



Lake Park Town Commission, Florida

Accessory Dwelling Unit (ADU) Community Workshop

Commission Chamber, Town Hall, 535 Park Avenue, Lake Park, FL 33403

March 27, 2024 6 pm

Roger Michaud	—	Mayor
Kimberly Glas Castro	—	Vice Mayor
Vacant	—	Commissioner
Mary Beth Taylor	—	Commissioner
Judith Thomas	—	Commissioner
John D'Agostino	—	Town Manager
Thomas J. Baird.	—	Town Attorney
Vivian Mendez, MMC	—	Town Clerk

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate in the meeting should contract the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATION/REPORT:

- 1.** A workshop with the public on accessory dwelling units.

PUBLIC COMMENT:

This time is provided for addressing items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

REQUEST FOR FUTURE AGENDA ITEMS:

ADJOURNMENT:

Accessory Dwelling Units 2024 Update

Item 1.



Anders Viane, Planner – Community Development Department

Introduction

Item 1.

- This presentation continues the dialogue on the topic of Accessory Dwelling Units begun at prior meetings and workshops held on November 20, 2019, February 19, 2020, December 16, 2020, March 20, 2021, and most recently on January 17, 2024.
- Following the last workshop held in 2021, staff paused this process to address parking concerns and transient rental concerns related to ADUs and to research best practices nationwide and around the world. Since that time, in reviewing code complaints and observing our existing rental properties and ADUs, staff has not found ADUs to be the cause of disproportionate and excessive code enforcement issues.
- From our previous outreach efforts, staff has taken into account a range of opinions from the general public, private stakeholders, and Town Commission on ADU implementation. Recurring points of interest and concern include: **transient occupancy, vehicle parking, and aesthetic and use harmony with the surrounding neighborhood.**

Introduction (Cont.)

Item 1.

- Based on what we've learned from all stakeholder participants as well as our own research into how ADUs have been implemented elsewhere, staff has put together a set of draft ADU code recommendations we feel will allow for safe, orderly, harmonious, and compatible ADUs in the Town.
- These recommendations are intended to be the framework under which an ADU ordinance would be brought forward to the Commission.
- Tonight we'd like to provide an overview of our recommendations and receive feedback from the public on the ADU concept.

Agenda

Item 1.

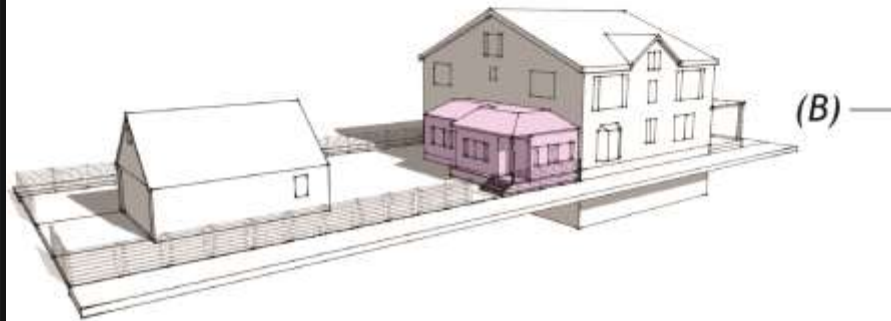
- What's an ADU and what's not?
- Why ADUs?
 - Affordability
 - Flexibility
 - Sustainability
- How would ADUs work?
 - Current applicable zoning rules and staff's recommended new regulations
- Q and A



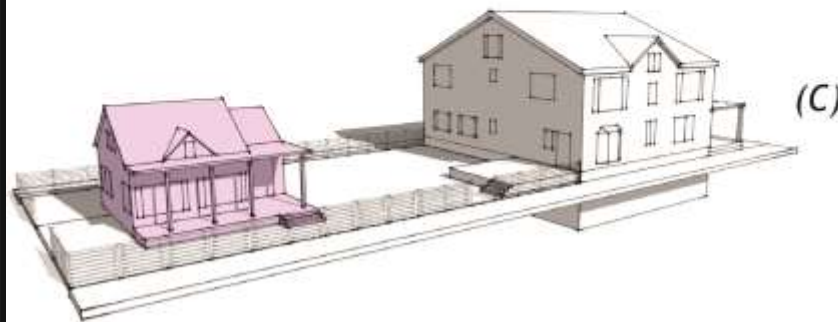
What's an ADU?

- Accessory dwelling units (ADUs) are secondary dwellings on single-family parcels
- Florida State Statute defines ADUs as “a secondary living unit that has a separate kitchen, bathroom, and sleeping area existing either within the same structure, or the same lot, as the primary dwelling unit.”
- ADUs can be either attached, internal to the primary dwelling or detached (standalone).

1. Attached Accessory Dwelling Unit (ADU)



2. Detached Accessory Dwelling Unit (ADU)



Item 1.

Typical ADU characteristics:

- Smaller massing than the primary home
- Backyard location
- Matching aesthetics with the primary home
- Average 1-2 person occupancy

What's an ADU?

Item 1.

415 Greenbriar Drive



Primary Home: 1925

ADU: 1925

500 Evergreen Drive



Primary Home: 1925

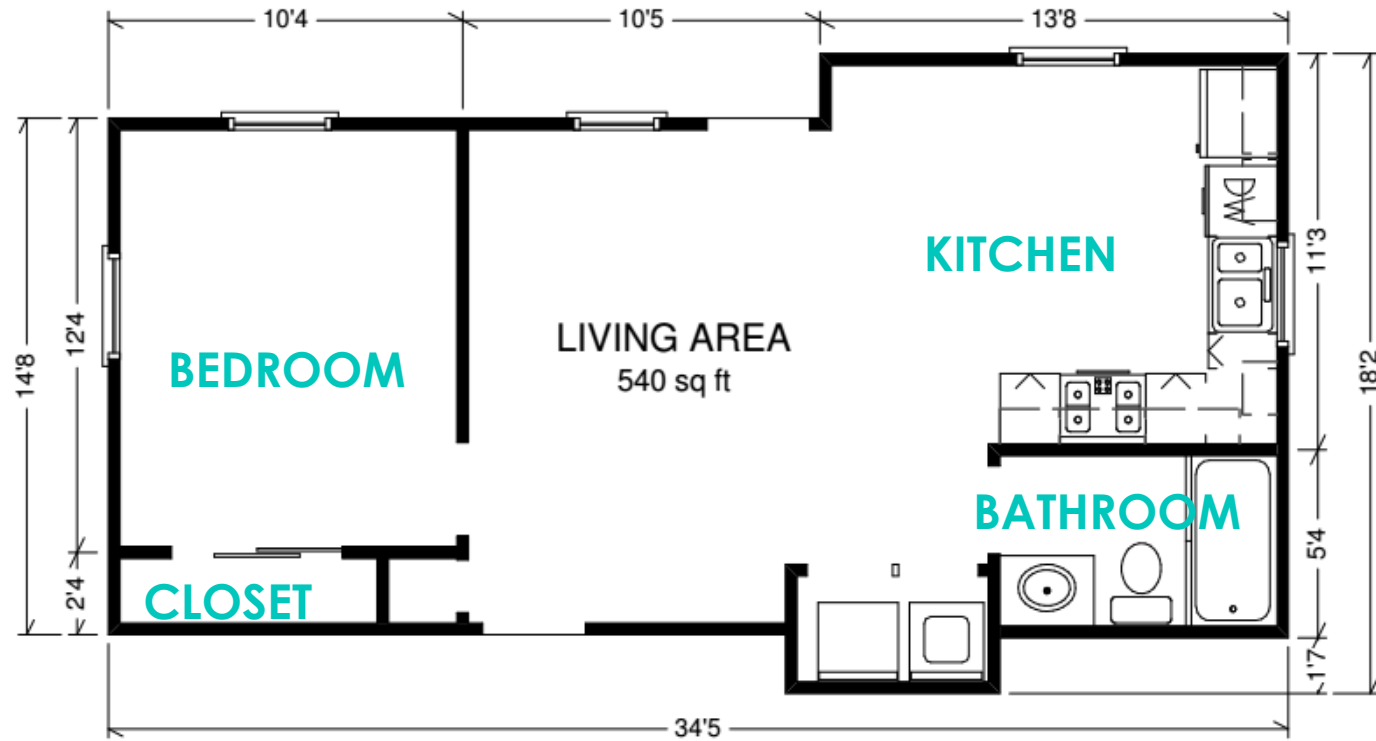
ADU: 1930



Source: Town of Lake Park Community Development (2024)

- ADUs have historically served as a natural outlet for growth in Lake Park and can again!

Inside an ADU



What's NOT an ADU?



Item 1.



Why ADUs in Lake Park?

Item 1.

○Affordability – for current owners, new buyers, and renters



○Flexibility – for multigenerational households, parents and young adults



○Sustainability – for community health and the environment

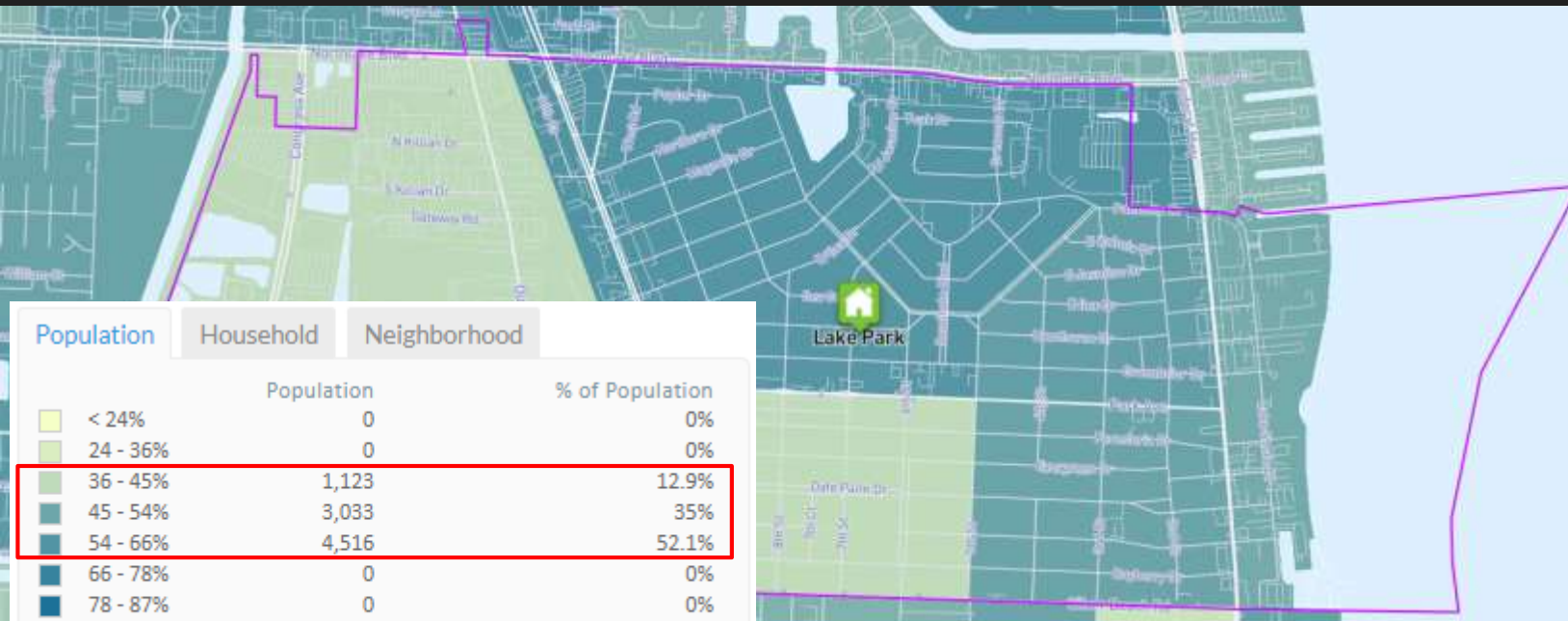


Affordability – Lake Park Overview (2024)

Item 1.

