities, such as Santa Cruz, CA, not only allow them, but also actively promote them.

# How are they designed and regulated?

Most cities specify minimum lot size, property line set backs, height limitations, and maximum square footage. Some require off-street parking and that they match the style of the primary residence. Some cities require owner occupancy of backyard cottages to control who lives in them, but others, such as Portland, Vancouver and Asheville, do not. And, there are other means for ensuring they are good neighbors, such as requiring separate meters for each unit, registering each unit, and rigorously enforcing tenant laws. Most important is good design, which can produce smaller, low impact units that still offer generous living possibilities.

# Why doesn't Raleigh allow backyard cottages?

Raleigh used to allow them, and many examples can be found in its older, inner city neighborhoods. However, in the 1970's, at the height of urban blight, suburban flight, and absentee landlords, they were prohibited. That was over 40 years ago. Now the city is very different and attracting new residents who are drawn to its cultural amenities and entrepreneurial spirit, and are looking for housing options in central city locations. The city's Unified Development Ordinance (UDO), which was approved in 2013, originally provided for backyard cottages, but they were removed. A sticking point was state legal precedents that make it difficult to require owner occupancy of backyard cottage properties.

## How can we change this?

There is plenty of dependable data regarding the impacts of backyard cottages, and plenty of support for them in Raleigh's neighborhoods. When backyard cottages came before City Council many councilors voiced support, but felt its provisions had not been sufficiently vetted or potential impacts researched. Consequently, they retained the option of revisiting the issue at a later date.

We are proposing an overlay district for the Mordecai neighborhood that would allow for backyard cottages, but regulate them according to specific provisions. Here's how we can proceed to insure substantial neighborhood input and research on impacts, and achieve approval and implementation.

- Proposal brought to the Mordecai CAC for Mordecai to be a pilot for backyard cottages.
- If the CAC supports, they will then canvas community to gauge support.
- If there is community support, the Mordecai CAC will petition City Council to consider an overlay district for Mordecai that allows backyard cottages.
- If Council supports they will direct the Planning Department staff to revise the UDO and craft a description of the overlay district.
- Next it goes to the Planning Commission for review and public input.
- The last step is final approval by City Council.

## Why Mordecai?

During the development of the Unified Development Ordinance Mordecai was identified as a potential pilot neighborhood for backyard cottages. This was because it is lower density than other inside-the-beltline neighborhoods; some of its lots are large, some deep, and some are on alleys; it already has a lot of backyard structures; and, most importantly, during the UDO process residents voiced support for backyard cottages. During the Mordecai Backyard Cottage Project, conducted by the School of Architecture at NC State in 2014, resident participation and a number of public forums revealed substantial community support.