AGENDA

Park Township Planning Commission
Regular Meeting

May 22, 2025
6:30 p.m.

MISSION: Park Township's rich heritage will be sustained by focusing on community, recreation, and nature.

The public is invited to **attend the meeting** in person or view via webinar by following this link.
Webinar ID: 857 6584 9335 Passcode: 868459
All materials in the agenda packet are posted to the **Park Township website**, normally one week prior to the meeting.
Public comment can be made in person or via email to planning@parktownship.org. If you are commenting in person, please remember to direct your comments to the chairperson rather than the public.
Each comment will be limited to 3 minutes

Please turn off or set to silent mode all cellphones and other electronic devices.

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes: April 24, 2025
4. Public Comment
5. Discussion: Accessory Dwelling Units
6. Other Business and Announcements
7. Adjourn

PARK TOWNSHIP PLANNING COMMISSION MEETING

Meeting Minutes - DRAFT

April 24, 2025

Item 1 CALL TO ORDER: 6:30 p.m.

Dennis Eade	Absent	Member
Dave Kleinjans	Present	Chairperson
Dave Koppenaal	Absent with Notice	Member
Tom Luiz	Present	Vice Chairperson
Len Pilon	Present	Member
Stephanie Trela	Present	Secretary
Shar Clark	Present	Board Representative
Meika Weiss	Present	Community Development Director

Item 2 APPROVAL OF AGENDA

Motion made by Clark
Motion supported by Pilon
Voice Vote: Ayes 5; Nays 0
Motion Carried.

Item 3 APPROVAL OF MINUTES – March 27, 2025

Motion made by Pilon
Motion supported by Luiz
Voice Vote: Ayes 5; Nays 0
Motion Carried.

Item 4 PUBLIC COMMENT

Kleinjans opens and closes public comment at 6:32 p.m. with no comments.

Item 5 PUBLIC HEARING: Rezoning Request

A map amendment (rezoning) request from BauVan Land Co., LLC to rezone 3453 N. 144th Ave. (parcel number 70-15-12-400-089) from AG Agricultural and Permanent Open Space District and R-3 Low-Density Single-Family Residence District, to R-5 Low Density Multiple-Family Residence District.

Kleinjans states that the Planning Commission will be discussing the Michigan Association of Planning's Zoning Reform Toolkit later in the meeting, and that this rezoning request relates to this discussion in that both have to do with the location,

density and types of housing. He states that high, medium, and low-density development are typically separated. Some of the things in the zoning reform toolkit have to do with putting them more types of housing together and mixing densities rather than separating them. He states that this is the big picture to keep in mind, and that maybe the current method isn't the way to do it. He states that there are some other concepts in the packet, including collapsing zoning, in which you combine separate zoning districts and differentiate by parcel size.

Weiss introduces the application, noting that the Planning Commission is familiar with the property already from having heard a similar application in February. The applicants are now requesting R-5 as opposed to R-4, which was heard previously by the Planning Commission. This proposed zoning district is in alignment with the Master Plan.

Weiss states that one of the members had asked about the density of R-5, which is the Low-Density Multi-family Residential District, and why it is called "low density" if it is the highest density district in Park Township. Weiss explains that there used to be an R-6 district, which was medium-density multi-family residential. The former R-6 district would align with the highest density that is now permissible in Holland Charter Township, which allows a ratio of one unit of multi-family housing per 3460 sq. ft. of lot area. The City of Holland has similar higher-density designations, but their highest density residential district does not have a maximum square footage per unit. In that case the upper limits are set by factors related to location and environment, so the maximum is set by the ability to meet setback, stormwater, and other requirements. In summary, Park Township's highest density zoning district is considered low-density as far as multifamily housing is concerned more generally, but it is the highest density zoning district in Park Township.

Applicant representative Chuck Hoyt begins by stating that the Planning Commission is familiar with the site, location, and himself. He states that their previous application for rezoning the parcel to R-4 was done in error, and he apologizes for that. He states that the Ordinance has confusing language. He states that when they apply for a rezone, they typically do an analysis of the Master Plan, which clearly identifies this area as the highest density residential area in Park Township. Their intent, when rezoning a property, is to do the most appropriate and highest density available in the area. He states that the real differences between R-4 and R-5 are not significant in terms of the impact on the application and their development intent. However, it impacts the number of homes that can be clustered together which gives opportunities on this site. There are a lot of constraints on the site, including how far the sanitary sewer line can be run based on existing depths. This is in a particular location and, by pushing the road further, would make it difficult, if not impossible, to service a portion of the

development with sanitary sewer. This creates a need to shorten their internal road to stay closer to 144th. They also need a storm water pond to manage storm water, and they also desire to preserve as much of the tree buffer as possible. The R-5 not only meets the intent and specifics of the Master Plan but also allows for a better design of their site. He apologizes again, and states that the site plan will be improved with this rezoning. He acknowledges the concern regarding why they came right back in from the R-4, and they understand the R-4 was never adopted by the Township Board and was still an open item. He states that they wanted to catch this and rezone to the highest density residential zoning available, in compliance with the Master Plan.

Kleinjans opens the public hearing at 6:40 p.m.

Mary Pilafas, 14534 Twin Oaks.
Pilafas states that their home faces the end of what used to be the horse corral. Her question is, with the rezoning, will the houses be where the corral is now?

Kleinjans clarifies that there is not yet a plan, but they will be given a chance to speak when a plan is presented to the Planning Commission.

Ryan Westenbroek, 3438 Butternut.
Westenbroek states that their home is on the tail end of the property in question. He is seeking clarification as to what better use means. He asks if there a lot of difference between the R-5 and R-4. Does it mean a wall of homes, 2-3 stories tall, versus a condo or even a quadplex?

Motion made by Clark to close public hearing.
Motion supported by Luiz
Voice Vote: Ayes 5; Nays 0
Motion carried.

Kleinjans asks if the corral is too far away for sewer access.
Hoyt states that it is not too far for sewer, but regardless of the zone the corral is not impacted.
Kleinjans states that it appears to him that, whatever the plan is, it will not get back that far and impact it. He notes the tree buffer along the north side.

Weiss states that R-4 and R-5 are similar as far as the dimensions permitted for general housing, except that the R-5 adds multifamily. She states that Park Township's residential zoning districts build on each other. For example, the minimum size requirements for a single-family home a two-family are the same. R-5 has the same

dimensional requirements for both one- and two-family but also allows for multifamily. In response to the question from the public, this means apartments would be permitted, but they would still have the same height requirement of 35 feet or 2 ½ stories so they wouldn't be tall apartments towers. This additional density can be a mixed bag, with more people on site but also this clustering can provide for more open space. She states that in a site plan review, she expects that buffers would be a requirement. She states that the dimensional differences are not significant between the two. R-5 has a minimum ratio of 4,500 sq. ft. per unit. There is also the storm water pond to consider, as well as the creek that runs through it, and depending on the type of development, there are certain subtractions. With all this in mind, the maximum number of units will likely not be met on this parcel.

Kleinjans asks if there is a number for the maximum number of units for this parcel.

Weiss states that based on gross area the maximum number of units on this parcel would be 220. She took 22.5 acres, divided by 4500 sq. ft. per unit. This is the absolute most without taking environmental factors into account. This is the per acre breakdown.

Kleinjans states that there is also the 35 foot or 2 ½ story limit, so an apartment would not be a towering five-story or something like that.

Luiz states that he is the member of the commission who was confused by low versus high density, and he thanks Meika for not calling him out. He states that his question was the same as Westenbroek, and had planned on asking if there was a strategic rationale between R-4 and R-5, but that it sounded like it was just a miscommunication in terms of how the zoning districts are set up versus what they were planning for the space.

Kleinjans states that this area is well presented in the future land use map, which is designates this area as high density. That is the long-term plan. He states when a requests aligns with the designation in the Master Plan, the question to ask is whether or not this is the time, and if is there some reason they should wait because this is the wrong situation.

Clark states that, as it is part of the Master Plan, she does not see any reason not to move forward with the rezoning.

Pilon agrees with Clark's statement.

Trela states that she also agrees. She mentions that this area is infill compared to the

surrounding uses, and that it makes sense considering the overall need for housing.

Kleinjans states that this will need a tree buffer. He suggests that the Ordinance may need to be revisited to add a dimension or amount for this tree buffer.

Pilon states that the only thing he would add to the ordinance is the tree survey to see what trees were being kept and which are being removed.

Kleinjans states that the trees in this development area are not very big and he believes the area may have been farmed 30-40 years ago. He states that Pilon's idea is good to keep in mind.

Motion made by Luiz to recommend the rezoning request to the Board.
Motion supported by Clark
Kleinjans states that the staff has gone through the rezoning criteria and has done a good job of going through the questions and that they should accept staff's analysis.
Voice Vote: Ayes 5; Nays 0
Motion carried.

Item 6 OTHER BUSINESS AND ANNOUNCEMENTS

Kleinjans states that his term ends in May and they are looking to interview candidates for the position.

Pilon states that he may know someone who is interested, but they are short of the one-year residency requirement. Pilon states that this person has a background in sustainability which would be helpful, since sustainability is part of what is discussed in this community.

Kleinjans agrees, stating that the biggest things they are focusing on are housing, the environment, and eggs.

Kleinjans moves on to the zoning toolkit.

Luiz states that there are multiple priorities as part of the Master Plan. One is the broad need for housing, which applies not only to Park Township, but also Ottawa County, Michigan, and the nation as a whole as well. He states that, from a zoning perspective, there are some things that limit the ability to build certain types of homes, and much of that is what would be considered middle housing. Middle housing encompasses homes that fall between single-family detached homes and multifamily homes. It could include accessory dwelling units (ADUs), things like being able to convert the upper level of a garage into a rentable space, and includes a lot of other things as well.

Luiz states that this is something many townships are wrestling with and are trying to figure out. He states that the Township can observe how other nearby townships are

handling it to determine how they address it. The Township has multiple priorities in balancing agriculture, sustainability, and housing. These are all really important, and they will be wrestled with going forward in terms of how those priorities are managed.

The American Planning Association put together a toolkit, and the Michigan chapter overlaid what's happening within Michigan. Luiz states there is a great need for housing and a significant change in household dynamics. Within Michigan, 55% of households are two people or less. There are a lot of singles that are moving into households, as well as couples, and many that are aging but want to age in place. There are a lot of different dynamics coming into play.