PBC 2010: 1,320,135 → 2024: 1,492,191

LP 2020: 8,556 → 2024: 9,047



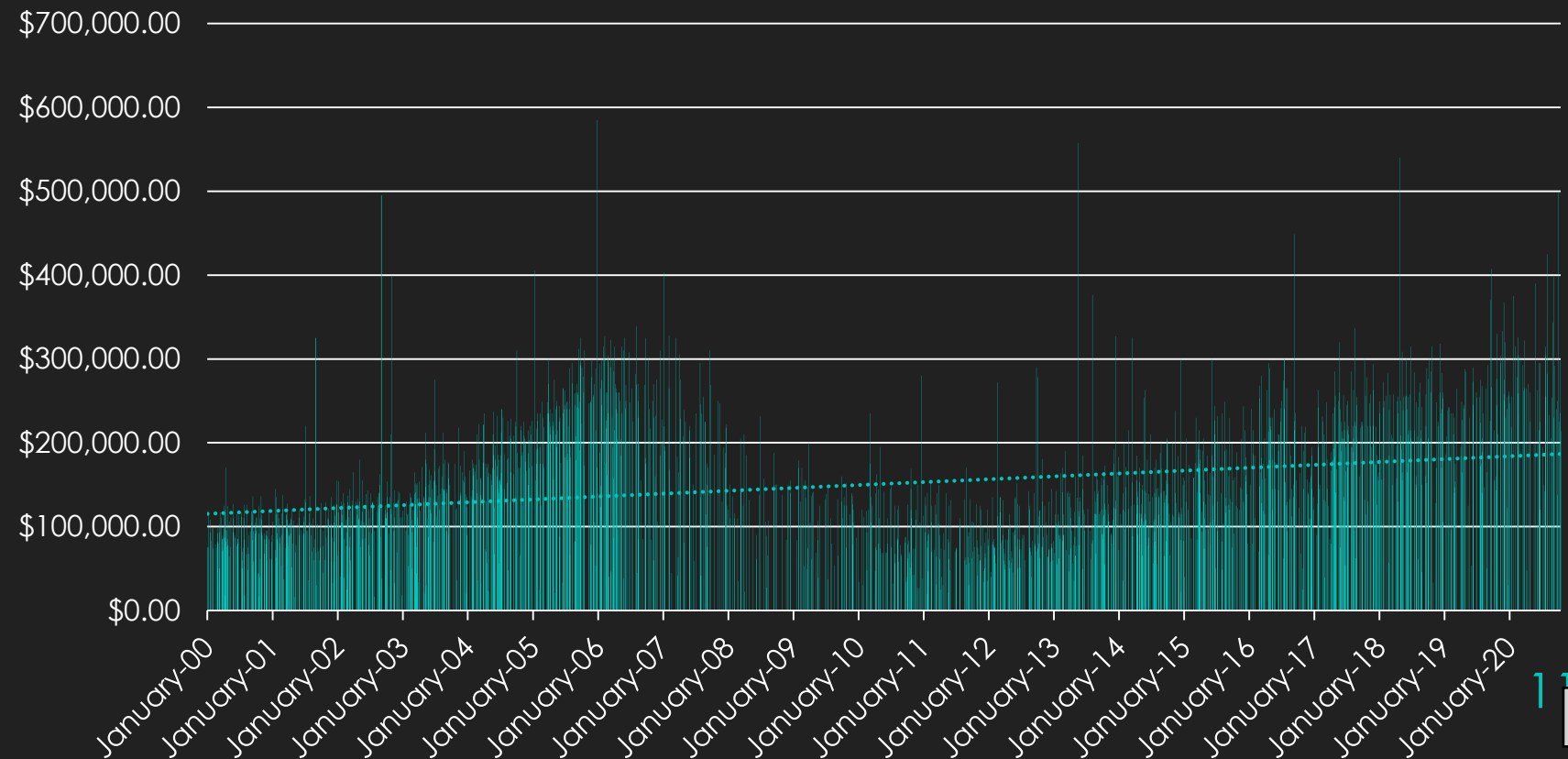
- Demographic change puts pressure on the supply-and-demand relationship of our housing market, impacting renters and owners.
- If you spend more than 30% of your income on housing, you are cost burdened.
- At the HUD standard, an owner making Lake Park's median income of \$56,775 (H + T Index) could mortgage \$255,487 over 15 years.

On Affordability (2024, partial update)

Item 1.

- As of the latest, US Census Bureau data, the owner-occupied percentage of housing is 45.7% and the median value of owner-occupied units is \$322,400
- ADUs can help control rental costs by increasing supply
- Additionally, the rental income ADUs can generate could help facilitate purchases.
- It is worth noting, however, ADUs may also increase property value beyond what can be financed even with a rental agreement in some cases for new buyers.

Lake Park Single-Family Sales Prices



Source: Palm Beach County Property Appraiser (2020)

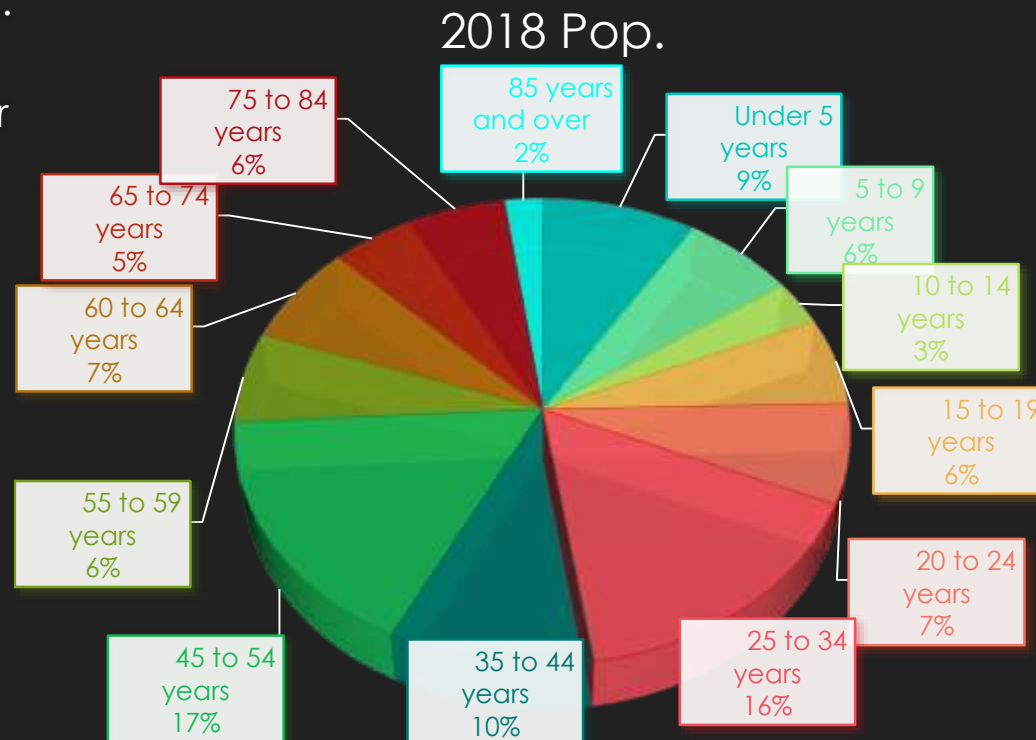
On Flexibility (2024)

Source: American Community Survey(2022)

Palm Beach County Household Types 2018-2022		Lake Park Household Types 2014-2018	
Percentage		Percentage	
Persons per household	2.49	Persons per household	2.67

Item 1.

- Lake Park still has more extended families and persons per household than the PBC Average.
- ADUs facilitate flexible living arrangements for Lake Park's extended and multigenerational households.
- Case studies suggest ADUs are usually rented to close friends or the family of the owner. Rather than bringing strangers into the community, ADUs will most likely bring families closer together.



On Sustainability

Item 1.

- ADUs promote sustainability by refreshing the housing stock and consolidating new development on existing parcels rather than greenfields.
- The average age of a Lake Park house is 64! New ADUs, equipped with new technologies and built to today's standards reduce energy consumption and may "refresh" older homes, giving them a unique asset to boost resale value.
- Additionally, the rental income an ADU may generate could be reinvested into improvements in the main home. In this way, ADUs facilitate healthy community upkeep.
- ADUs are consistent with Comprehensive Plan objectives, which are detailed more in the Fact Sheet.

How to ADU (Best Practices)

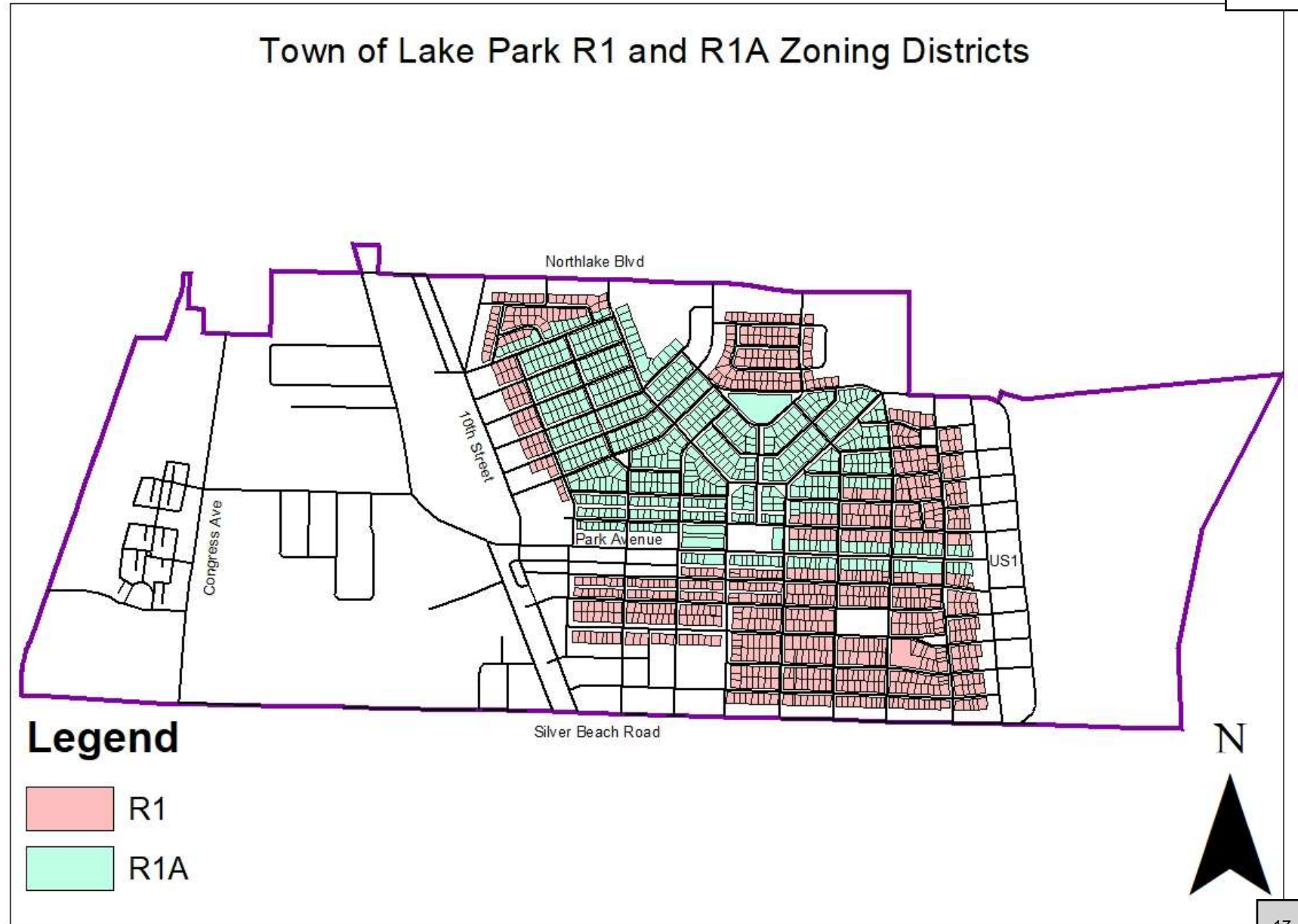
Item 1.

