

# Backyard Homes Are Not “Sheds”

By Carrie Shores

**My in-laws like to say the only way they are moving out of their house is if they leave toes up. This sentiment is shared by many as AARP reports 87% of adults age 65+ want to stay in their current home as long as they can and age-in-place.**

But unfortunately, many existing homes don't support that goal without a significant construction project to make it work. Adding a backyard unit is a great way to stay a part of your neighborhood and expand your housing options.

This type of construction can easily be designed to be accessible and adaptable for changing needs. Here is a popular scenario: you are young, healthy and ready to invest in a construction project so you build a unit.

You rent it out and pay off the equity line you used to finance the construction. Then as you age, should an issue arise or you get tired of cleaning your four bedroom house, you move into the unit and your adult kids and grandkids take over the main house.

This allows you to stay in your neighborhood, leverages the equity of your home and provides you with an added revenue stream or affordable housing for a family member.

Historically, backyard units have been difficult to get permitted due to a lot of red tape. But that has changed with new legislation. Backyard units have had a myriad of names through the years: granny flats, in-law units and cottages to name a few.



One of the things that has changed as new legislation went into effect in January of this year is that these buildings now have an official name, drum roll please, “Accessory Dwelling Unit or ADU.” It isn't quite as dynamic a name as we might have hoped but the other changes to the laws are exciting and open up the possibility for many more homeowners to develop ADUs.

Before we jump into what is new, let me get you up to speed on how we got here. Backyard cottages have been around for a hundred years but at some point in the eyes of the planning and building departments, they became taboo.

In 2001, the state passed a bill to encourage the development of backyard cottages in attempt to help solve the current housing crisis. That bill, SB 1866, gave homeowners a ‘by right’ to build a backyard unit if they meet the local ordinance. However, local municipalities could choose to add more restrictions to the state law—and they did.

These restrictions created a barrier for most homeowners to build a backyard unit. At the end of 2016, three new laws were passed (SB 1069, AB 2299, and AB 2406) to eliminate (or at least minimize) the red tape involved in permitting backyard units.

The major changes include parking requirements, reduced utility hook-up fees, clarification on fire sprinklers and the introduction of “Junior Units.”

In terms of utility hookup fees, homeowners were being charged for a new service as if it was a new home. New service fees are now prohibited. Finally, fire sprinklers are not required in the unit if they are not required in the main house (except in certain fire areas). The best way to get started is to head to your local planning department or call a local architect.

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