He states that cost is one of the biggest factors currently, for both builders and homeowners or people looking to become homeowners. One of the things that will be discussed in the coming years is how this would look for Park Township and what the right fit is from a housing standpoint. He asks how the Township could encourage diverse housing.

Looking at Holland Charter Township, they're experiencing a significant amount of apartment growth, and this supports workforce housing, which is really important. There are a lot of people who would love to live here and have jobs, and for folks that are not quite ready to be homeowners but need a place to live, Holland Charter Township is addressing their needs.

Agriculture preservation versus development is going to be something that is examined on a monthly basis probably forever. Residents find that both of these things are important, from both economic and aesthetic standpoints.

One of the things that can be observed from a cost standpoint, which is not going to change, is labor, lumber, land, and laws. Laws are where the zoning piece comes into play. He states that, while he has not read the entirety of the Zoning Ordinance, he knows it is dated. At some point, Luiz believes it will need to be reviewed. For middle housing, the determination is the Township needs it, and the Zoning Ordinance will need to support it.

He states that the zoning reform toolkit is a plan that has been put together by planners around the country, and the Michigan chapter of APA have taken that overview of what middle housing looks like here. They've included 15 different tools that expand housing choice and supply, and provides a method of evaluation to apply to any given township or city. He states that it is a great overview, and also is very detailed when it gets into the nuts and bolts. Luiz believes it will be a useful tool as the Township jumps into this in the future.

Kleinjans states that there are a couple of things he wants to point out. First, there are 14 tools rather than 15. He states that the graph on page 9 shows housing price versus income. Housing cost have gone up and income has stayed flat. Kleinjans believes the commission has to do what they can at their level, but the real problem is income

inequality. He states that apartments are a good option, but having places people can buy and build wealth through is beneficial in this country.

Kleinjans also mentions collapsing zones. In collapsing zones, there is more of a mix of density within the same districts. It's not separated by manufactured homes, apartments, duplexes and single family, unlike traditional zoning. He states that this is really worth thinking about and that there are benefits of making it a more unified social situation.

Clarks states that she herself agrees, but is concerned about the stigma. She states that someone who built a half a million-dollar home would likely be worried about their property value if someone built a duplex next door.

Kleinjans states that the packet addresses a lot of the stigma.

Pilon asks that, with this information, how do they stay connected and unified with the ZBA. Both parties have their own perspective, and it seems as though this is a big enough topic that both parties will need to understand. The other thing Pilon mentions is that after the Master Plan, the plan was to re-engage with the farmers in agriculture to understand what their concerns and needs are. He suggests that it is important to look at these issues holistically and not independently.

Kleinjans states that looking at the packet will give them ideas for how to approach this new territory. He now moves into the announcements and other matters of business.

Clark states that there was a special meeting last week in the Department of Natural Resources to purchase old coast guard station. The offer was accepted and they're going forward with a purchase of $1.4m.

Clark states that the remaining $800k from COVID-19 funds will go towards this purchase. Mr. Spoelhof did the talking with regard to representatives, Roger Victory and Nancy DeBoer, and have taken it to the state level and they have agreed to supply several hundred thousand dollars as well. This is a win all around with regard to the funding for it. It's been jokingly called Fire Station 3 but they will come up with a better name than that.

Kleinjans asks if they will be in cooperation with other townships for water safety.

Clark states that the main focus of the building will be water safety. She believes it's going to be divided three ways, Park Township, she believes the Coast Guard will park their boats there on busy weekends, and that the Ottawa County Sheriff's Department Marine Division will probably have something there, but she is not entirely sure.

Weiss mentions that middle housing is something they will be looking at sooner rather than later. There's a lot of analysis on ADUs that can be done, and it is important to evaluate what needs are specific to Park Township. There's going to be a lot of discussion involved in housing more generally, but ADUs are something that have risen to the surface as a pretty solid next step. Staff has noticed a shift in the last few years as far as inquiries about ADUs. Kids are staying home longer, well into their 20s. Older

people are looking downsize and stay close to their children and kids are having a hard time finding places for aging parents. Weiss states that she recently had a conversation with a woman who could not find a home nearby for her aging mother, so they talked through how to add onto her home within current ordinance requirements. There is a lot more multigenerational living than has been seen in the past. This is one of the tools that can address that issue. She states that she will send out more resources and that she does not have a date set for when Planning Commission will be taking this issue up, but she wishes to start letting it percolate. There are a lot of different configurations of ADUs. There are many questions as far as size and location. Should they be everywhere, only on certain lot sizes, or in certain neighborhoods? There are a lot of considerations, so she asks the commissioners to start getting their juices flowing and to listen to the stories around them. She suggests asking people what their stress points are when it comes to housing.

Clark agrees and states that, for the past four or five years, she has been looking for something that had the opportunity to have herself and her parents on the same lot but there was nothing.

Kleinjans comments that when he thinks about ADUs, he typically thinks of detached mother-in-law houses on the property, but the packet provides other attached examples, such as the basement, upstairs, next door, and over the garage. The Ordinance has ruled that single-family homes cannot be double-family homes. A person is not allowed to rent out their upstairs currently, but this is a pretty easy place to start opening up possibilities.

Weiss states that, in her research for the STR hearing, she found that there were a lot of housing types that were permitted 30-40 years ago that are no longer permitted. Those would be interesting places to start conversation too, because some of them are still present in the community.

Kleinjans states that 30 years ago when he was on the Planning Commission, there were certain kinds of housing they didn't want in the area, so there were rules introduced about roof pitch and other things to prevent certain types of housing. The Township has historically tried to be exclusive.

Moving on to a ZBA update, Weiss mentions the ZBA special meeting on April 21, in which the board members had their discussion regarding STRs. She states that she was impressed with how well they had done their homework. She had thought it would be a long conversation, but they were very well-prepared and worked through the issues in about an hour. She states that the members had clearly spent a lot of time reviewing this on their own before the meeting.

What they did is something similar to what the Planning Commission does with an ordinance or PUD. They gave their consensus and direct legal counsel and staff to write a report that they can alter, edit, accept or reject at the next meeting or soonest opportunity. Weiss says Dan Martin, the Township Attorney, is working on writing this

up. She reiterates the four questions in chronological order and how the ZBA answered them.

The ZBA first looked at the 1963 Ordinance and determined that "tourist home" was the most comparable to an STR. One of the questions was the language STR had only appeared a few years ago, so this clearly would not be in the Ordinance 50 years ago. They had boiled it down to "compensation" and "transient use" were what distinguished STRs from single-family homes. Tourist homes were permitted in Residence District B, which doesn't correlate to any current districts, as they were changed in the 1974 Ordinance.

The ZBA then looked at the 1974 Ordinance and indicated that STRs could be potentially considered in PUDs, if they were specifically allowed when they were named, and also as motels. Those are the contours of their decisions.

One of the questions was asking if the ordinance was unconstitutionally vague. They determined that it did not appear to be unconstitutionally vague on its face, but they ultimately ruled that they did not have the authority to answer that question. Like the Planning Commission receives its authority through the State and the Michigan Planning Enabling Act, the ZBA receives its authority through the Zoning Enabling Act. They made comments about what their opinions were but said that it was really out of their purview.

Similarly, the question of estoppel was outside of their authority as well. Estoppel is a legalese question that basically means that if someone was giving out wrong information, that as a result of that information being given, the Township is unable to enforce the Ordinance anymore. This is not typically the case in a municipal setting. The example Weiss gave at the meeting was if an application for a zoo came in, and she decided to give approval for it regardless of the regulations, she would be acting outside of her authority. The Township would not be bound by that behavior, whether the cause was recklessness or confusion, or if the decision was made intentionally or not. It undercuts the rulemaking authority of the Township Board and elected officials and appointed officials if staff can overrule that through their action. That's generally where that goes.

Weiss continues that there is a possibility that some properties will have legitimate estoppel claims, but those are also things that are determined based on the facts of the case on an individual basis and in the courts. So, similarly that is something the ZBA does not have any authority to do. She states that this is the contours of where they landed, and she hopes to have their decision on the May 5th agenda, and that would be the official vote which would wrap up the formal parts of the STR cases in Park Township.

Kleinjans states that there was a note from Koppenaal but not Eade, and asks for this to be noted in the minutes.

Kleinjans states that if the Township were to start allowing rentals, there will need to be a way to inspect safety, health, licensing, and anything else that goes with it too.

Trela finds it interesting that even with long term rentals, there is nothing on the books in regards to rentals. She states that Holland Township has certain requirements, which makes sense because nobody would want to rent a place that is unkempt or unsafe. Having rules and regulations in the ordinance would provide something for residents to fall back on. It assists residents should they find themselves in a situation where things may not be resolved to a safety perspective. She states that both the City of Holland and Holland Township both have something, and she believes it is something as individuals are renting that does assist them greatly in ensuring that, not only do they have available housing, but they have safe housing, especially when looking at fire code.

Weiss states that this is a Board question specifically because there is a significant cost that comes with that type of rental inspection program as well, and that cost-benefit is entirely a Board question.

Luiz asks about 1963-1974 Ordinances and tourist homes, and wonders if there are grounds for people that were renting before then to be able to carry on.

Weiss states that, once everything is wrapped up, individual homeowners who think they have a claim would be able to submit that and they would have to go through an evaluation process to see if this case met the requirements from 1963.

Kleinjans asks if this would be done on an individual basis.

Weiss confirms and states that this would be looking at an existing non-conforming use. In zoning, if a person is already doing something before the zoning code is changed, they are allowed to continue doing it without end, provided they do not change what they're doing, and so long as it is an existing permitted use before the ordinance changed. They cannot change, expand, or do other things, but they can keep doing what they're doing, and the ZBA would be looking to confirm this.

Kleinjans notes that this is grandfathering, also known as a legal non-conformity.

Item 7 ADJOURN

Motion made by Clark to adjourn the meeting.
Motion supported by Pilon
Voice Vote: Ayes 5; Nays 0
Motion carried. Meeting adjourned.

Respectfully submitted by: Lorna Milstead and Meika Weiss

MEMORANDUM

To: Park Township Planning Commission
From: Meika Weiss, Community Development Director
Date: May 14, 2025
Re: Accessory Dwelling Units – Discussion on Goals/Outcomes

Framing the Problem/Desired Outcomes

There are a number of options for addressing housing supply that will allow Park Township to better meet the needs of the community in ways that still feel like Park Township.