- ADU's exist throughout the US and around the world. They can be tailored to the unique needs of the communities that allow them.
- Since ADU's are widespread, there are a lot of best practices to learn from and staff has researched ADUs in a dozen municipalities from coast to coast and selected those standards we feel would fit best in Lake Park.
- Many of our existing rules and regulations will still apply to ADUs. In the following sections, existing rules that apply to ADUs will be orange. New regulations staff is proposing to regulate ADUs will be blue.

Districts

- The R-1 and R-1A zoning districts already allow for accessory structures.
- ★ Add ADUs to our accessory uses in the R1 and R1A.

Item 1.



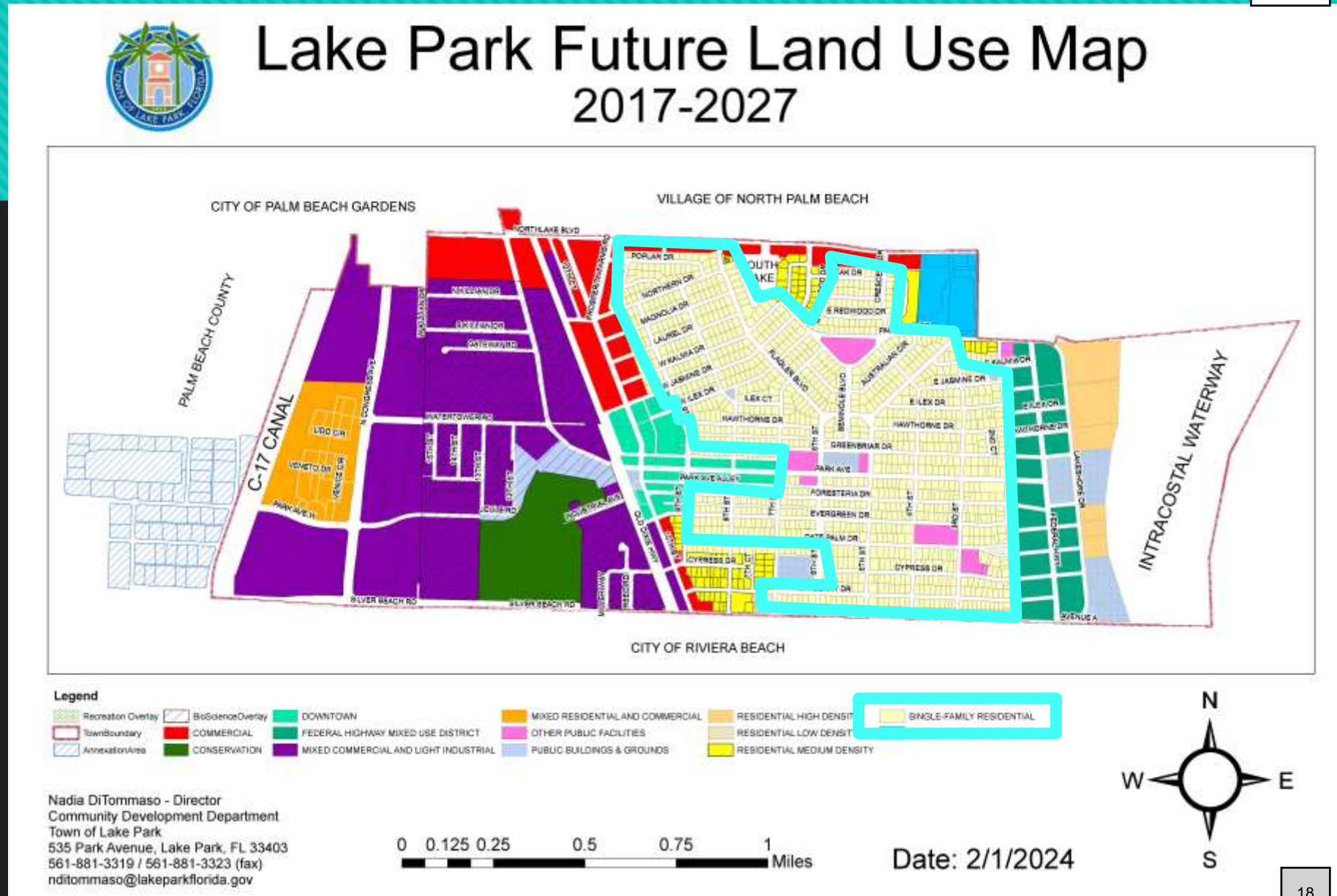
Density

Item 1.

3.4.3 Future Land Use:

Single family detached residences, with a maximum density not to exceed six (6) units per gross acre including permitted accessory uses.

★ Staff recommends amending the comprehensive plan to provide for an additional half-unit density entitlement for ADUs.



Minimum Lot Size

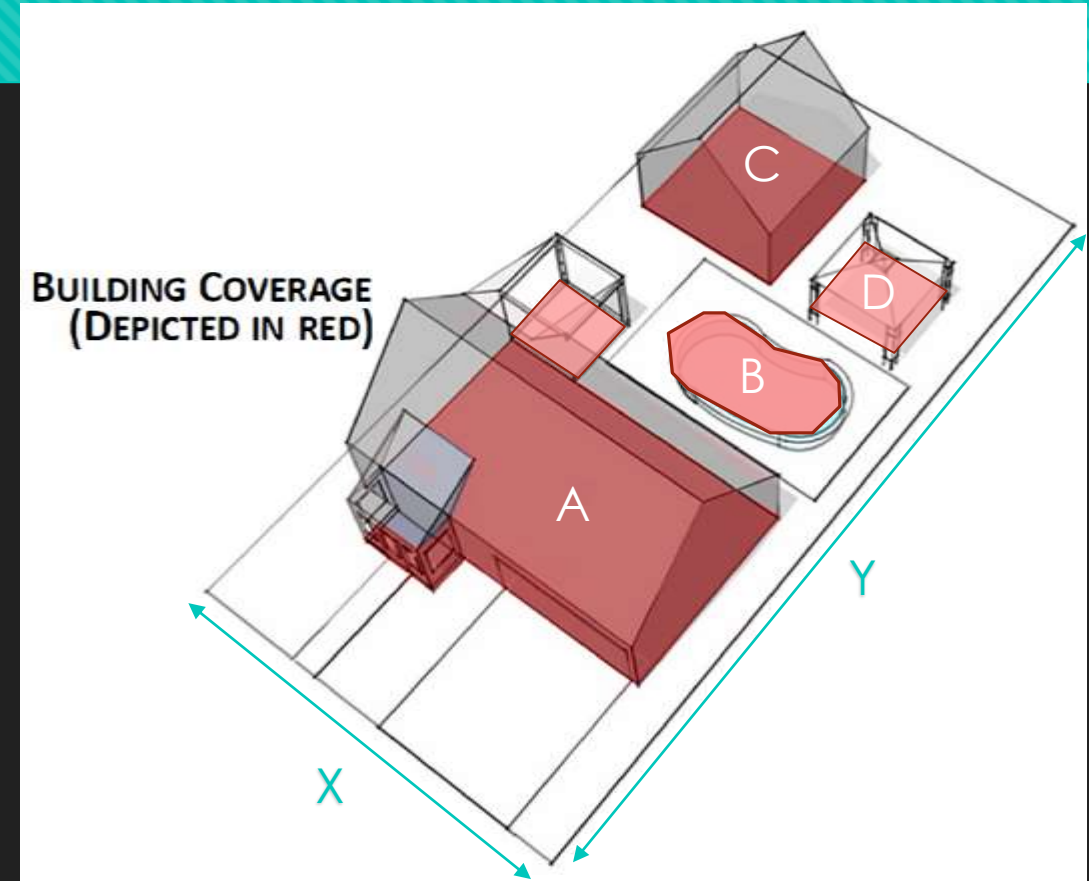
- In Lake Park, the smallest legally conforming lot is 7,500 SF for an interior parcel and 10,000 SF for a corner lot.
- The average lot size is 10,495 SF.
- Staff recommends making all parcels eligible for an accessory dwelling structure, provided they meet the maximum building coverage in their district.



Building Coverage

Item 1.

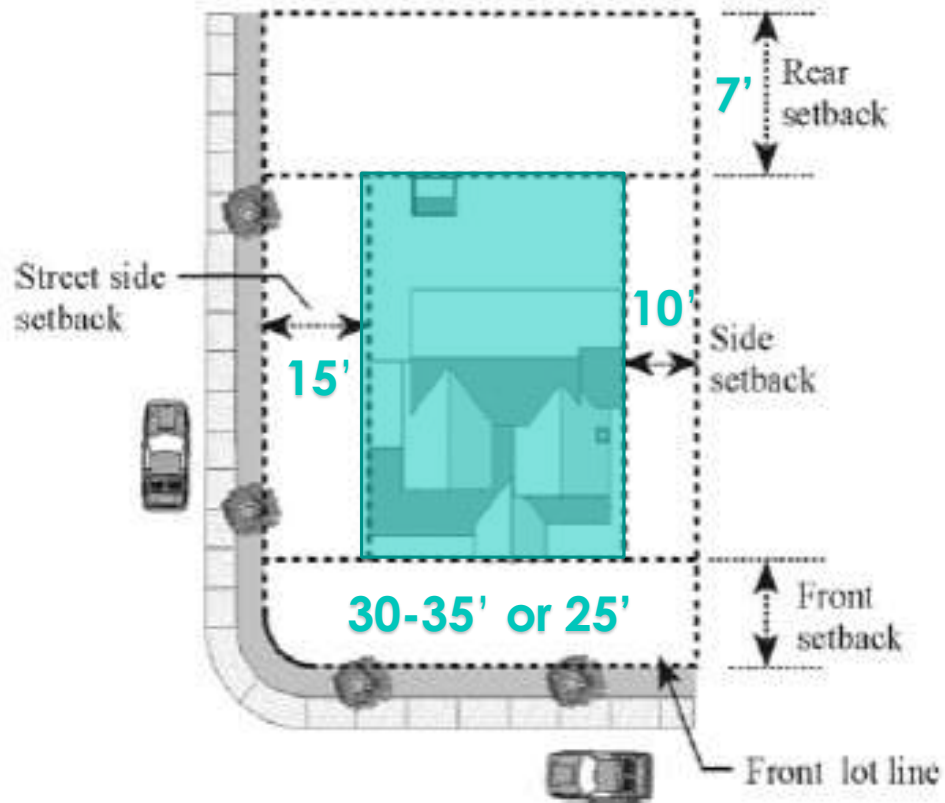
- Built coverage deals with “how much” structure you can build on your property.
- Buildable area is 50% in the R-1A and 60% in the R-1 District.
- Minimum 35% pervious area required.
- ADUs would be regulated under this same framework but could also be controlled with a maximum area.
- ★ Staff recommends a maximum ADU coverage of 1000 SF. So long as an ADU doesn't exceed the maximum ADU area and the maximum built coverage on the lot, it would be permitted.



$$\text{If } A + B + C + D \leq 50\% \text{ or } 60\% \text{ of } X * Y$$

Setbacks

Item 1.



