

# **Oppose Regulation of Accessory Dwelling Units**

## **ONE-SIZE-FITS-ALL MANDATES IN HB 409/SB 374 WILL NOT SOLVE HOUSING AFFORDABILITY**

HB 409 Regulation of Accessory Dwelling Units represents another attempt to do away with local decision-making, undermine the rights of existing homeowners, and could lead to inappropriate development.

It does so in the name of improving housing affordability, but could instead increase conflict in neighborhoods where additional density is not practical. The legislation would mandate that accessory dwelling units – defined as any separate structure smaller than the existing home on a lot – be allowed in all cities in all areas zoned for single-family zoning, with a few minor exceptions.

With the legislation having already been approved by the state House, let you state senator know the following points.

### **Key points:**

- Many cities and towns have already adjusted their zoning rules to allow ADUs, or in-law suites, by right. A survey of the fastest growing jurisdictions in the state by NCLM and the NC Association of County Commissioners showed that 65 percent have done so. These jurisdictions have taken this action after considering the input of local residents, and while considering where these additions are appropriate.
- At its core, HB 409 represents an attack on local land-use decision-making and the ability of local property owners to weigh in on what is and is not appropriate development in their communities and neighborhoods.
- While there may be positives in allowing in-law suites where appropriate, there is little evidence – here or in other states – that sweeping changes or mandates will have an appreciable effect on housing affordability. The City of Raleigh changed its ordinance to allow ADUs by right in 2020. Since then, 48 have been constructed.
- Because this legislation does not require owner occupancy or limit structure sizes beyond one-square foot less than the primary home, much of the building spurred by the legislation will likely be used for short-term rentals, like Airbnb, potentially creating more conflict in neighborhoods regarding traffic and public safety.

**Please oppose HB 409 and work with cities and towns to create effective and flexible solutions to housing affordability.**