15 TOOLS TO REFORM ZONING		
Zone Districts	**Form and Context**	**Processes**
Collapse Zone Districts	Reduce Minimum Lot Width and Area	Eliminate or Reduce Elected Body Approval
Rezone for Mixed-Use / Multi-family in Commercial Districts	Reduce or Eliminate Minimum Dwelling Unit Size	Expand Administrative Review
Expand Allowable Uses	Reduce or Eliminate Minimum Parking Requirements	Pre-approved Plans
Performance Standards for Uses	Missing Middle Housing (Including ADUs)	More Flexible Approach to Nonconformities
	Density / Height Bonuses	Police Power Ordinances for Nuisance

Michigan Zoning Reform Toolkit, p. 36

Accessory Dwelling Units (ADUs) are first on the list to address because 1) they respond to an increase in stated demand from members of the community, 2) they expand owner options as to how to use their property, and 3) they can easily be incorporated into existing neighborhoods. They also offer property owners more options as to how to use their property and allow us to be more flexible and nimble in responding to market demand.

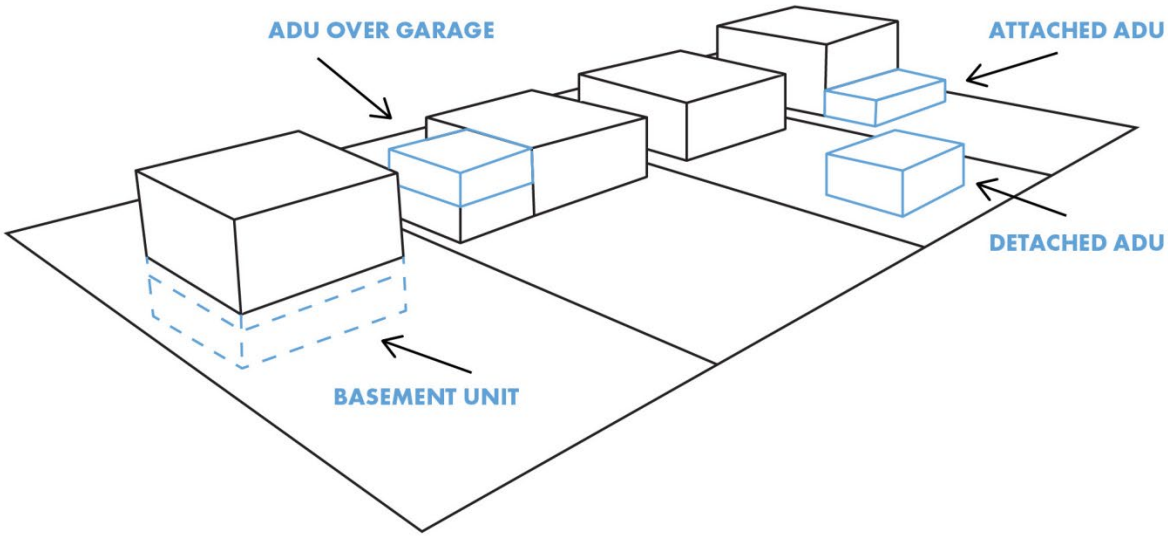
This also addresses two Master Plan goals:

Goal 4: Promote infill and redevelopment where infrastructure already exists

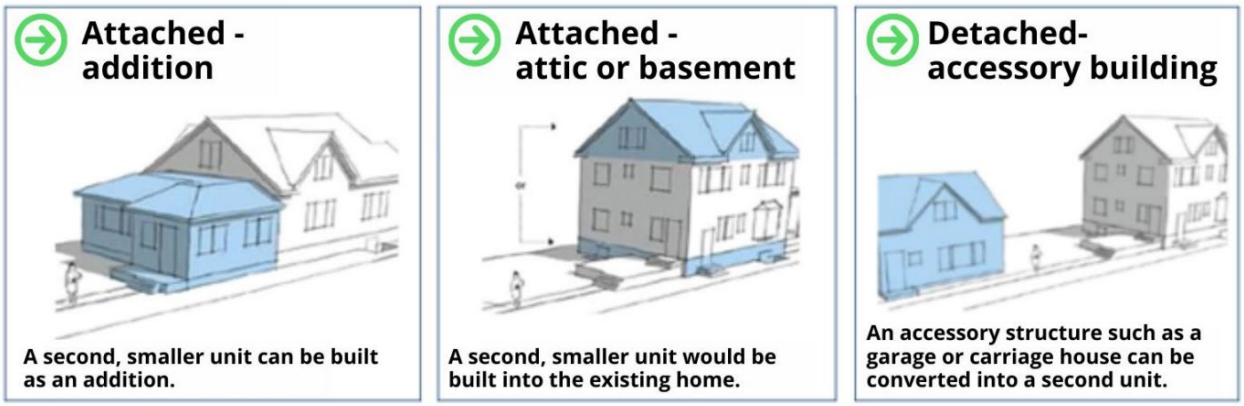
Goal 5: Promote a variety of attainable housing types

The first target for this meeting is to create a general outline of goals and desired outcomes for an ordinance that would permit ADUs in some fashion in Park Township, as well as an understanding of outcomes that would undesirable and areas of concern.

Types of ADUs



Overcoming Barriers to Bringing ADU Development to Scale, p. 4



City of Minneapolis and City of Ann Arbor

ADUs can be configured in a number of different ways, as is illustrated simply above. The three primary types are internal (attic, basement, etc.), attached, or detached. Included in your packet is a publication from the AARP entitled The ABCs of ADUs that goes into more detail.

The second target for this meeting is to create early consensus over where these additions might be most appropriate, and what features and requirements should be considered in more detail.

AARP®

The ABCs of ADUs

A guide to Accessory Dwelling Units and how they expand housing options for people of all ages



DETACHED ADU



BASEMENT ADU



GARAGE-CONVERSION ADU



ATTACHED ADU



SECOND-STORY ADU

AARP.org/ADUs

Websites: *AARP.org* and *AARP.org/Livable*
Email: *Livable@AARP.org*
Facebook: /AARPLivableCommunities
Twitter: @AARPLivable
Free Newsletter: *AARP.org/LivableSubscribe*

AARP is the nation's largest nonprofit, nonpartisan organization dedicated to empowering people 50 or older to choose how they live as they age. With nearly 38 million members and offices in every state, the District of Columbia, Puerto Rico and the U.S. Virgin Islands, AARP strengthens communities and advocates for what matters most to families: health security, financial stability and personal fulfillment. The AARP Livable Communities initiative works nationwide to support the efforts by neighborhoods, towns, cities, counties, rural areas and entire states to be livable for people of all ages.

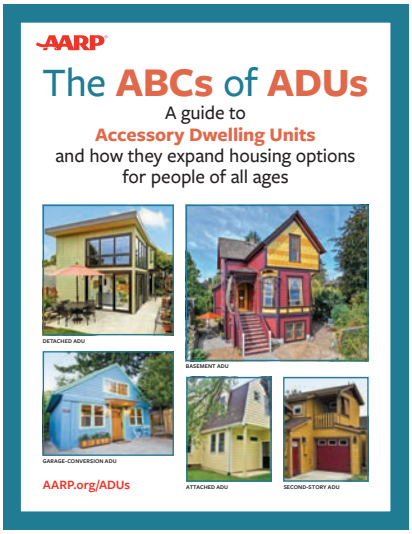
Orange Splot LLC

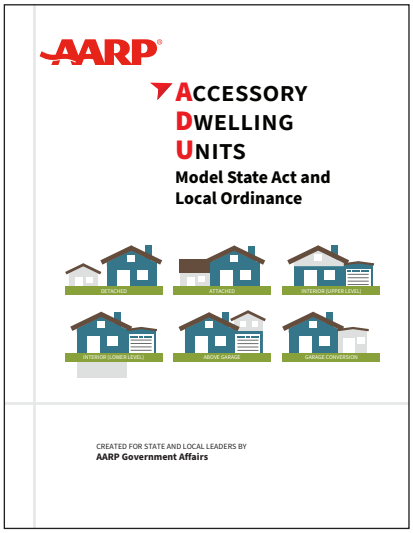
Website: *OrangeSplot.net*
Email: *eli@OrangeSplot.net*

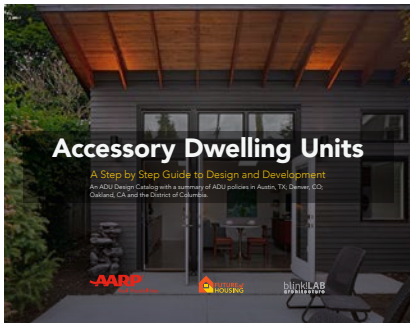
Orange Splot LLC is a development, general contracting and consulting company with a mission to pioneer new models of community-oriented, affordable green housing developments. Orange Splot projects have been featured in the *New York Times*, *Sunset magazine* and on NBC's *Today* show. (The detached ADUs on page 3 and the back cover are by Orange Splot.) Company founder Eli Spevak has managed the financing and construction of more than 300 units of affordable housing, was awarded a Loeb Fellowship by the Harvard University Graduate School of Design, cofounded the website *AccessoryDwellings.org* and serves as chair of Portland, Oregon's Planning and Sustainability Commission.

AARP and Accessory Dwelling Units

Visit *AARP.org/ADU* to order or download our free publications and find more resources about ADUs.







AARP's ADU Publications (from left): This introductory guide; guidance about creating an ADU model state act or local ordinance; a detailed guide to design and development.

Copyright ©AARP 2021, 2nd edition (1st edition published in 2019) | AARP is a registered trademark. | All rights reserved. No part of this publication may be reproduced in any form or by any means without the prior written permission of AARP, except brief quotations in connection with reviews written specifically for inclusion in magazines, newspapers or websites, or limited excerpts strictly for personal use.

Welcome! Come On In

Accessory dwelling units are a needed housing option for people of all ages

We know from surveys by AARP and others that a majority of Americans prefer to live in walkable neighborhoods that offer a mix of housing and transportation options and are close to jobs, schools, shopping, entertainment and parks.

These preferences — coupled with the rapid aging of the United States' population overall, the decrease in households with children and the national housing shortage — will continue to boost the demand for smaller homes and affordable, quality rental housing.