- Setbacks promote harmony between structures and properties
- In the R-1 and R-1A, setbacks are as follows:
 - 30' Front in R-1 or 25' in blocks where established
 - 35' Front in R-1A or 25' in blocks where established
 - 15' Street Side
 - 10' Side
 - 7' Rear
- ★ Staff recommends applying the existing setback standards to accessory structures in the R1 and R1A districts. Additionally, staff proposes a new accessory dwelling structure be set back at least 10 feet from the primary structure, per the Florida Building Code.

Access

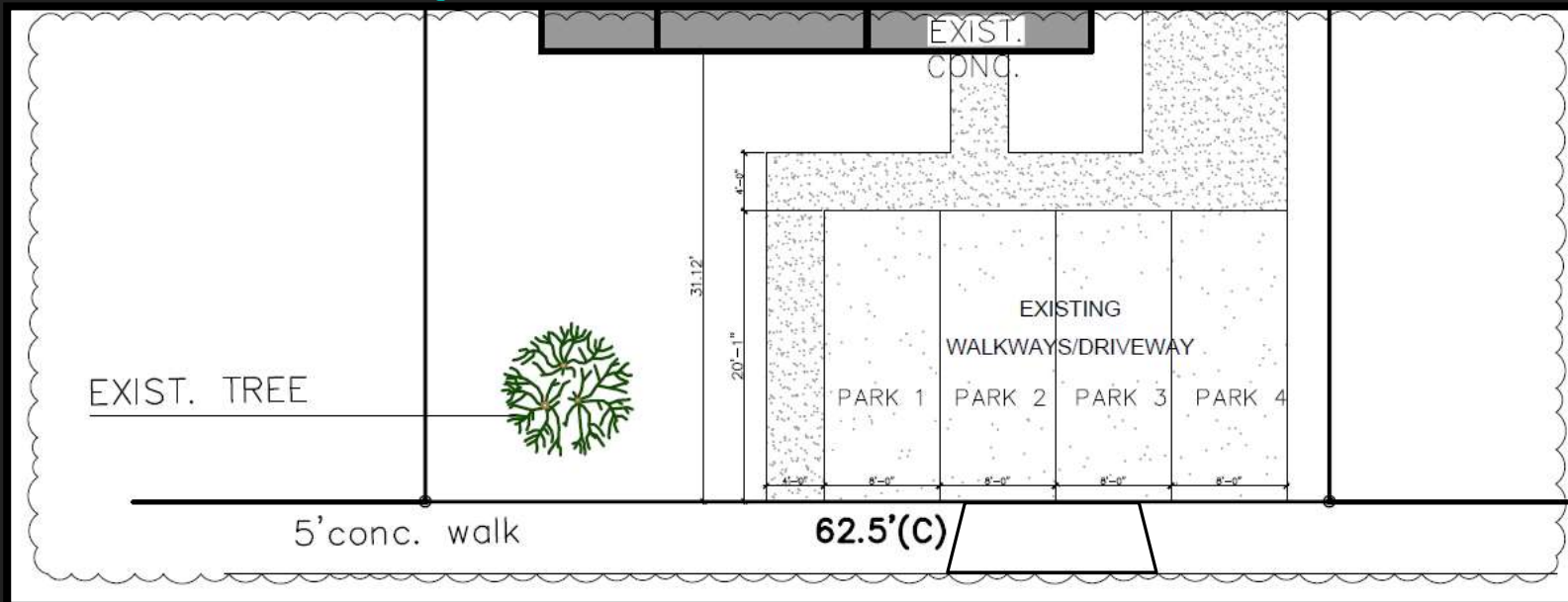
Item 1.

- Since ADUs are not currently allowed, there are no access standards for ADUs.
- Staff recommends that ADU owners be able to access their unit through the side yard of their property along a sidewalk that connects from the right-of-way to the ADU's front door, set back from the side property line by at least 4 feet.



Parking

Item 1.



- The Town Parking code requires at least two 8' X 20' spaces per dwelling unit.
- Staff believes ADUs will not generate significant additional traffic.
- Based on the Institute of Traffic Engineers' Trip Generation Manual, it is estimated that ADUs would generate no more than 10 trips per day per unit.

★ Staff recommends that every accessory dwelling unit either demonstrate the ability to accommodate parking on site using existing driveway area or provide a new space per 78-142-1 (1) and 78-142 (c)(9)c.1. No grass parking and no exceptions!

Architectural Standards

Item 1.



- Lake Park currently requires all accessory structures be “harmonious and compatible” with the primary dwelling in design.
- Maximum ADU height would be 1 story
- Architectural design standards are a commonsense inclusion for any ADU ordinance and shouldn’t serve to hinder ADU development.

★ Staff recommends that accessory dwelling units conform to the preexisting standards for accessory structures generally, which requires they be harmonious and compatible with the primary dwelling in features such as color, height, and materials. We recommend a 1-story height limit.

Landscaping

Item 1.

- Lake Park currently requires all residential parcels meet our minimum landscaping requirements.
- Additional landscaping restrictions can be put on ADUs to reduce visual impacts from the street.

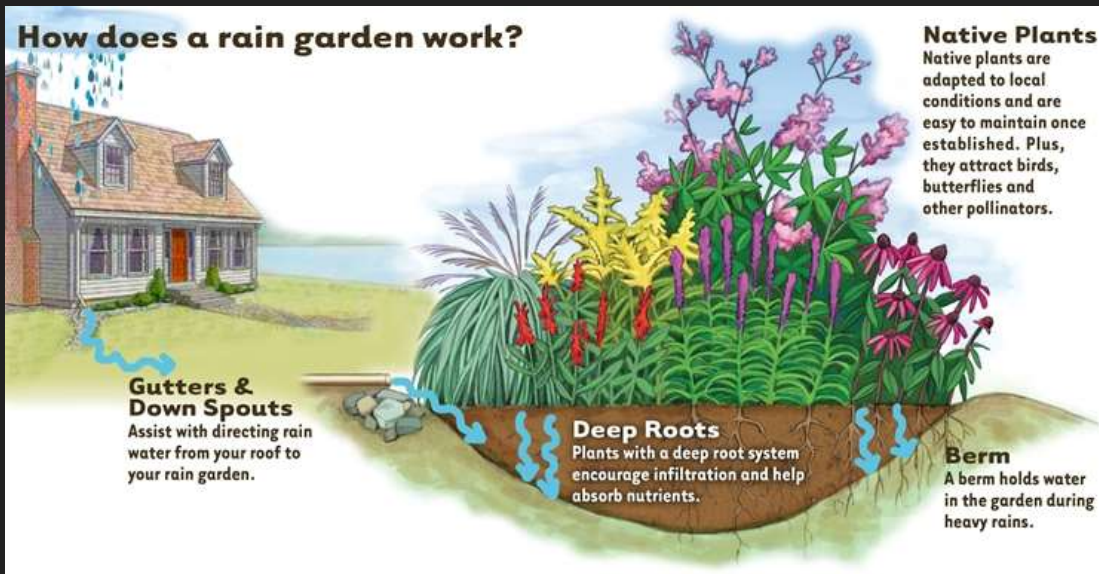


Staff recommends that every ADU provide for landscape screening if it is visible from the public right of way or if visible from a neighbor's property.

Storm Water Retention

Item 1.

- Lake Park currently requires all residential parcels meet the minimum 35% pervious area required.
- ADUs, like any structure, displace runoff, but this can be mitigated.



Staff recommends that every site approved for an ADU provide 1 of the following:

- Rain barrels and Raingardens to collect runoff from the new ADU roof impervious area.
 - Bioswales to trap any runoff before it gets to the road Right-of-Way
 - A vegetated buffer with water holding capacity for infiltration.
 - Any combination of the above
- Additionally, new ADUs should require plan review approval from Public Works/Stormwater Division

Approval Process

Item 1.

- New accessory structures like cabanas and garages and home additions are already administrative approval items that must meet many of the standards just overviewed.
- ★ Staff recommends ADUs be an administrative approval item. Additionally, staff recommends every ADU, prior to receiving a certificate of occupancy, fill out a sworn affidavit that affirms whether the owner intends to rent. If the owner does intend to rent, they would also be required to fill out a rental business tax receipt application prior to CO.

Occupancy Standards

Item 1.

- Lake Park currently defines *Family* as “one person or a group of two or more persons living together and interrelated by bonds of legal adoption, blood, or a licit marriage, or a group of not more than three people who need not be related by blood or marriage, living together as a single housekeeping unit in a dwelling.”
- As one dwelling unit, ADUs would be limited to 1 family or no more than 3 unrelated people.
- Staff recommends allowing an ADU owner or their family to occupy either their main home or the ADU. Additionally, staff recommends allowing for families that meet our definition to occupy an ADU.

Rental Standards

Item 1.

- Who an ADU is rented to and for how much are at the discretion of the ADU owner, but here are the regulations that Lake Park currently applies to single-family rentals. Currently, 16 of 47 Town ADUs have rental BTRS.
- Single-family rentals are currently allowed. All single-family rentals currently require a rental business tax receipt and a code enforcement health/safety inspection to operate.
- Transient rental, defined as “a dwelling that is operated or used in such a way that it has a turnover in occupancy of more than two times in any one year,” is prohibited in single-family zones.
- All ADUs would have to follow our existing rental standards. Additionally, pursuant to prior discussions, staff recommends additional conditions on ADU rentals if the current Commission is in agreement. These are: the owner or agent of the owner must reside on-site. Staff recommends applying these criteria to all rentals in Town going forward.
- If any of these conditions are violated, the property would be subject to code enforcement action.

Utility Considerations

Item 1.

- Applicants will need to provision for additional water and power utility connections to their ADU. These designs will vary on a case-by-case basis depending on the existing infrastructure of the home and will be subject to building permit approval and the standards of Seacoast and FPL, respectively.
- Both utility providers were previously contacted for comment on the ADU concept and reported no concerns.

Tax, Insurance, and Legal Considerations

- Lake Park ADUs provide significant taxable value to the Town. As of 2021, the Palm Beach County property appraiser acknowledges 50 ADUs in Lake Park, which collectively accounted for \$2,379,599 in taxable value out of a total of \$152,713,615 of taxable value on all single-family residential parcels.
- ADUs, or portions of property, that are rented would not be able to be Homesteaded.
- Historic properties applying for a new ADU would have to go through the special certificate of appropriateness process to determine compliance with the historic code.
- Based on staff inquiries with insurers, it appears ADUs would be insured under a similar formula as that used for single-family homes.
- All existing ADUs throughout the Town would be legalized through this ordinance.
- Existing legalized ADUs would be subject to our new zoning standards, so legalizing ADUs will allow for nonconforming ADU properties to come into compliance on issues like parking and rental occupancy over time through the building permit and the business tax receipt processes.



253 Evergreen Dr



233 Park Ave

Thank you for your time!



754 Date Palm Dr



Please contact staff with further questions or comments at 561-881-3320 EXT 320.

ADU Fact Sheet – Background Data and FAQs

Prepared by the Town of Lake Park Community Development Department. If you have any questions on the material covered here, please reach out to Anders Viane in Planning and Zoning at 561-881-3320, EXT 320.

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Executive Summary

Accessory dwelling units (ADUs) are subordinate, secondary dwellings on single-family parcels with their own kitchens, bathrooms, and bedrooms. ADUs are popular across the United States, particularly in places experiencing high rates of population growth like Texas and California. Lake Park already has 47 confirmed ADUs, most apparently built in the 1920s and 1930s prior to Town's adoption of a zoning code. Before the widespread usage of zoning codes throughout America, property owners had broad discretion in the use of their property. Now over 100 years since the Town's founding, South Florida's booming population growth has prompted the Lake Park Community Development Department to explore making an old-time housing solution new again by allowing for ADUs on single family properties.

