June 27, 2016

Dear Council President Stark and Members of the City Council,

I am writing to express my concerns about the proposed ordinance to allow Accessory Dwelling Units (ADUs) to be built within ½ mile on each side of University Ave. between Emerald St and Marion St.

My understanding of the proposed ordinance to allow ADUs to be built along University Ave. is part of your effort to increase density along the Green Line and to provide additional affordable housing for a diverse population. These goals are laudable and I highly support them.

However, as I have read the proposed ordinance and talked with my neighbors (and others) about this issue, a question has emerged that I would like to share with the Council: **Is the modification of the current zoning ordinances to allow external ADUs necessary for the achievement of your goals of creating additional affordable housing and increased density along the Green Line?**

My reasons for opposing external ADUs include the following:

1. **There is a huge risk for other homeowners in an area where external (detached) ADUs are allowed.**

If the zoning ordinance is adopted as it is currently written, any homeowner living within ½ mile of the Green Line Corridor would be able to pull a building permit and build a 25' high external ADU, with external stairway, with just 3 feet of set back from the property line in his or her back yard if they have a minimum lot size of 5000 sq, ft. and meet other building code requirements. If this proposed zoning change before you today is passed, the neighbors would not be able to do anything to stop the construction of an undesired ADU.

2. **While an ADU going up next door is a ongoing risk for any one living in ½ mile Green Line corridor, in reality, it is expected that very few people will actually build them:**

Earlier this year, Jamie Radel told the District 12 Land Use Committee that In the City of Minneapolis, where an ADU ordinance was recently adopted, once people saw how much it would cost to build an ADU, very few people have actually built them.

This statement leads to the next question: Should zoning laws be changed for only a very few people who may build them? Especially if external ADUs really don't do much to increase density, mostly don't qualify as affordable housing, and could have a huge negative impact on a next door neighbor?

3. **Third, there is the issue of enforceability**

The proposed zoning ordinance requires that the ADU be "owner occupied and that the owner pay a fee of $62 each year."

At the Comprehensive Planning Committee meeting on April 15 there was a lot of discussion about the unenforceability of the provisions of this ordinance. In addition, there were questions about title transfer, and 2nd generation ownership that remain unresolved. Again, if external ADUs are not going to help us advance our goals of providing affordable housing and increased density, should an ordinance be passed that we know is going to be very difficult, if not impossible to enforce?

4. **Under the proposed ordinance, there will be a loss of the protection offered by zoning.**

Zoning restrictions are developed in an effort to create the city that we want to live in. I don't think that there is anything wrong with wanting to live in an area zoned for single family residences. However, there is also a protection element in the creation of zoning so that someone can't put up an automobile repair shop or an apartment building next to my house. If we open up the single family zoning to allow external ADUs, aren't we changing the rules in the middle of the game and overriding the protection that people thought that they had when they bought their house in an area zoned for single families?

5. **The provision for external ADUs is not needed**

In District 12 alone, more than 200 new units of housing are going up or will be going up in the very near future along Como Ave. and University Ave. Many of these units are designated as "Affordable housing". In addition, many are designated for senior citizens. Finally, when you drive down University Ave along the Green Line, you see hundreds, if not thousands of new housing units that recently have been built or are being built at this time.

It appears that the current zoning ordinances already in place are doing a great job of providing high density and affordable housing along the Green Line Corridor.

Since I live in North. St. Anthony Park, why am I concerned about external ADUs along the Green Line?

At the Comprehensive Planning Committee meeting on April 15, there was a lot of discussion about a willingness to expand the ADU ordinance to other parts of the city once it goes through for ether Green Line Corridor. I really don't want to be back here advocating against unneeded external ADUs again any time in the foreseeable future.

Secondly, if I don't think that external ADUs are a good idea for my own neighborhood, why would I want to wish this zoning ordinance on someone else's neighborhood?

Third, in St. Anthony Park, a concerted effort is being made to build increased community between North St. Anthony Park and South St. Anthony Park. If this proposed zoning change is adopted, it will simply create more division between N. St Anthony Park and S. St. Anthony Park and will make it all that much harder to create the community that many folks are trying to build.

Finally, I think that it is important to have different neighborhoods in a city and I think that it is important to respect the character of those existing neighborhoods. If we can meet our goals of increased density and increased affordability without changing the character of our established neighborhoods, why wouldn't we take that course of action without the risks imposed by external ADUs?

In closing, I come back to my original question, **Is the modification of the current zoning ordinances to allow external ADUs necessary to the achievement of your goals of creating additional affordable housing and increased density along the Green Line?**

My hope is that you will agree with me that external ADUs are not necessary to the achievement of your goals of creating additional affordable housing and increased density along the Green Line and I would ask that you modify the proposed zoning ordinance to exclude external ADUs.

Respectfully yours,

Keith Hovland
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