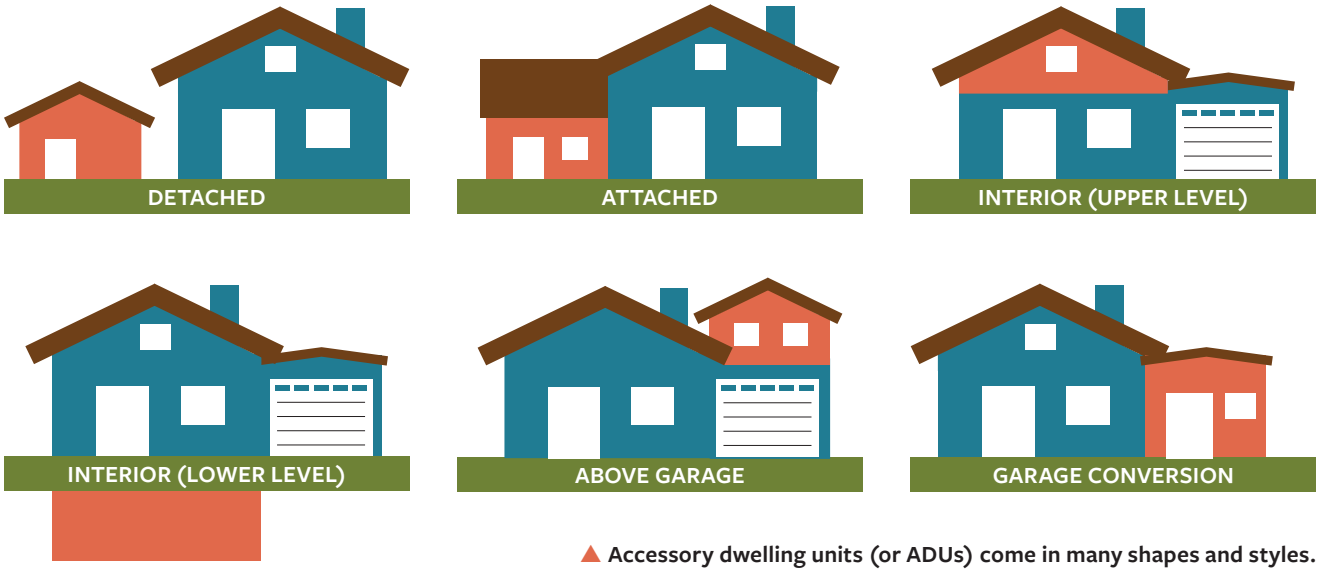
As small houses or apartments that exist on the same property lot as a single-family residence, accessory dwelling units — or ADUs — play a major role in serving a national housing need.

This traditional home type is reemerging as an affordable and flexible housing option that meets the needs of older adults and young families alike.

In fact, in the 2021 AARP Home and Community Preferences Survey, adults age 18 or older who would consider creating an ADU said they'd do so in order to:

- provide a home for a loved one in need of care (86%)
- provide housing for relatives or friends (86%)
- have a space for guests (82%)
- create a place for a caregiver to stay (74%)
- increase the value of their home (69%)
- feel safer by having someone living nearby (67%)
- earn extra income from renting to a tenant (63%)

Since ADUs make use of the existing infrastructure and housing stock, they're also environmentally friendly and respectful of a neighborhood's pace and style. An increasing number of towns, cities, counties and entire states have been adapting their zoning or housing laws to make it easier for homeowners to create ADUs. ■



▲ **Accessory dwelling units (or ADUs) come in many shapes and styles.**

The ABCs of ADUs is a primer for elected officials, policymakers, local leaders, homeowners, consumers and others to learn what accessory dwelling units are and how and why they are built. The guide also suggests best practices for how towns, cities, counties and states can support the creation of ADUs as a way to expand and diversify housing options.

What ADUs Are — And What They Can Do

ADUs are a family-friendly, community-creating type of housing the nation needs more of

Although many people have never heard the term, accessory dwelling units have been around for centuries (see page 6) and are identified by many different names. To be clear about what's being discussed:

- An ADU is a small residence that shares a single-family lot with a larger, primary dwelling
- As an independent living space, an ADU is self-contained, with its own kitchen or kitchenette, bathroom and sleeping area
- An ADU can be located within, attached to or detached from the main residence
- An ADU can be converted from an existing structure (such as a garage) or built anew
- ADUs are found in cities, in suburbs and in rural areas, yet are often invisible from view because they're positioned behind or are tucked within a larger home
- Because ADUs are built on single-family lots as a secondary dwelling, they typically cannot be partitioned off to be sold separately
- An ADU can enable family members (including family caregivers) to reside on the same property while having their own living spaces
- An ADU can provide housing for a hired caregiver
- An ADU can provide rental income to homeowners
- ADUs are a practical option for tenants seeking small, affordably priced rental housing
- For homeowners looking to downsize, an ADU can be a more appealing option than moving into an apartment or, if they're older, an age-restricted community
- ADUs can help older residents remain independent and "age in place"
- As an adaptable form of housing, ADUs provide flexible solutions for changing needs. ■



CREATIVE COMMONS

▲ **Accessory dwelling units show up in neighborhoods throughout the country — and even in pop culture. One example: In the sitcom *Happy Days*, Fonzie (right) rents an above-garage ADU from the Cunningham family in 1950s-era Milwaukee, Wisconsin.**

ADUs Are Also Known As ...

Although most local governments, zoning codes and planners in the United States use the term *accessory dwelling unit* or *ADU*, these small homes and apartments are known by dozens of other names. The different terms conjure up different images. (Who wouldn't rather live in a "carriage house" than in an accessory or "ancillary" unit?) Even if you've never heard of accessory dwelling units or ADUs, you have likely heard of — and perhaps know the locations of — some of the home types noted in the list at right. ■



▲ **Renting out this 350-square-foot garage-conversion ADU in Portland, Oregon, helps the property owner, who lives in the lot's primary residence, pay her home mortgage.**

- accessory apartment
- backyard bungalow
- basement apartment
- casita
- carriage house
- coach house
- English basement
- garage apartment
- granny flat
- guest cottage
- guest house
- in-law suite
- laneway house
- multi-generational house
- ohana unit
- secondary dwelling unit

PHOTO AND LIST FROM *ACCESSORYDWELLINGS.ORG*

ADUs Come in Many Shapes and Styles

Since ADUs are custom designed and created, they're able to fit discreetly into all sorts of locations, including suburban subdivisions, walkable towns, urban neighborhoods — and, of course, large lots and rural regions.



◀ A **DETACHED ADU** (aka DADU) is a stand-alone home on the same lot as a larger, primary dwelling. Examples include backyard bungalows and converted outbuildings.

Location: Portland, Oregon
Photo by David Todd



▲ An **ATTACHED ADU** connects to an existing house, typically through the construction of an addition along the home's side or rear. Such units can have a separate or shared entrance. In this example, the owners built a connection between the house and what was a detached garage. The addition and the space above the garage contain the ADU, which has its own entrance (pictured at right).

Location: Anne Arundel County, Maryland
Photo by Melissa Stanton, AARP





▲ A **GARAGE ADU** converts all or part of an attached or detached garage into a residence. Other options: adding an ADU above a garage or building a new unit for both people and cars.

Location: Cape May, New Jersey
Photo by Melissa Stanton, AARP

▶ Access to an **UPPER-LEVEL ADU** can be provided through a stairway inside the main home or directly from an exterior staircase. This 500-square-foot ADU is part of a 1,900-square-foot primary dwelling.

Location: Portland, Oregon
Photo by Eli Spevak, Orange Splot LLC





▲ A **LOWER-LEVEL ADU** is typically created through the conversion of a home's existing basement (provided that height and safety conditions can be met) during construction of the house or (above and on page 7) as part of a foundation replacement and house lift.

Location: Portland, Oregon | Photo by Chris Nascimento

ADUs Are Good for People and Places

Communities that understand the benefits of ADUs allow homeowners to create them

ADUs are an economical housing option

- ADUs can generate rental income to help homeowners cover mortgage payments or simply make ends meet. The income provided by an ADU tenant can be especially important for older people on fixed incomes.
- Since the land on which an ADU is built already belongs to the homeowner, the expense to build a secondary residence is for the new structure only.
- Many ADUs are created for family members or friends to reside in for free or at a discounted rate. In fact, when a loved one is in need of care or can't live alone, an ADU can be a viable alternative to a costly assisted-living facility.
- Although market rate rents for ADUs tend to be slightly more than for similarly sized apartments, they often represent the *only* affordable rental choices in single-family neighborhoods, which typically contain few or no small or rental housing options at all.
- The state of California and some municipalities are boosting ADUs by providing grants and other incentives as part of affordable housing and anti-displacement strategies to help lower-income households build ADUs or reside in them at reliable rents.

ADUs are community-compatible

- ADUs offer a way to include smaller, relatively affordable homes in established neighborhoods with minimal visual impact and without adding to an area's sprawl.
- ADUs provide a more dispersed and incremental way of adding homes to a community than other options, such as multistory apartment buildings.
- ADUs are typically managed by homeowners who live on the premises. Such landlords are less likely to tolerate a destructive tenant.

ADUs are good for the environment

- ADUs require fewer resources to build and maintain than full-sized homes.
- ADUs use significantly less energy for heating and cooling. (Of all the ADU types, internal ones tend to have the lowest building and operating costs.)

ADUs are just the right size

- Generally measuring between 600 and 1,000 square feet, ADUs work well for the one- and two-bedroom homes needed by today's smaller, childless households, which now account for nearly two-thirds of all households in the United States.

ADUs are able to house people of all ages

- ADUs offer young people entry-level housing choices.
- ADUs enable families to expand beyond their primary home.
- ADUs provide empty nesters and others with the option of moving into a smaller space while renting out their larger house or letting an adult child and his or her family reside in it.
- An ADU's use can be adapted for different household types, income levels, employment situations and stages of life. ■

Big houses are being built, small houses are needed

Do we really need more than three times as much living space per person as we did in 1950? Can we afford to buy or rent, heat, cool and care for such large homes?

YEAR	1950	2020
Median square footage of new single-family homes	983	2,261
Number of people per household	3.8	2.5
Square feet of living space per person	292	904

FACT: ADUs house more people per square foot of living area than single-family homes do.

SOURCE: NATIONAL ASSOCIATION OF HOME BUILDERS, U.S. CENSUS BUREAU

HOME VISIT #1

Attached ADU Addition

Santa Cruz, California
Size: 500 square feet



AARP



▲ **The area with the darker roof shingles is the ADU that was added onto the home of Carrie and Sterling Whitley.**

◀ ▼ **The Whitleys' ADU (that's Carrie showing off the front yard's new paths and plantings) has its own entrance on the side of the home and is being rented to the couple's daughter so she can help her elderly parents when needed.**

When Carrie and Sterling Whitley bought their house in 1971, they paid less than $15,000. Nearly 50 years later, similar homes on their street have sold for more than $1 million.