ADUs can be an important element in addressing Florida's population growth challenges in a way that's measured, incremental, and doesn't change the look and feel of the residential core of the Town. To date, the Town's planning staff finds no evidence to suggest ADUs will overburden existing infrastructure or create neighborhood nuisances; these and other issues will be addressed in greater detail below. Where concerns have been raised by the public on matters such as parking and transient rentals, we are proposing common sense regulations to prevent problems with ADU implementation and ensure the health, safety, and welfare of the community.

Some benefits of ADUs may include:

- Creating affordable rental housing and facilitating home purchases for buyer's who can secure contingent rental contracts with a lessee
- Expanding property owner's rights
- Providing opportunities for owners to invest in themselves and their homes
- Bringing families together under one roof (or two!)

- Modernizing and diversifying the Town's housing stock
- And, in some cases, earning additional rental income

To date, ADU properties have not:

- Resulted in disproportionate noise complaints
- Resulted in disproportionate parking issues
- Resulted in disproportionate on-street parking nuisances

Based on Institute of Transportation Engineers data and the proposed regulatory requirements, ADUs will not:

- Create significant additional traffic due to low trip generation rates.
- Create on-street parking problems due to the proposed mandatory parking requirement for new ADUs.

We hope this introduction was a helpful overview. What follows will be an in-depth examination of these and other considerations for ADUs.

What's An ADU?

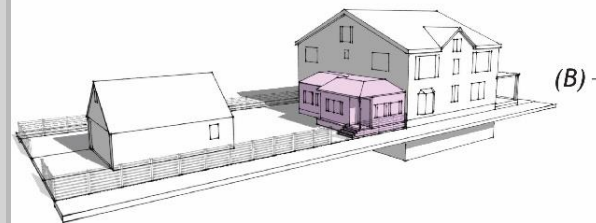
Accessory dwelling units (ADUs) are secondary dwellings on single-family parcels. Florida State Statute 163.31771 defines ADUs as “an ancillary or secondary living unit that has a separate kitchen, bathroom, and sleeping area existing either within the same structure, or the same lot, as the primary dwelling unit.” ADUs can be either attached, internal to the primary dwelling or detached (standalone).

Typical ADU characteristics:

- Smaller massing than the primary home
- Backyard location
- Matching aesthetics with the primary home
- Average 1-2 person occupancy



1. Attached Accessory Dwelling Unit (ADU)



2. Detached Accessory Dwelling Unit (ADU)

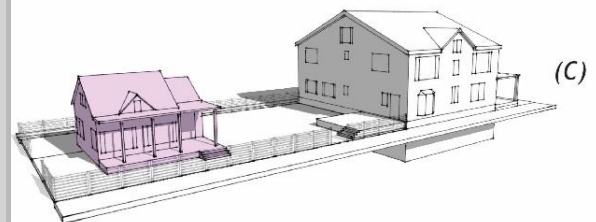
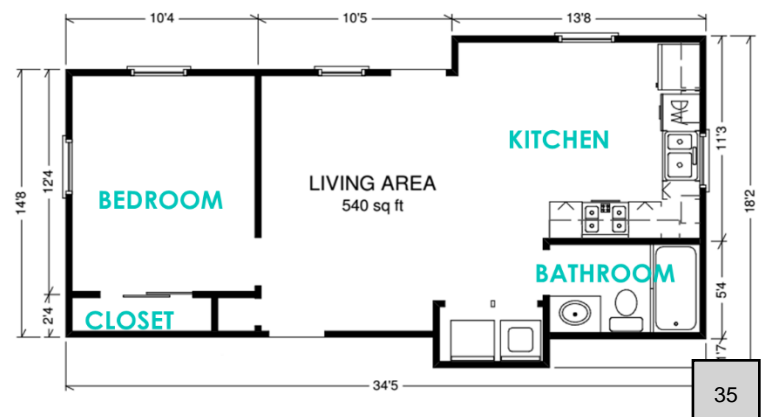


Figure 1 - ADU Examples



Existing ADUs and Impacts

ADUs Elsewhere

Half of the nation's 1.4 million ADUs are located in California, Florida, and Texas – the nation's three most populous states. Most of the new ADU growth has been occurring in these states as well. The West Palm Beach-Boca Raton-Boynton Beach Metro area ranked 12th in the top 25 metros experiencing ADU growth.

Top 25 metropolitan areas with the fastest growth in ADUs entering the MLS market for the first time, 2015-18

METROPOLITAN AREA (CITIES & STATES)	REGION	AVERAGE GROWTH (%, YOY)
Portland-Vancouver-Hillsboro, OR-WA	West	22.3
Dallas-Plano-Irving, TX	South	18.8
Seattle-Bellevue-Kent, WA	West	17.5
Los Angeles-Long Beach-Glendale, CA	West	14.8
Miami-Miami Beach-Kendall, FL	South	14.6
Chicago-Naperville-Evanston, IL	Midwest	13.7
Austin-Round Rock-Georgetown, TX	South	13.6
Orlando-Kissimmee-Sanford, FL	South	12
Virginia Beach-Norfolk-Newport News, VA-NC	South	10.6
Fort Worth-Arlington-Grapevine, TX	South	10.6
Atlanta-Sandy Springs-Alpharetta, GA	South	9.7
West Palm Beach-Boca Raton-Boynton Beach, FL	South	7.8

Figure 3 – Metros with Fastest ADU Growth

- West Palm Beach permits “garage apartments” in their SF-14 Single Family High Density District, has approximately 1,200 existing nonconforming ADUs in historic districts, and is exploring deregulating ADUs.
- ADUs have been legalized in the form of “guest cottages” for family only in Delray Beach since 1994.
- Stuart currently has provisions for ADUs and their commission has asked their planning staff to investigate deregulating rental restrictions to promote their growth.
- Palm Bay legalized ADUs in 2020.
- Palm Beach County allow for new ADU construction.

ADU Impacts Elsewhere

In a 2017 Urban Land Institute survey of 1,837 Portland, Vancouver, and Seattle ADU owners,

- 46% reported renting to close friends
- 17% reported letting family stay for free
- 12% reported renting to family

Top 10 states for ADUs

California, Florida, Texas, and Georgia account for half of the 1.4 million ADUs identified.

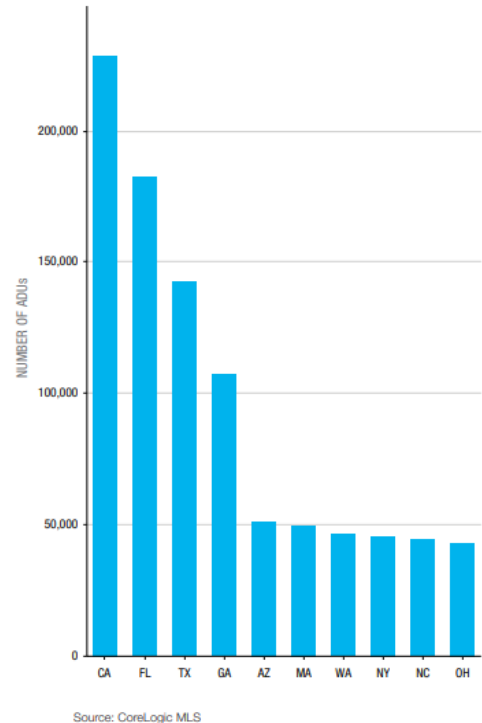


Figure 4 - Top 10 ADU states

- 58% rented at below-market rates
- 57% rented to one occupant
- 36% rented to two occupants
- Only 7% rented to more than two occupants

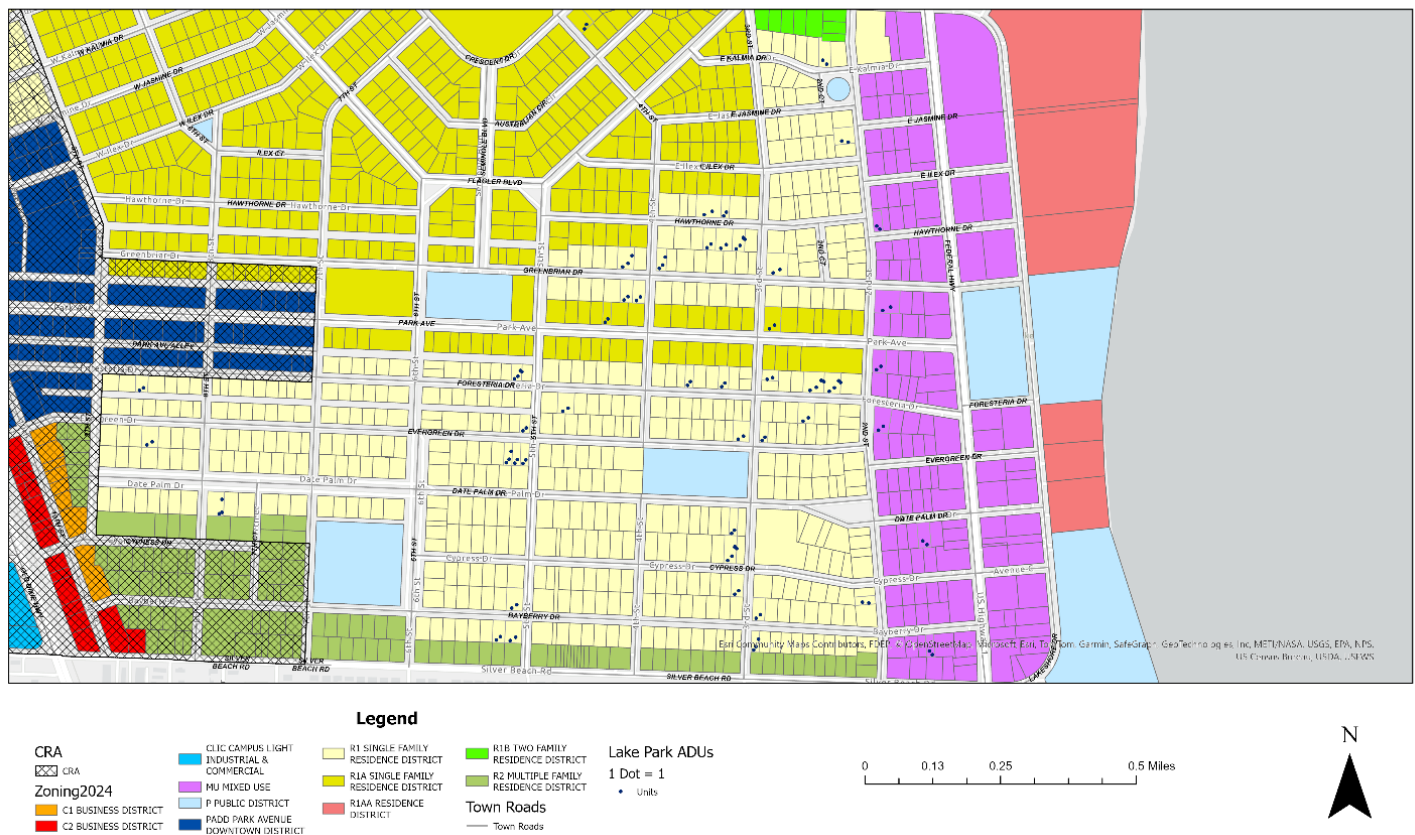
A 2013 survey by Portland Department of Environmental Quality found 80% of ADUs served as long-term housing as opposed to short-term rentals.

Lake Park planning staff surveyed planning staffs at small, medium, and large metros where ADUs have been legalized on the impacts ADUs have had on their communities. Delray Beach, FL; Palm Bay, FL; West Palm Beach, FL, and Stuart, FL have not reported major issues with their ADU ordinances.

Existing ADUs in Lake Park

In Lake Park and elsewhere, ADUs flourished mostly before widespread zoning regulation. There are 47 confirmed and an additional 11 suspected ADUs in Lake Park, the majority built before the Town's Zoning Code was adopted. Most Lake Park ADUs were constructed in the 1920s or the 1950s, times of population growth for the Town. Confirmed ADU locations are mapped in Figure 5.

Town of Lake Park Existing ADUs



Existing Lake Park ADU Impacts

In Lake Park to date ADUs have NOT:

- Been used exclusively for rental (only 16 of 47 confirmed existing ADUs maintain rental BTRs).
- Generated significant additional traffic (estimated 10 trips per day per unit based on the ITE Trip Generation Manual).
- Worsened on-street parking issues, generated a disproportionate number of code violations or nuisances relative to an average single-family home (per Code Compliance officer field observation).
- Over the last 5 years, Code Compliance notes for the 47 confirmed ADUs, only 11 had code cases. Of those 11, 5 pertained to residential parking.

ADU Traffic Generation

To research the impact ADUs might have on traffic, staff contacted the Palm Beach County's Growth Management Traffic Division to get information on trip generation rates for this use. There is no specific traffic generation rate for an Accessory Dwelling Unit, so the most applicable option was used; according to the County, a single-family dwelling on its own is not likely to generate more than ten trips a day average. Also of note, a single rental unit in a low-rise apartment generates even fewer average trips at 7.32 while a 55+ detached dwelling unit produces even fewer at 4.27. Therefore, a fair assumption is that the total trips generated by an ADU will likely be between 10 and 4 trips a day; the average of all three likely rates comes out to 7.19 daily trips. In practice, the number of daily trips will likely be *even lower*.

Palm Beach County Trip Generation Rates (Effective with traffic studies submitted to the County on or after 4/15/2019)									
Gr	Landuse	ITE Code	Unit	Daily Rate/Equation	Pass-By %	In/Out	AM Peak Hour Rate/Equation	In/Out	PM Peak Hour Rate/Equation
Industrial	Light Industrial	110	1000 S.F.	4.96	10%	88/12	0.7	13/87	0.63
	Warehouse	150	1000 S.F.	1.74	10%	77/23	0.17	27/73	0.19
	Flex Space - IND FLU	PBC	1000 S.F.	7.86	10%	64/36	1.53	40/60	1.21
	Flex Space - COM FLU	PBC	1000 S.F.	29.67	45%	72/28	2.12	40/60	2.67
	Mini-Warehouse/SS	151	1000 S.F.	1.51	10%	60/40	0.1	47/53	0.17
Residential	Single Family Detached	210	Dwelling Unit	10	0%	25/75	0.74	63/37	$\text{Ln}(T) = 0.96 \text{Ln}(X) + 0.20$
	Multifamily Low-Rise Housing upto 2 story (Apartment/Condo/TH)	220	Dwelling Unit	7.32	0%	23/77	0.46	63/37	0.56
	Multifamily Mid-Rise Housing 3-10 story (Apartment/Condo/TH)	221	Dwelling Unit	5.44	0%	26/74	0.36	61/39	0.44
	55+ SF Detached	251	Dwelling Unit	4.27	0%	33/67	0.24	61/39	0.30
	55+ SF Attached	252	Dwelling Unit	3.7	0%	35/65	0.2	55/45	0.26
	Congregate Care Facility	253	Dwelling Unit	2.02	0%	60/40	0.07	53/47	0.18
	Assisted Living Facility	254	Beds	2.6	0%	63/37	0.19	38/62	0.26
Ldg	Hotel	310	Rooms	8.36	10%	59/41	0.47	51/49	0.6
Rec	Movie Theater	444	Seats	1.76	5%	N/A	0	55/45	0.09
	Health Club	492	1000 S.F.	32.93	5%	50/50	1.41	57/43	3.53
Institutional	Elementary School	520	Students	1.89	0%	54/46	0.67	48/52	0.17
	Middle/Junior School	522	Students	2.13	0%	54/46	0.58	49/51	0.17
	High School	530	Students	2.03	0%	67/33	0.52	48/52	0.14
	Private School (K-8)	534	Students	Use Private K-12 rate	0%	55/45	0.91	46/54	0.26
	Private School (K-12)*	536	Students	2.48	0%	61/39	0.80	43/57	0.17
	Church/Synagogue*	560	1000 S.F.	6.95	5%	60/40	0.33	45/55	0.49
	Day Care	565	Students	4.09	50%	53/47	0.78	47/53	0.79
	Library	590	1000 S.F.	72.05	10%	71/29	1	48/52	8.16
Med	Hospital	610	1000 S.F.	10.72	10%	68/32	0.89	32/68	0.97
	Nursing Home	620	Beds	3.06	10%	72/28	0.17	33/67	0.22
Office	General Office (<5,000 SF GFA)	710	1000 S.F.	$\text{Ln}(T) = 0.97 \text{Ln}(X) + 2.50$	10%	86/14	$T = 0.94(X) + 26.49$	16/84	1.15
	Small Office Building (<=5,000 SF GFA)	712	1000 S.F.	16.19	10%	83/18	1.92	32/68	2.45
	Medical Office	720	1000 S.F.	34.8	10%	78/22	2.78	28/72	3.46
	Medical Office (Reduced)*	PBC	1000 S.F.	17.4	10%	78/22	1.39	28/72	1.73
	Government Office	730	1000 S.F.	22.59	10%	75/25	3.34	25/75	1.71

Trip Generation Rates - Mostly from ITE 10th Edition

Updated March 2, 2020

Figure 6 - Trip Generation Rates

Based on this, staff finds the claim that ADUs will significantly worsen traffic to be improbable. Furthermore, every ADU that comes in for permitting will be required to provide 2 new 8' X 20' parking spaces to accommodate its own parking on site. If ADUs are legalized, this parking requirement would also be enforced on all existing ADUs whenever they applied for a building permit modification to their property.

Stormwater Management

WRMA, the Town's stormwater consultant, has reviewed the potential addition of ADUs of 1,000 square feet to existing residential lots and the potential impacts to the Town's Stormwater Masterplan goals and stormwater utilities. The following comments are offered on the potential for ADUs to impact stormwater management and how to mitigate the additional impervious area through the use of Green Infrastructure.

Impact of Accessory Dwelling Units (ADU's) on Runoff/Stormwater Management

Increasing impervious area increases stormwater runoff production. ADU's in excess of 1,000 square feet will have the effect of discharging more runoff into the roadway drainage system as less pervious area will be available for infiltration.

The goal of the Town of Lake Park Stormwater Masterplan (SWMP) is the management of runoff at its source before it enters the Town's stormwater management system of swales, inlets and stormsewers. For residential lot units, the SWMP recommends the implementation of low cost Rainbarrels and Raingardens to achieve the goal of sequestering stormwater on individual sites.

Adding Green Infrastructure to the Residential Lot Design Requirements

The Town land development code could be changed to require Green Infrastructure Best Management Practices (GI BMP) if ADU's of 1,000 SF or greater are being proposed on a residential lot.

If ADU's are legalized, the Town should require plan review approval from Public Works/Stormwater Division. This review would ensure one or more of the following GI BMP's are used to totally or partially (no less than 80%) offset runoff production on site:

- Rain barrels and Raingardens to collect runoff from the new ADU impervious area.
- Bioswales to trap any runoff before it gets to the road Right-of-Way.
- A vegetated buffer with water holding capacity for infiltration.
- Any combination of the above.

Summary

Staff has taken WRMA's feedback into consideration in our proposal and will be recommending ADUs provide at least one of the aforementioned GI Best Management Practices to mitigate no less than 80% of stormwater runoff being displaced by an ADU.

Seacoast Utility Authority Considerations

Seacoast Utility Authority (SUA) is the water and sewer utility provider in the Town of Lake Park. Staff reached out to Seacoast for comment on the ADU concept and received the following comments on topics of classification and billing, connection costs, and the potential for impacts to their systems.

Classification and Billing

A new standalone living unit or an addition that created all of the following: kitchen, bathroom, and bedroom would be considered an additional dwelling unit from Seacoast's perspective. Generally, separate standalone dwelling units on an existing lot require a separate meter and sewer connection.

Connection Costs

Regarding the upgrades to existing water and sewer facilities required to build an ADU, Seacoast would have to make determinations on the needed improvements and costs based on the subject site conditions on a case-by-case basis. Most likely this will entail running new water and sewer lines to the ADU from the main home or a new connection if this is not feasible for some reason.

Potential for Service Impacts

The addition of ADUs is not likely to affect Seacoast's ability to provide adequate service to properties using the existing water meter and sewer connection. It will be incumbent on property owners looking to build ADUs to evaluate the condition and capacity of their water and sewer lines to determine whether upgrade retrofits may be necessary to service the new dwelling unit.

Summary

In summary, Seacoast does not foresee major issues if the Town changes its Accessory Dwelling Unit regulations and appreciated the opportunity to provide comments to the Town during the early stages of our public outreach process.

Florida Power and Light Considerations

Florida Power and Light (FPL) provides electrical services to the Town of Lake Park. Staff reached out to FPL to discuss different considerations with ADUs for the electric provider, including billing, connection costs, and system impacts.

Classification and Billing

The only construction work FPL does is for setting meters or retrofitting existing utility connection points. FPL has no preference on whether a property uses an existing electrical meter or a new one to service an ADU. They will provide new secondary meters to properties as long as they aren't preempted by a city or county from doing so. In scenarios where existing power meters are used to connect to ADUs, subfeeds would be added to the meter panel to distribute electricity to the new structure.

Connection Costs

Overhead power connections are the simplest method for connecting to the power grid when the new structure is within 60 feet of an existing utility pole; if the structure is 120 feet away or more, most likely undergrounding the connection will be necessary. There is a tariff charge for connecting and other fees that may apply depending on the specific retrofits needed. The additional fees are determined on a case-by-case basis, but as of 2021 the fee for new underground service connection is \$760. For a new overhead to underground conversion, the connection fee is around \$710. Most new construction is underground due to hurricane and disaster system hardening preventative measures.

Potential for Service Impacts

Service impacts are not anticipated, but FPL will monitor service quality with the addition of new ADUs and may charge ADU owners fees that are appropriate for their usage and demand, as applicable.

Taxation and Insurance Considerations

There are several tax situations – some favorable, some unfavorable – that may be associated with ADUs. Staff worked closely with the Palm Beach County Property Appraiser’s office to understand the full ramifications of adding an accessory dwelling unit to a residential parcel. The various tax liabilities and exemptions are detailed below.

Living Quarters of Parents or Grandparents Exemption

Under the “Assessment Reduction of New Construction for Parent(s) or Grandparent(s) Living Quarters,” commonly called the 'Granny Flat' Exemption, homesteaded property owners who add living quarters for a parent or grandparent can apply to have all or part of the value of this new construction deducted from the assessment.

General requirements and limitations are as follows:

- The property must be homesteaded by the property owner.
- The parent or grandparent cannot be an owner.
- The parent or grandparent must be 62 or older as of January 1.
- The parent or grandparent may not be receiving a residency based benefit elsewhere.
- Only new construction or reconstruction qualifies.
- Construction or reconstruction must be properly permitted.
- The maximum reduction allowable is 20% of the total assessed value as improved.
- All Granny Flat Applications are due by March 1st.

The Granny Flat Assessment Reduction must be renewed annually. Homeowners benefiting from this exemption must notify the Property Appraiser’s Office if they no longer meet the eligibility requirements.

Homestead Exemption

If any structure is a permanent residence, then the owner could receive up to \$50,000 in homestead exemptions, depending on the home’s overall value. The exemption percentage is determined by the Florida Department of Revenue and this does not exempt an owner from school district taxes. Once an owner updates their government document registration (driver’s license, passport) to reflect their current home address, they would qualify for a 3% “Save Our Homes” exemption, which limits property tax increases to no more than 3% percent per year. Without the homestead exemption, non-owner-occupied property taxes can be raised up 10% every year.