THE PROBLEM: The Whitleys, who are in their 80s, own the house outright and don't want to move. But the financial and physical demands involved in maintaining the house are a challenge.

A SOLUTION: To help low-income homeowners age 62 or older live independently and keep their homes, the Monterey Bay affiliate of Habitat for Humanity and the City of Santa Cruz launched My House My Home: A Partnership for Aging-in-Place. The pilot program builds accessory dwelling units so older homeowners can downsize into a new, aging-friendlier home and earn rental income from their original house. Or such homeowners can remain in their house and rent out the new, smaller residence. Participating homeowners are required to charge an affordable rental rate.

REALITY CHECK: When the Whitleys' project broke ground in April 2017, they were the first homeowners to receive an ADU through the program, which worked with them to design the ADU as an addition to their existing home. Since the dwelling was built with accessibility features, Carrie and Sterling know they can downsize into it if they ever need to. Until then, their daughter, Brenda, resides in the addition.

REAL LIFE: "I'm right next door to my parents in case they need me or need any help," Brenda says.

Design: Historic Sheds | Builder: Historic Sheds | Cost to build: $158,000 in 2017 (not including volunteer labor) | Photos by Michael Daniel | Article adapted from Where We Live: Communities for All Ages *(AARP 2018)*



ADU ADVICE: With an attached ADU, privacy between the two residences can be achieved by locating the ADU bedroom(s) and bathroom(s) as far as possible from the main house. Providing the ADU with its own yard or outdoor space is helpful too.

ADUs Are an American Tradition

While today's interest in ADUs may be new, the housing type is centuries old

Early settlers often built a small home to live in while constructing their larger, primary house nearby.

When farming was a source of survival for most of the nation's households, families routinely constructed additional homes on their land when needed.

People with wealth and acreage regularly populated their lands with secondary mansions and ancillary buildings independent of the main estate house.

In fact, until the 20th century, people who owned land built as many homes as they wished, often for extended family or workers. There were few or no zoning rules, municipal services or infrastructure needs (utilities, roads, schools, trash collection, first-responders) to consider.

A historic precedent for the modern day accessory dwelling unit is the "carriage house," or "coach house." Originally built for horse-drawn carriages, the structures associated with grander homes were frequently large enough to double as living quarters for workers such as stable hands.

Decades later, in response to housing shortages and economic needs, many surviving carriage houses were converted into rental homes. By becoming landlords, the owners gained income from their often unused outbuildings.

Automobile garages have a similar history. Some were originally built with a housing unit upstairs. Over time, many garages were converted (often illegally or under zoning codes no longer applicable today) into small homes when the spaces became more valuable for housing people than vehicles.

With the rise of suburban single-family home developments following World War II, ADUs practically ceased to be built legally in the United States. Then as now, residential zoning codes typically allowed only one home per lot, regardless of the acreage and with no exceptions. Attached and detached garages occupied yard space that might otherwise have been available for ADUs.

Some cities, including Chicago, grandfathered in pre-existing "coach house" ADUs — but only if they remained consistently occupied. In Houston's historic and trendy Heights neighborhood, old and new garage apartments are common and desired.

Many communities don't allow new ADUs, even if they did in the past. Even in rural areas with ample land, property owners are often prohibited from creating secondary dwellings or continuing to live in preexisting ones. Countless units in single-family homes or yards are technically illegal simply because they date from when such units were not allowed.

ADUs began making a comeback in the 1980s as cities explored ways to support smaller and more affordable housing options within single-dwelling neighborhoods. In 2000, in response to a growing demand for ADU-supportive guidelines, AARP and the American Planning Association partnered to release a model state act and local code for ADUs. An updated resource was published by AARP in 2021. (See an image of it on the inside front cover of this guide.)

Many state and local governments are legalizing and encouraging the creation of ADUs (see page 8), driven by high housing costs and, in some cases, the belief that homeowners with suitable space shouldn't be so restricted in the use of their property. ■

▼ **This carriage house containing a one-bedroom, one-bath ADU above a two-car garage sits behind a six-level, Gilded Age, Hoboken, New Jersey, townhome that was built in 1883. The dual residence property was on the market in 2018 for $5 million.**



PHOTO: MIMI PARK, DESIGN PARK, INC.

HOME VISIT #2

Garage Apartment ADU

Denver, Colorado
Size: 360 square feet



▲ **The apartment above the garage can be reached from inside the garage or from an exterior side entrance accessed from the yard it shares with the primary residence.**

"I see our ADU as something very similar to a student loan," says Mara Owen. "It's something you invest in the future with. It was cheaper than buying a house for Mom, and it lets her have independence. It's great knowing we can check in on her whenever."

AH-HA MOMENT: Owen, her partner, Andrew, and their three dogs were sharing a one-bedroom, one-bath house with her mother, Diane. When Owen learned that ADUs were allowed in the city, she decided the best way to get more space for her small home's many residents would be to remove their "leaky and defunct" garage and build a new two-car garage with an apartment above it.

WISE ADVICE: "Get a really great builder and architect," says Owen. "Interviewing architects was similar to a first date. It's not just who you feel connected with. That's important, but get to the values. It's a niche market, so see if you can find someone who has built ADUs before, because ADUs are a little different."

FUTURE PLANS: The stairs to Diane's apartment are wide enough for a stair lift, if it's ever needed. The roof was built at the correct slope for the eventual installation of solar panels.

Design: Hive Architecture | Builder: Hive Architecture | Cost to build: $167,000 in 2016 | Photo by Mara Owen | Article adapted from "ADU Case Studies" by Lina Menard on AccessoryDwellings.org. *Visit the website to read about and see photographs of more ADU projects.*

HOME VISIT #3

Basement ADU

Portland, Oregon
Size: 796 square feet

The transformation of this colorful Victorian was both a preservation and expansion project.





▲ **By lifting the house and digging beneath it, designers, engineers and builders turned a two-story, single-family home into a three-story, multifamily residence. (The ADU's entrance is pictured on page 3.)**

TEACHING MOMENT: "Here's a very welcome breath of fresh air, especially in the face of so much gentrification that is going on in Portland!" declared Mark Lakeman, principal of Communitecture, an architectural, planning and design firm, about the pictured remodel. Writing on his company's website, he says the project provides a lesson in how to "adapt and reuse our precious historic houses so they can accommodate more people while also providing more income to support the existing home."

HOW'D THEY DO IT? To add a basement rental unit, engineers lifted the house. The resulting ADU is roughly four feet underground and four feet above.

THE ACHIEVEMENT: Adds Lakeman: "Unlike the seemingly pervasive method of simply tearing down existing buildings so that new, giant ones can be built, this approach achieves upgrades in energy efficient living places and adds density while retaining the continuity of our beloved historical urban environment."

Design: Communitecture | Home Lift: Emmert International Builder: Tom Champion | Cost to build: $125,000 in 2015 | Photos by Communitecture (before) and Chris Nascimento (after)

The Time Is Now

Rules for ADUs continue to evolve and frequently differ from one town to the next

Some communities allow almost any home to be set up with an ADU — so long as size limits, property line setbacks and placement caveats in relation to the primary dwelling are met. Others start with those basic standards and then layer on extra requirements that can make it challenging to create an ADU. (Learn more on pages 14 and 15.)

Municipalities nationwide have been relaxing their restrictions against ADUs, and several states now require communities to allow them. Some examples:

- New Hampshire and Vermont allow ADUs nearly everywhere single-family housing is permitted. New Hampshire's 2017 legislation stemmed in large part from the frustration of builders who couldn't construct the backyard cottages and garage apartments their clients desired.
- In 2020, the California legislature declared that "allowing accessory dwelling units in zones that allow single-family and multifamily uses provides additional rental housing, and is an essential component in addressing California's housing needs." The state allows up to one ADU *and* one JADU per lot. (What's a JADU? See page 14.)
- Oregon requires cities and counties of certain sizes to allow ADUs in all single-family areas within urban growth boundaries. In 2021, the state extended ADU rights to rural residential areas.
- Other states allowing ADUs include Connecticut, Rhode Island and Utah. Many cities now allow ADUs, including Anchorage, Alaska; Atlanta, Georgia; Annapolis, Maryland; Asheville, North Carolina; Austin, Texas; Denver, Colorado; Honolulu, Hawaii; Houston, Texas; Louisville, Kentucky; Philadelphia, Pennsylvania; Phoenix and Tucson, Arizona; Seattle, Washington; and Washington, D.C.■

To Encourage ADUs

LOCAL OFFICIALS can ...

- allow all ADU types (detached, attached, interior)
- simplify the building permit process for ADUs
- waive or reduce permit and impact fees
- establish funding programs to help homeowners create ADUs
- let garages be converted into ADUs without requiring replacement off-street parking
- allow for the creation of a second ADU, subject to a combined size cap

COMMUNITY PLANNERS can ...

- adopt simple, flexible but nondiscretionary ADU rules about setbacks, square footage and design compatibility with the primary dwelling

LENDERS can ...

- work with homeowners to finance the construction of ADUs by using renovation loans

ADVOCATES can ...

- organize tours of completed ADUs in order to inform and inspire the community
- educate homeowners, real estate agents, architects and builders about local zoning regulations and the permit process

REAL ESTATE AGENTS can ...

- educate themselves and their clients about rules for the construction of ADUs

LOCAL MEDIA can ...

- report on how and why homeowners build ADUs



PHOTO: SARAH DALE FOR AARP

▶ **Located on the lowest floor of a town house, an English basement is a partially belowground apartment that has its own exterior entrance. They are typically found in older cities such as New York or (pictured) Washington, D.C. In the past, property owners used the space as servant quarters. Today, these essentially built-in ADUs are often used as rental apartments.**

HOME VISIT #4

Internal ADU (Main Level)

Portland, Oregon
Size: 220 square feet

Even small homes can have enough space for an ADU. An underused main floor bedroom in this 1.5-story, 1,500-square-foot bungalow was transformed into a studio apartment.

AH-HA MOMENT: According to Joan Grimm, who owns the home with Rita Haberman: "What we were looking for in terms of a community and aging in place was right under our noses. Remove a fence and create a shared open space. Build a wall and create a second dwelling unit. It doesn't have to be complicated."

REAL LIFE: "Creatively carving out an ADU from the main floor of our house saved on design and construction costs," Grimm adds. "It provides an opportunity for rental income, with no significant compromise to the livability of our home."