In most cases, accessory dwelling units will qualify for homestead exemption if being occupied by an owner’s family. However, if an ADU is rented, the property appraiser may reduce the homestead exemption based on only those portions of the property where the owner resides. This can be a percentage of the main home’s square footage in the case of attached living units; or, in the case of a duplex, one unit or half of the duplex; or, in the case of a detached ADU, the main home may retain homestead while the detached unit loses its homestead exemption.

Appraisers from the Palm Beach County Property Appraiser's office will know when new ADUs are built based on the Town of Lake Park's monthly building permit report and will assess and note occupancy at the time of their field inspection to update a property's appraised value and taxable status.

There is a possibility for Town staff to liaise with the Property Appraiser's office on an ongoing basis to monitor the status of ADU rental units to ensure they are paying their fair share of taxes to both the County and Town governments.

Currently, 20 of the 47 confirmed ADUs are homesteaded.

Insurance Implications

According to surveyed insurers and interviewed residents, it appears ADUs would be insured at similar rates to primary dwellings. Please inquire with your insurer on a case-by-case basis to understand associated insurance costs and considerations.

Why ADUs in Lake Park?

Affordability

- Immigration to Florida puts pressure on the supply-and-demand relationship of our housing market, impacting renters and owners.
- If you spend more than 30% of your income on housing, you are cost burdened by HUD.
- At the HUD standard, an owner making Lake Park's median income of \$56,775 could mortgage \$255,487 over 15 years (Housing and Transportation Index, 2024).
- 30% of \$56,775 = \$17,032 yearly or \$1,419.37 per month to mortgage \$255,487.50. Thus, about \$255,487.50 should be the average sale price of a home in the Town to ensure affordability for its residents.
- Unfortunately, what can be comfortably mortgaged and the average price of homes in Lake Park are beginning to diverge.

Population	Household	Neighborhood
Population		% of Population
< 24%	0	0%
24 - 36%	0	0%
36 - 45%	1,123	12.9%
45 - 54%	3,033	35%
54 - 66%	4,516	52.1%
66 - 78%	0	0%
78 - 87%	0	0%
87% +	0	0%
Total	8,672	100%

Figure 7 - Housing and Transportation spending as a percentage of income (H + T Index, 2024)

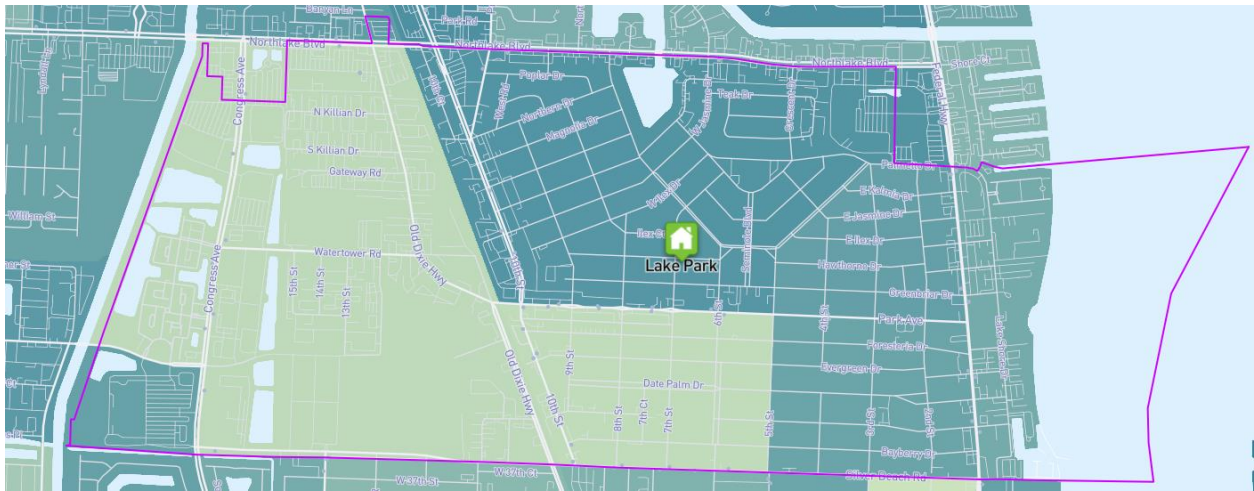


Figure 8 - Housing and Transportation Index, 2024

Lake Park Sales Data

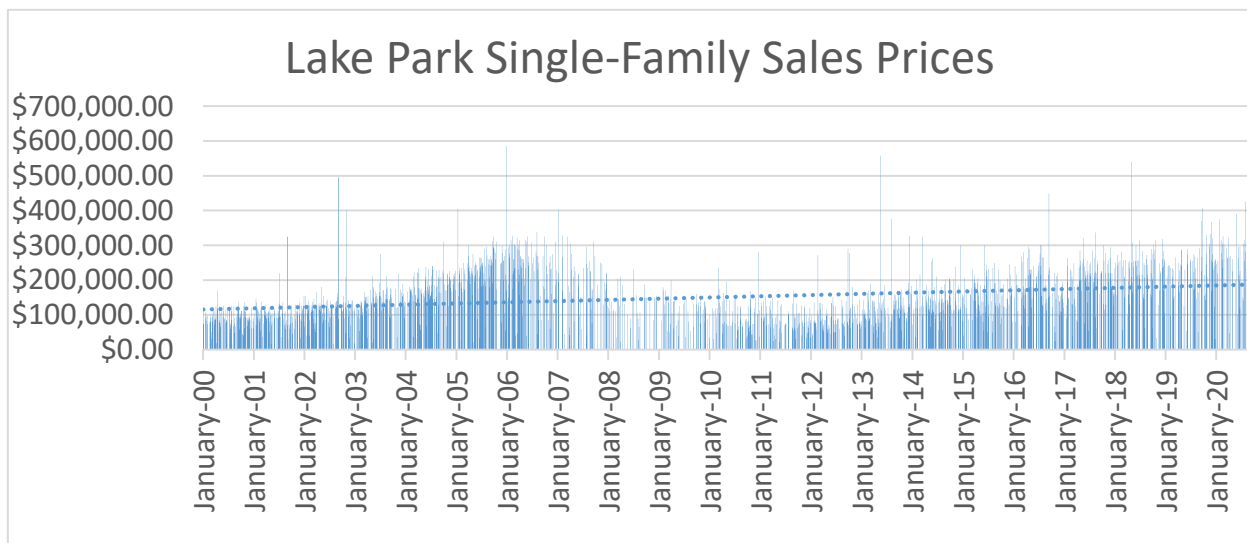


Figure 9 - Single Family Sales Prices

- What can be comfortably mortgaged and housing prices are diverging.
- In 2000, the average Lake Park home price was \$132,340 (adjusted for inflation).
- In 2020, the average Lake Park home price was \$256,586.
- In 2020, the average PBC sale price was \$431,293.
- As of the latest, US Census Bureau data, the owner-occupied percentage of housing is 45.7% and the median value of owner-occupied units is \$322,400

ADU Resale Value

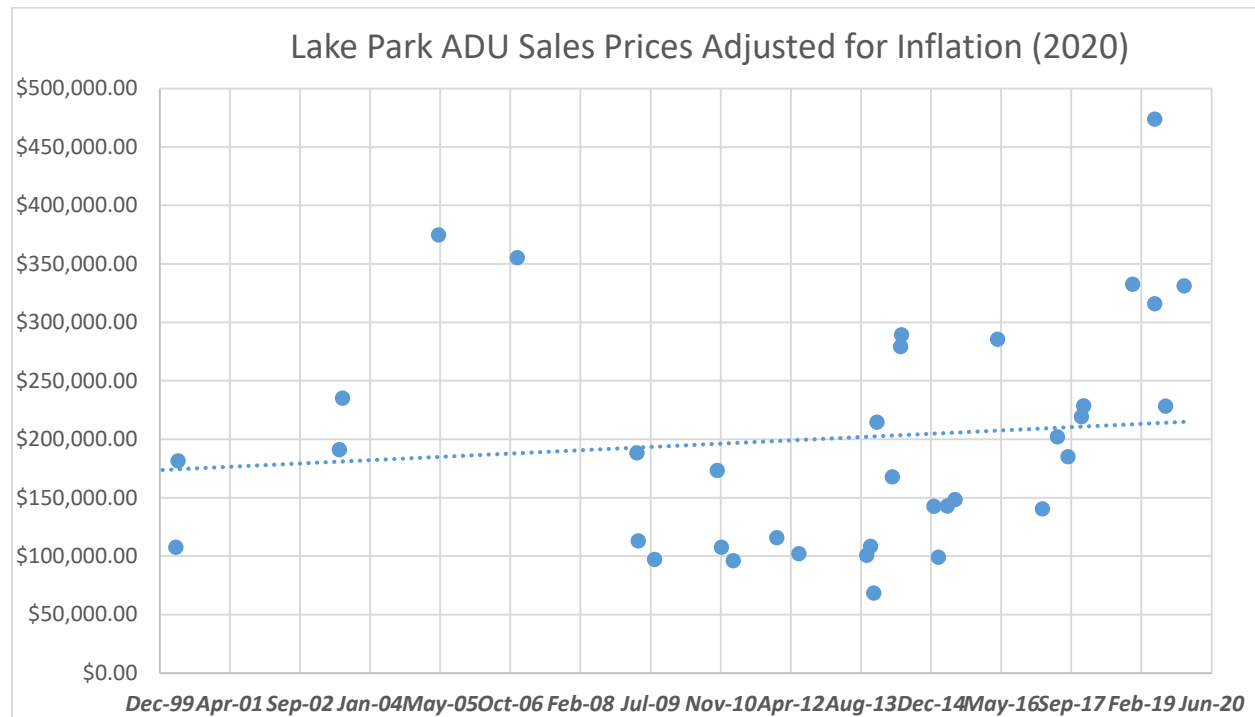


Figure 10 - ADU Property Sale Prices

- From 2015 to 2020, Lake Park ADU resale values ranged from \$129,600 to \$465,000.
- In 2020, the average resale value of a Lake Park ADU was \$196,759.
- ADUs don't appear to significantly increase single family home resale price, though their valuations are trending higher since the mid-2010s. Outdated 2012 data showed ADUs were undervalued by up to 9.8% but appraisers have become much better at pricing ADU values. Since 2000, Lake Park ADU properties have resold at an average of \$196K.
- This data seems to indicate that ADU properties do not necessarily become unaffordable. Legalizing ADUs would almost certainly have a positive impact on value appraisals and tax assessments, as appraisers often want to understand the legal nonconforming provisions, which currently would not allow any ADUs to be rebuilt if destroyed. Lake Park's existing nonconforming ADUs are therefore considered at risk of loss by appraisers. This may actually mean Lake Park's ADU appraised values are lower than what they otherwise might be if legalized.

Rental Market Implications

- The rental income ADUs can generate could help facilitate purchases for some buyers. Many lenders will count a rental contract or letter of intent toward a buyer's total income, helping secure mortgages that might not otherwise be attainable.

- At a total construction cost of \$208,320, a Lake Park homeowner could cover their ADU construction costs (mortgaged over 15 years) while drawing a rent of only \$1,157 per month, consistent with Town and below County market averages.
- The Lake Park Monthly Median Gross Rent is \$1,242 (US Census Bureau, 2018-2022).
- The Palm Beach County Monthly Median Gross Rent is \$1,700 (US Census Bureau, 2018-2022).

On Financing Construction

- In 2014, the Oregon Department of Environmental Quality found detached ADU construction cost nearly 1/3 of the price of a traditional dwelling, with attached ADUs costing even less.
- According to the International Code Council's Building Valuation Data for August 2020, the average cost per square foot for new single-family construction ranges between \$157.40 and \$123.68. Professional estimates taking into account both Building Official methods and private sector estimates generally agree that \$130 per square foot is the average single-family new construction cost in the current market. The latest February ICC 2023 for new type III (unsprinklered) single-family construction is \$183.32 per square foot.
- Presuming the average and an ADU of 1,000 SF, the projected hard costs (construction costs) would be approximately \$ 183,320 and soft costs (permitting, engineering, fees) would likely be approximately \$25,000. Soft cost estimates range from \$15,000 to \$35,000 according to surveyed private sector development professionals.
- The substantial cost savings ADUs offer are a result of the elimination of land acquisition costs, often some of the highest costs associated with any kind of development.
- At just around \$ 208,320, new ADU construction would be cheaper than many resale housing options.

Flexibility

Lake Park Household Diversity Data

- At 2.67 persons per household, Lake Park has more extended families and persons per household than the PBC Average of 2.49 (United States Census Bureau, 2022). Please note average persons per household is not the same as average family size, which is 3.53 (American Community Survey, 2022).
- The average owner-occupied household size in Lake Park has 2.56 persons per household and for renter-occupied houses it was 2.76 (American Community Survey, 2022).
- In Lake Park in 2022, 137 grandparents lived with their grandchildren under 18 years old (American Community Survey, 2022).

On Flexibility for Multigenerational Families and Caretakers

- ADUs facilitate flexible living arrangements for Lake Park's extended and multigenerational households.
- Interestingly, the population cohort that experienced the most growth since 2018 is the 35 to 44 demographic, growing by 6%.
- Equally as likely to have aging parents as young adult children, ADUs would allow middle-aged people to keep family close, a desirable option especially in the wake of the economic hardships caused by COVID-19 and inflation.
- Case studies suggest ADUs are usually rented to close friends or the family of the owner. Rather than bringing strangers into the community, ADUs will most likely bring families closer together. This could be especially valuable to persons with adult children needing a place to stay, individuals with aging parents, and individuals with permanent caretakers.

Lake Park Household Types 2018-2022	Percentage
Persons per household	2.67
Average Family Size	3.53
Married Couple Households	35.8%
Cohabiting Couple Household	3.8%
Male Only Household	21.7%
Female Only Household	38.7%

Figure 11 - Lake Park Household Demography

Community Sustainability

- ADUs could play a role in bolstering the growth of younger population cohorts by creating new affordable rental options in Lake Park.
- Lake Park's largest single demographics are 25 to 34 and 35 to 44, each at 16% of the total population (see figures 12 and 13 below on the changes in Lake Park age demographics from 2018 to 2022).
- ADUs would likely attract more young residents to the Town with enticing cheap rents and boutique charm, which in turn will have positive long-term effects on the economic strength and diversity of our community.

Sustainability

Environmental Sustainability

ADUs promote environmental sustainability by refreshing the housing stock and consolidating new development on existing parcels rather than greenfields. The average age of a Lake Park house is 64! New

ADUs, equipped with new technologies and built to today's standards reduce energy consumption and may "refresh" older homes, giving them a unique asset to boost resale value.

Community Sustainability

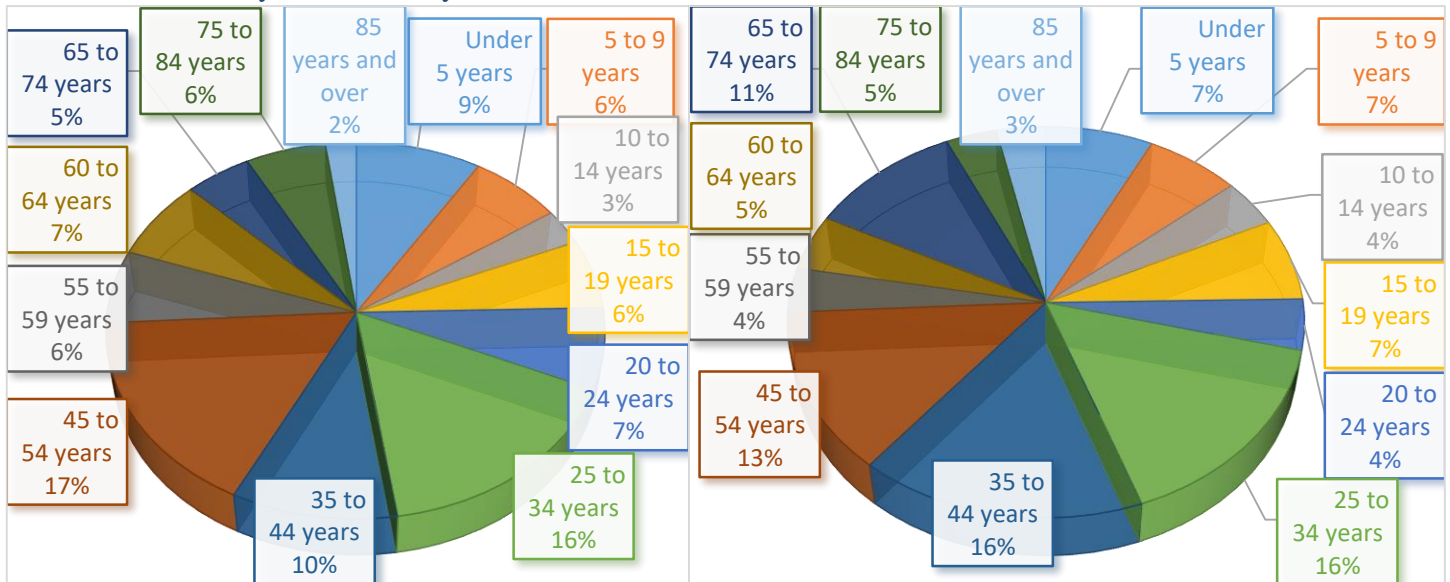


Figure 12 – 2018 Age Demography

Figure 13 - 2022 Age Demography

The rental income an ADU might generate could be reinvested into improvements in the main home for the purposes of general upkeep. ADUs ability to bring families closer together, promote owner pride, and discourage sprawl are all intangible benefits to the community's health that are affirmed by the values of our guiding planning document, the Comprehensive Plan.

Staff finds ADUs are consistent with Comprehensive Plan Goals Objectives and Policies 3.4.2, Policy 1.1 h.: Ensure the proper maintenance of building stock and property by continually adopting, updating and enforcing adopted housing, building and related codes; i. Discourage the proliferation of urban sprawl; j. Encourage redevelopment, renewal or renovation, that Maintains or improves existing neighborhoods and commercial areas;

Additionally, ADUs are consistent with Comprehensive Plan Goals Objectives and Policies 5.5.2 Objective 3: Adequate and affordable housing, consistent with the current character of the Town shall be provided for the existing population and anticipated population growth, including housing to accommodate the defined specialized needs of low and moderate income, elderly or handicapped or displaced residents.

We feel ADUs ability to help 'reinvigorate' aging properties is important to the long-term sustainability of the Lake Park community's housing stock.

How would ADUs be implemented?

Based on the above-referenced data, staff is proposing the following regulatory parameters for ADUs.

Lake Park ADU Regulatory Proposal

- Allow ADUs in the R-1 and R-1A residential districts.

- Entitle an additional half-unit in single family future land uses for ADUs in the Comprehensive Plan.
- Allow all parcels eligible for an accessory dwelling structure, provided they do not exceed the maximum building coverage in their district.
- Set a maximum ADU coverage of 1000 SF. So long as an ADU doesn't exceed the maximum built coverage on the lot, it would be permitted.
- Limit ADUs to one story in height.
- Require a new accessory dwelling structure be set back at least 10 feet from the primary structure, per the Florida Building Code.
- Allow ADU owners to access their unit through the side yard of their property along a sidewalk that connects from the right-of-way to the ADU's front door, set back from the side property line by at least 4 feet.
- Require that every accessory dwelling unit either demonstrate the ability to accommodate parking on site using existing driveway area or provide a new space per 78-142-1 (1) and 78-142 (c)(9)c.1. No grass parking and no exceptions!
- Staff recommends that accessory dwelling units conform to the preexisting standards for accessory structures generally, which requires they be harmonious and compatible with the primary dwelling in features such as color, height, and materials.
- Staff recommends that every ADU with a blank wall greater than 8' X 8' provide landscape screening to soften its appearance.
- Require every ADU provide for landscape screening if it is visible from the public right of way.
- Staff recommends that every site approved for a new ADU receive approval from Public Works/Stormwater Division and provide at least one of the following:
 - Rain barrels and Raingardens to collect runoff from the new ADU roof impervious area.
 - Bioswales to trap any runoff before it gets to the road Right-of-Way
 - A vegetated buffer with water holding capacity for infiltration.
- Staff recommends ADUs be an administrative approval item. Additionally, staff recommends every ADU, prior to receiving a certificate of occupancy, fill out a sworn affidavit that affirms whether the owner intends to rent. If the owner does intend to rent, they would also be required to fill out a rental business tax receipt application prior to CO.
- Staff recommends allowing an ADU owner or their family to occupy either their main home or the ADU. Additionally, staff recommends allowing for families that meet our definition to occupy an ADU.
- All ADUs would have to follow our existing rental standards. Additionally, staff recommends further restrictions on ADUs used for rental. These are: the owner or agent of the owner must reside on-site to supervise the tenant and be responsible for the property. Staff recommends applying these criteria to all single-family rentals in the Town going forward. Pursuant to commission direction, staff recommends modifying the rental BTR application to also note the number of cars associated with the ADUs to ensure adequate parking is provisioned.
- If any of these conditions are violated, the property would be subject to code enforcement action.
- Additionally, all existing nonconforming ADUs, pursuant to passing a life-safety inspection by Code Enforcement, would be legalized.
- Note that existing ADUs that are legalized will be subject to our new zoning standards. This means the ADU *use* will become legal, though some ADU *structures* may be existing nonconforming to the new zoning code. Over time, these existing nonconforming structures will be able to make modifications that bring them more in line with the code, but not less so.

Existing Lake Park Regulations Governing ADUs

- Buildable area is 50% in the R-1A and 60% in the R-1 District.
- Minimum 35% pervious area required.
- In the R-1 and R-1A, setbacks are as follows:
 - 30' Front in R-1
 - 35' Front in R-1A
 - 15' Street Side
 - 10' Side
 - 10' From Primary Dwelling
 - 7' Rear
- The Town Parking code requires at least two 8' X 20' spaces per dwelling unit.
- Lake Park currently requires all accessory structures be “harmonious and compatible” with the primary dwelling in design.
- Lake Park currently requires all residential parcels meet our minimum landscaping requirements.
- New accessory structures like cabanas and garages and home additions are already administrative approval items that must meet many of the standards just overviewed.
- Lake Park currently defines *Family* as “one person or a group of two or more persons living together and interrelated by bonds of legal adoption, blood, or a licit marriage, or a group of not more than three people who need not be related by blood or marriage, living together as a single housekeeping unit in a dwelling.”
- Single-family rentals are currently allowed. All single-family rentals currently require a rental business tax receipt and a code enforcement health/safety inspection to operate.
- Transient rental, defined as “a dwelling that is operated or used in such a way that it has a turnover in occupancy of more than two times in any one year,” is prohibited in single-family zones.

Acknowledgements

Special thanks to the following people, without whom this fact sheet would not have been possible: Raul Mercado, the Town’s drainage consultant, at WRMA; Samantha Burns-Reid at the Palm Beach County Property Appraiser’s office; Timothy Bonner at Florida Power and Light; Bruce Gregg at Seacoast Utility Authority; Xairo Ray at CAP Government for advising on construction cost considerations, and the public for providing public comment that helped focus the planning staff’s research and thinking on the ADU topic.