▲ **The steps and side entrance lead to the studio apartment ADU, which was crafted out of an existing space. The covered porch to the right leads to the primary residence. The ADU contains a kitchen, small dining and living area, sleeping area, bathroom and laundry area. (See two interior photos on pages 19 and 20.)**

Design: Rita Haberman | Builder: RS Wallace Construction
Cost to build: $55,000 in 2015 (with some work done by the homeowners)
Photos courtesy Billy Ulmer | Article adapted from "ADU Case Studies" by Lina Menard on AccessoryDwellings.org

---

HOME VISIT #5

Internal ADU (Lower Level)

Portland, Oregon
Size: 795 square feet

"We were looking for a way to live in our house for the rest of our lives and to generate at least some income in the process," Robert Mercer and Jim Heuer wrote for the program guide of the annual Portland ADU Tour when their home was part of the lineup. "An ADU offers the possibility of caregiver lodging in the future or even a place for us to live while we rent out the main house if we get to the point where we can't handle the stairs any longer."

THE SOUND OF SILENCE: Internal ADUs often require that soundproofing insulation be installed between the primary dwelling and the accessory unit that's below, above or beside it. In Portland, the building code for duplex residences requires a sound insulation rating of at least STCC45. To property owners thinking about a similar ADU setup, the duo advise: "Think about how you live in your home and how having downstairs neighbors will change what you can and can't do with your space and what investment you are prepared to make in sound insulation."

▼ **The door to the right of the garage leads to a ground-floor ADU with windows along the back and side walls. The upper-level windows are part of the main residence.**



AN ADDED BONUS: "We are pleased that we have been able to provide more housing density on our property and still be in keeping with the historic character of our home."

Design: DMS Architects | Builder: Weitzer Company | Cost to build: $261,000 in 2016 | Photo by Melissa Stanton, AARP
Article adapted from the 2017 ADU Tour project profiles on AccessoryDwellings.org

Bringing Back ADUs

The reasons for creating or living in an ADU are as varied as the potential uses

ADUs are flexible. Over time, a single ADU might be used in many ways as an owner's needs and life circumstances change. Following are just a few reasons why ADUs are created and by whom:

EMPTY NESTERS can build an ADU and move into it, then rent out the main house for supplemental income or make it available to their adult children.

FAMILIES WITH YOUNG CHILDREN can use an ADU as housing for a nanny or au pair or even a grandparent or two, who can then help raise their grandkids and be assisted themselves as they age.

INDIVIDUALS IN NEED OF CARE can reside in an ADU to be near family members, or they can use the ADU to house a live-in aide. (In fact, ADUs can be an affordable and more comforting alternative to an assisted-living facility or nursing home.)

HOME BUYERS can look forward to the rental income from an ADU to help pay their mortgage or finance home improvements, especially in expensive housing markets.

HOME-BASED WORKERS can use an ADU as their office or workshop.

HOMEOWNERS can use an ADU for guests or as housing for friends or loved ones who:

- aren't yet financially independent, such as new high school or college graduates
- need temporary housing due to an emergency or while renovating their own home
- have disabilities but can live independently if family reside nearby ■



▲ **The zoning code in Evanston, Illinois, permits accessory dwelling units, creating an opportunity for the owners of this 1911 home with an outbuilding in the backyard.**

PHOTO: ELI SPEVAK, ORANGE SPLOT LLC

Planning and Paying for ADUs

Most new homes are built by developers, entire subdivisions at a time. Apartments are also built by pros.

But ADUs are different.

Although ADUs are occasionally designed into new residential developments, the vast majority are created by individual homeowners after they move in. In other words, ADUs are usually created by enthusiastic and motivated *amateurs*.

An ADU may present the ultimate chance for a do-it-yourselfer to build his or her small dream home. More often, homeowners bring in a combination of architects, designers and construction contractors to do the work, much as they would for a home addition or major kitchen remodeling. The local municipality's planning department can provide guidance on the rules for ADUs and information about what permits, utility connections and fees are involved.

ADUs aren't cheap, and they are often the most significant home improvement project a homeowner will undertake.

Although internal ADUs can sometimes be built for about $50,000, new detached ADUs often exceed $150,000. Most ADUs are financed through some combination of savings, second mortgages, home equity lines of credit and/or funds from family members (sometimes a relative who ends up living in it).

In some areas, the cost of building an ADU can be recouped after a few years of renting it. If that's the plan, it's worth estimating the expenses versus the potential income before undertaking an ADU project.

A few cities, nonprofits and start-ups are experimenting with creative financing options that could put ADUs within reach for more homeowners and their families, as well as prospective renters.



▲ **Walt Drake's southern-style, one-bedroom ADU has an outdoor, wraparound porch that can be accessed without using steps. The design is in keeping with other buildings in the neighborhood.**

HOME VISIT #6

Detached ADU (One-Story)

Decatur, Georgia
Size: 800 square feet

When Walt Drake decided to downsize, his son Scott purchased his dad's house for himself and his family and built a detached ADU (or DADU) for Walt.

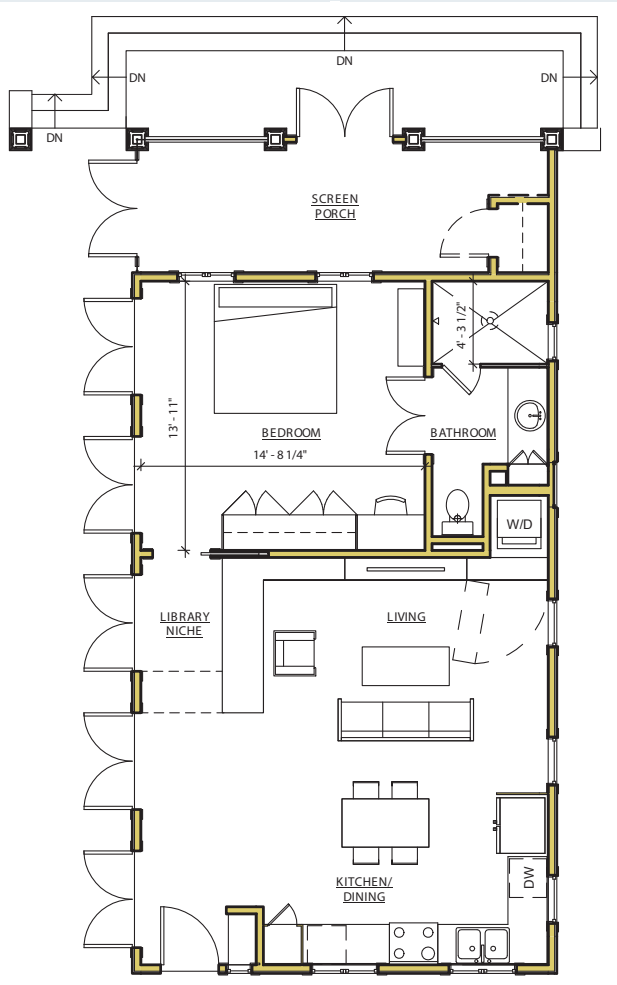
"From not finding what we wanted for Dad, we decided to create it," says Scott. "Neighborhoods built in the 1920s have carriage houses. Building an ADU was a modern day version of something people have been doing on their property in this area for a hundred years."

NEAR AND FAR: "We wanted the houses to be separate and to feel like we're each on our own property, but we're there for each other," says Scott.

AGING-FRIENDLY: Building the ADU meant Walt didn't have to leave his home and neighborhood. "He was able to keep his own stuff and turn over what he didn't need to us," says Scott. "It kept my dad in place, which I think was important."

FUTURE PLANS: Scott says the ADU is "serving its intended purpose" but that someday down the road it could be used as a long- or short-term rental. "The ADU could turn into lots of different things over the course of its lifetime."

Design: Adam Wall, Kronberg Wall | Builder: Rob Morrell | Cost to build: $350,000 in 2014 | Photo by Fredrik Brauer | Floor plan by Kronberg Wall Architects | Article adapted from "ADU Case Studies" by Lina Menard on AccessoryDwellings.org



ADUs Are Age-Friendly Housing

New-construction ADUs can be created with "universal design" features

An "age-friendly" home has a zero-step entrance and includes doorways, hallways and bathrooms that are accessible for people with mobility differences. Converted garages (such as the one pictured on page 2) are among the easiest and least expensive ADU solutions for aging in place since they're preexisting structures and generally have no-step entries. To learn more about making a home aging-friendly, download or order the AARP *HomeFit Guide* at *AARP.org/HomeFit*.

HOME VISIT #7

Detached ADU (Two-Story)

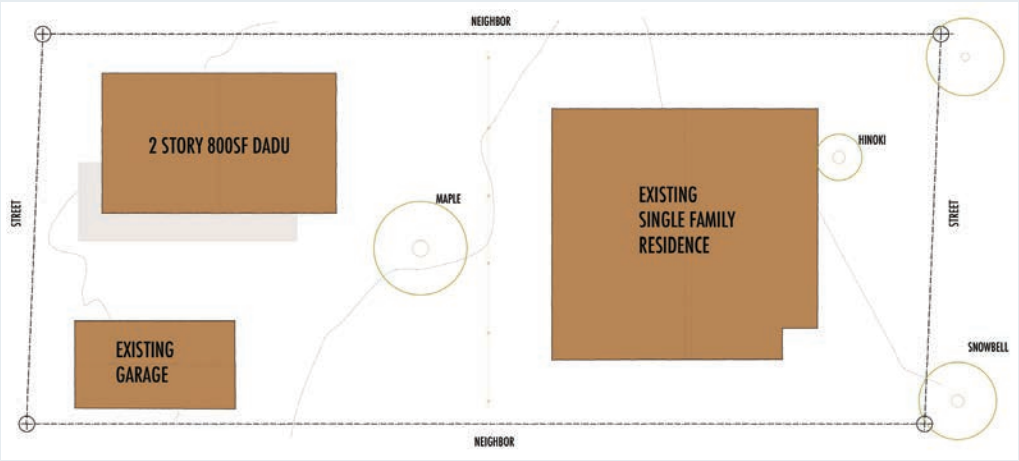
Seattle, Washington
Size: 800 square feet

Evelyn Brom's plan was to build a backyard cottage and rent it out. She would keep living in her two-bedroom home.

AH-HA MOMENT: As the design developed, Brom realized that *she* wanted to live in the stunning wood-and-glass ADU. It was a good decision. A week before moving in, Brom was laid off from her job.

REAL LIFE: The $3,000 a month Brom receives in rent for the main house (which is occupied by a three-generation family) provides a needed income. "Being laid off has made this arrangement a lifesaver," Brom says. If the stairs in the cottage ever become too hard to navigate, she can move back into her original one-story house and rent out the cottage instead. "Now I have options," she says.





▲ **There's a powder room, open kitchen and living room on the first floor, with a bedroom and bathroom upstairs.**

◀ **Although Brom's property is only 0.13 acres, it's large enough to accommodate two homes, a patio, a lawn and a garage. A slatted wood fence with a gate divides the space between the two houses and provides privacy.**

Design: Chrystine Kim, NEST Architecture & Design | Builder: Ian Jones, Treebird Construction | Photo by Alex Hayden
Cost to build: $250,000 in 2014 | Article adapted from Where We Live: Communities for All Ages *(AARP 2018)*

HOME VISIT #8

Detached Bedroom

St. Petersburg, Florida
Size: 240 square feet

Bertha and her son John talked about someday buying a house with a mother-in-law suite. "Then one day someone came along and wanted my house, so I up and sold it," she explains. "But that left me homeless. I asked John if I could build a small house in his backyard and he agreed."

CREATIVE THINKING: A detached bedroom is a permanent, accessory structure that, unlike ADUs, lacks a kitchen. But that's what makes these cabin-like homes more affordable to build than many ADUs and even tiny houses.

WHAT'S INSIDE: Bertha's home contains a sleeping and living area and a full bathroom. "I paid for the little house and it's on my son's property. So I figured, if I'm cooking I can do it at my son's house," she says. (Her laundry is also done at his house.)



▲ **A detached bedroom, which contains a bathroom but no kitchen, can provide housing for a loved one or serve as a home office or guest cottage.**

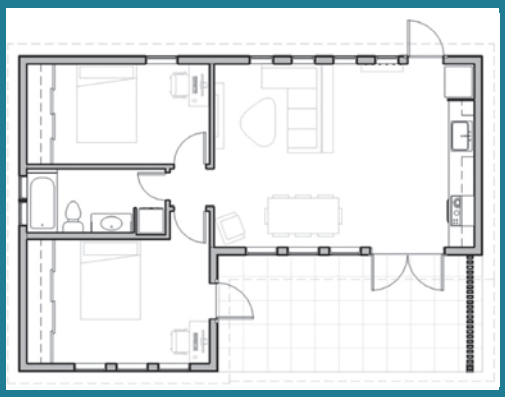
REAL LIFE: "Having access to my son's house makes it livable. Otherwise, I personally would not be happy. It's very comforting to know that John is close by. Hopefully this will be my home forever."

Design: Historic Sheds | Builder: Historic Sheds | Cost to Build: $50,000 in 2017 | Photo by Historic Sheds | Article adapted from "ADU Case Studies" by Lina Menard on AccessoryDwellings.org

Trading Spaces

An ADU is always the smaller of two dwellings on a property, but it's possible for an existing home to become the ADU when a larger house is built and becomes the primary dwelling. Or the opposite can happen! Tired of living in an older house that didn't get a lot of natural light, the home's owners built and moved into the bright, airy, modern and very accessible ADU they created in their yard. The original, larger home has become a rental.





▲ **Although this ADU has only 721 square feet of living space, there is room enough for two bedrooms.**

Design: Propel Studio | Builder: JLTB Construction | Photo by Josh Partee | Cost to build: $185,000 in 2017
Adapted from "ADU Case Studies" by Lina Menard on AccessoryDwellings.org

Practical Solutions for ADUs

Local laws can both allow and appropriately control the creation of accessory dwellings

There are more than 19,000 cities, 16,000 towns and 3,000 counties in the United States. ADU regulations are typically adopted at the local level, although several state legislatures have required cities to allow them.

Where it's legal to build ADUs, homeowners still need to follow rules about where it can be done, how many square feet they can contain, how they can be used. These rules can be found in the local zoning code.

There is a balance to strike between prudent ADU laws and encouraging their construction. For instance, after Portland, Oregon, relaxed its ADU rules in 2010 and waived impact fees (a savings of up to $12,000), the number of ADUs built rose from about 30 per year between 2000 and 2009 to nearly one a day in 2015.

Changes in California's ADU rules saw Los Angeles go from 80 applications in 2016 to nearly 2,000 in 2017. Allowing Sonoma County homeowners to add both an ADU and a JADU (see the green box below) were among the policies adopted in the wake of the area's many devastating fires.

Well-intentioned but burdensome rules can stymie the creation of ADUs. ADU-related zoning codes should be restrictive enough to prevent undesirable development but flexible enough that ADUs get built.

When a community is worried about a potentially undesirable outcome, it can — and many do — craft regulations to prevent particular building types, locations or uses. A city concerned about the environmental impact of new structures might prohibit placing detached ADUs in precarious locations, such as on steeply sloping lots. Communities wary of ADUs becoming, for instance, off-campus student housing can establish occupancy rules.

Every community has its own priorities and concerns, and there's a wide enough range of regulatory controls that communities can write appropriate ADU rules.

This inherent flexibility in the form and function of ADUs allows them to pass political muster and get adopted in a wide range of places. (See page 16 for more about uses and rules.) ■

Rules that discourage ADUs

- ADU-specific regulations that don't also apply to primary dwellings (e.g., owner-occupancy requirements)
- complex design compatibility criteria and approval steps
- off-street parking requirements beyond those required for the primary dwelling
- restrictions that limit ADUs to certain areas, particular zoning categories or to large lots
- caps on square footage relative to the primary house that make it easy to add an ADU to a large home but hard or impossible to add one to a small home

Are ADUs allowed?

Find out by calling your town, city or county office in charge of land use and permits — or stop by in person. You can also search for and read the zoning code through the local government's website.

- If ADUs are allowed, ask what conditions, permit needs and impact fees apply.
- If ADUs are not allowed and you want them to be, ask an elected official or your community's department of zoning and planning how the codes can be updated.
- Then get organized and start advocating!

JUNIOR ACCESSORY DWELLING UNITS (or JADUs) are smaller than 500 square feet and have a separate entrance but are created within the existing dwelling. A JADU can share a bathroom with the main house and contain a basic kitchen equipped with small plug-in appliances.

SOURCE: JADU DESCRIPTION IS BASED ON CALIFORNIA GOVERNMENT CODE SECTION § 65852.22.

Creating (or Understanding) an ADU Zoning Code

The ADU section of a community's zoning code needn't be overly complicated. It just needs to establish clear, objective and fair rules for the following:

1. A Definition: A good zoning code clearly defines its terminology. Here, for example, is a useful outline for what, in the real world, is a very fluid term: "An ADU is a smaller, secondary home on the same lot as a primary dwelling. ADUs are independently habitable and provide the basic requirements of shelter, heat, cooking and sanitation."

2. The Purpose: This is where the code describes key reasons a community allows ADUs. They should:

- increase the number of housing units while respecting the style and scale of the residential neighborhood
- bolster the efficient use of existing housing stock and infrastructure
- provide housing that's affordable and responds to the needs of smaller, changing households
- serve as accessible housing for older adults and people with disabilities

3. Eligibility: Who can build an ADU and on what type of lot? A statement in this part of the code clarifies that an ADU can be placed only on a "residentially zoned lot." (Some communities provide lot size standards.)

4. Creation: The code sets out how an ADU can be built. For instance: "An ADU may be created through new construction, the conversion of an existing structure, as an addition to an existing structure or as a conversion of a qualifying existing house during the construction of a new primary dwelling on the site."

5. Quantity: Most municipalities that permit ADUs allow one per lot. Those allowing two typically permit one internal and one external. Some allow duplexes or townhomes to have an ADU, either in the backyard or on the ground floor.

6. Occupancy and Use: A code should state that the use-and-safety standards for ADUs match those used for the main dwelling on the property. (See page 17 for more.)

Visit *AARP.org/ADU* to download ***Accessory Dwelling Units: Model State Act and Local Ordinance***, a free publication that can be used by state and local officials to develop ADU policies.

7. Design Standards:

- **Size and height:** A zoning code might specify exactly how large and tall an ADU is allowed to be. For instance: "An ADU may not exceed 1,000 square feet or the size of the primary dwelling, whichever is smaller." Codes often limit detached ADUs to 1.5 or 2 stories in height. An example of that language: "The maximum height allowed for a detached ADU is the lesser of 25 feet at the peak of the roof or the height of the primary dwelling."
- **Parking:** Most zoning codes address the amount and placement of parking. Some don't require additional parking for ADUs, some do, and others find a middle ground — e.g., allowing tandem parking in the driveway and/or on-street parking. (See page 16 for more about parking.)
- **Appearance:** Standards can specify how an ADU's roof shape, siding type and other features need to match the primary dwelling or neighborhood norms. Some codes exempt one-story and internal ADUs from such requirements. (See page 16 for more.)

8. Additional Design Standards for Detached ADUs:

- **Building setbacks:** Many communities require detached ADUs to either be located behind the primary dwelling or far enough from the street to be discreet. (A code might exempt preexisting detached units that don't meet that standard.) Although such a rule can work well for neighborhoods of large properties with large rear yards, communities with smaller lot sizes may need to employ a more flexible setback-and-placement standard.
- **Building coverage:** A code will likely cap the combined lot coverage of a detached ADU and the primary dwelling to a specific percentage.
- **Yard setbacks:** Most communities have rules about minimum distances to property lines and between buildings on the same lot. ADUs are typically required to follow the same rules. ■

ADU "Hot Topics"

As communities allow ADUs or update existing zoning codes and rules to be more ADU-friendly, they inevitably wrestle with some or all of the following issues:

Adding ADUs to neighborhoods

Recognizing that ADUs may represent a new housing type for existing neighborhoods, communities often write special rules to ensure they'll fit in well. These guidelines typically address visual compatibility with the primary dwelling, appearance from the street (if the ADU can be seen) and privacy for neighbors. Rules that help achieve these goals include:

- height and size caps mandating that ADUs be shorter and smaller than the primary dwelling
- requirements that detached ADUs be behind the main house or a minimum distance from the street
- mandates that the design and location of detached ADUs be managed the same way as other detached structures (e.g., garages) on the lot
- design standards for larger or two-story ADUs so they architecturally match the primary dwelling or reflect and complement neighborhood aesthetics
- encouragement for the creation of internal ADUs, which are often unnoticeable from the street

Each community can strike its own unique balance between strict rules to ensure that ADUs have a minimal impact on neighborhoods and more flexible rules that make them easier to build.



▲ Providence, Rhode Island, has many homes that were built as or long-ago converted into multidwelling units. (Notice the two front doors.) A homeowner can live in one apartment while renting out the other.

Providing places to park

ADU regulations often include off-street-parking minimums on top of what's already required for the primary dwelling. Such rules can prevent homeowners from building ADUs if there's insufficient space for added parking. However, the extra parking often isn't needed.

Studies of Portland, Oregon, and the San Francisco Bay area found that ADU households own an average of 0.9 cars. That's half the national average of 1.8 cars per household. With just over 2 percent of Portland homes having an ADU (the highest percentage of any large city in the country), there's roughly one extra car parked on the street every six blocks. This suggests that, even in booming ADU cities, any impact on street parking from ADUs is likely to be very small and dispersed. More-realistic parking rules might:

- require the creation of new parking only if the ADU displaces the primary dwelling's existing parking
- waive off-street-parking requirements at locations within walking distance of transit
- allow parking requirements for the house and ADU to be met by using a combination of off-street parking, curb parking and tandem (one car in front of the other) parking in a driveway

Dealing with unpermitted ADUs

It's not uncommon for homeowners to convert a portion of their residence into an ADU in violation (knowingly or not) of zoning laws or without permits.

Such illegal ADUs are common in cities with tight housing markets and a history of ADU bans. One example is New York City, which gained 114,000 apartments between 1990 and 2000 that aren't reflected in certificates of occupancy or by safety inspections. Sadly, in 2021, several city residents living in unsafe basement apartments drowned in their homes due to flooding caused by Hurricane Ida.

Some cities have found that legalizing ADUs, simplifying ADU rules and/or waiving fees can be effective at getting the owners of illegal housing units to "go legit" — and address safety problems in the process. ■

PHOTOS: MELISSA STANTON, AARP

Allowing and Restricting Uses

Communities get to decide whether to let ADUs be used just like any other housing type or to create special rules for them. Some municipalities prefer the simple approach: regulating ADUs like other homes. So if a home-based child-care service is allowed to operate in the primary dwelling, it is also allowed in an ADU. Conversely, communities sometimes adopt ADU-specific regulations in order to avoid undesirable impacts on neighbors. Examples of those regulations include:

Limiting short-term rentals

ADUs tend to work well as short-term rentals. They're small and the owner usually lives on-site, making it convenient to serve as host. However, if ADUs primarily serve as short-term rentals, such as for Airbnb and similar services, it undermines the objective of adding small homes to the local housing supply and creating housing that's affordable.

In popular markets, short-term rentals can be more profitable than long-term ones, allowing homeowners to recoup their ADU expenses more quickly. In addition, short-term rentals can provide owners with enough income that they can afford to occasionally use the ADU for friends and family.

A survey of ADU owners in three Pacific Northwest cities with mature ADU and short-term rental markets found that 60 percent of ADUs are used for long-term housing as compared with 12 percent for short-term rentals.

Respondents shared that they "greatly value the ability to use an ADU flexibly." For instance, an ADU can be rented nightly to tourists, then someday rented to a long-term tenant, then used to house an aging parent. ADUs intended primarily for visting family are sometimes used as short-term rentals between visits.

Cities concerned about short-term rentals can regulate them across all housing types. Doing so might mean that special rules are not needed. An approach employed in Portland, Oregon, is to treat ADUs the same as other residences except that any financial incentives (such as fee waivers) to create them are available only if the property owner agrees not to use the ADU as a short-term rental for at least 10 years.

Requiring owner occupancy

Some jurisdictions require the property owner to live on-site, either in the primary house or its ADU. This is a common way of addressing concerns that absentee landlords and their tenants will allow homes and ADUs to fall into disrepair and negatively impact the neighborhood.

Owner-occupancy rules are usually implemented through a deed restriction and/or by requiring that an annual statement confirming residency be filed. Some cities go further, saying ADUs can be occupied only by family members, child- or adult-care providers, or other employees in service of the family.

Owner-occupancy requirements make the financing of ADUs more difficult, just as they would if applied to single-family homes. But as ADUs have become more common, owner-occupancy restrictions have become less so, which is good. Such requirements limit the appraised value of properties with ADUs and reduce options for lenders should they need to foreclose.

Enforcing owner-occupancy laws can be tricky, and the rules have been challenged in courts, sometimes successfully. However, according to a study by the Oregon Department of Environmental Quality, more than two-thirds of properties with ADUs are owner-occupied even without an owner-occupancy mandate. ■



◀ The zoning code of Brevard, North Carolina, a city of fewer than 10,000 residents, allows ADUs, which are referred to as "secondary dwelling units" and are allowed "within residentially-zoned, single-family and duplex lots." The code states that such homes "shall be encouraged and designed to meet housing needs," adding that "[s]econdary dwelling units shall be accessory and subordinate to the primary living quarters." In the image at left, the one-story cottage is the primary dwelling. The apartment above the detached garage is the secondary dwelling.

Inside Spaces

ADUs vary from studio apartment–like spaces to multi-bedroom, multi-story structures. Regardless of size, the result is a needed residence



▲ A top floor ADU can be a suitable rental for a student or someone who travels a lot for work. ADU expert Kol Peterson grew up in a home with an attic ADU that was usually rented to law school students. "They had to walk up the primary house's interior stairs in order to access the affordable attic unit," he writes in *Backdoor Revolution: The Definitive Guide to ADU Development*. "Over the years that each of them lived there, the tenants became part of our family."



▲ The alcoves in the ADU area above a garage provide a light-filled work space in one, and a reading nook in the other. (See the attached ADU's exterior on page 3.)



▲ This studio apartment internal ADU uses a wardrobe cabinet to separate the bedroom from the living area and kitchen (seen on page 19).

PHOTOS: KOI PETERSON, *BUILDING AN ADU.COM* (TOP) | MELISSA STANTON (BOTTOM LEFT) | BILLY ULMER (BOTTOM RIGHT)



▲ As an independent living space, an ADU has its own bathroom and kitchen. Depending on the available square footage — and sometimes on the local zoning code or the property's plumbing and utility connections — an ADU might have a full kitchen with full-sized appliances and a dining area (top) or a smaller but functional kitchenette. This interior is from the detached ADU pictured below right and on the back cover. Fun fact: A coat closet and extra kitchen shelving are built into the base of the circular staircase. In a small home, every bit of space counts!



▲ The kitchen of this internal ADU (also seen at the top of page 9 and in the bedroom image at left) has a full-sized range but a mini-refrigerator. Some ADU owners install a one- or two-burner electric cooktop and a convection microwave in lieu of an oven.



▲ The second story of this detached ADU is accessed by the spiral staircase shown in the image at top. The space features a bedroom and a sitting area that could be used as a nursery, office or den. A full-sized, stacked washer-dryer is hidden behind a closet door.

PHOTOS: ELI SPEVAK, ORANGE SPLOT, LLC (TOP AND BOTTOM RIGHT) | BILLY ULMER (BOTTOM LEFT)

Just One More

While not technically ADUs, tiny houses can serve a similar purpose

Because tiny houses are typically built on a trailer with wheels rather than a fixed foundation, they are usually treated by zoning as recreational vehicles (RVs) or manufactured (aka mobile) homes. In Portland, Oregon, and a growing number of smaller cities, tiny houses can be legally occupied on any residentially-zoned lot. Since they're small — typically under 400 square feet — tiny houses can fit in a space too small for an ADU. Many include a kitchen and bathroom. Some function more like a detached bedroom. A unique plus: Unlike ADUs, tiny houses can move to a new location as needed.





Top: Design and Builder: Lina Menard, Niche Consulting | Photos by Guillaume Dutilh, PhotoXplorer
Bottom: Design and Builder: Benn Kovco | Photos by Jeff Freeman Photography



◀ ▲ **"The Lucky Penny" tiny house measures 8 feet wide by 14 feet, 6 inches long and provides 100 square feet of living space. The home, which is located in the backyard of a single-family residence, features a pullout bed, a kitchenette, a shower, built-in storage, and three large windows plus a skylight to provide lots of nature light.**

◀ ▼ **ADUs are sometimes used as short-term rental units for travelers. The "Kangablue," is one of several units at Caravan, the "world's first tiny house hotel." At 170 square feet, the home is the largest tiny house on the lot, located in the Cully neighborhood of Portland, Oregon. The tiny space includes a kitchen, living area, bathroom (with a shower and toilet) and a sleep loft.**



The ABCs of ADUs

A guide to Accessory Dwelling Units and how they expand housing options for people of all ages

WRITTEN AND EDITED BY: Eli Spevak, Orange Splot LLC | Melissa Stanton, AARP Livable Communities
ART DIRECTOR: Mimi Park, Design Park, Inc.
COPY EDITOR: Don Armstrong | **ART PRODUCTION:** Steve Walkowiak

PROJECT ADVISERS AND REVIEWERS:
Danielle Arigoni, Director, Livable Communities, AARP Government Affairs
Karen Chapple, Professor, University of California, Berkeley
Lina Menard, Founder, Niche Consulting
Heather Peters, Senior Housing and Community Development Policy Analyst, San Mateo County, California
Kol Peterson, Cofounder, *AccessoryDwellings.org* | Owner, Accessory Dwelling Strategies LLC, Portland, Oregon
Denise Pinkston, Partner, TMG Partners
Harriet Tregoning, (Past) Principal Deputy Assistant Secretary, U.S. Housing and Urban Development
Jake Wegmann, Assistant Professor, University of Texas at Austin

COVER IMAGE CREDITS (clockwise from top left)
Front: Alex Hayden | Communitecture: Architecture, Planning, Design | *AccessoryDwellings.org* | Melissa Stanton, AARP | *AccessoryDwellings.org*
Back: Kol Peterson, *BuildingAnADU.com* | Eli Spevak, Orange Splot LLC | Schuyler Smith, Polyphon Architecture & Design, LLC

A NOTE TO READERS: Many of the photographs and project examples in this publication are from Portland, Oregon, which was one of the first municipalities in the nation to allow and encourage the creation of accessory dwelling units.

To learn more about ADUs — and to order or download this guide — visit *AARP.org/Livable*.

Other useful resources include:

- *AccessoryDwellings.org*
- *BuildingAnADU.com*
- *Planning.org* (the website of the American Planning Association)
- And the websites of the states, cities and towns mentioned in this guide as allowing and encouraging the creation of accessory dwelling units.



ABOVE-GARAGE ADU



DETACHED-BEDROOM ADU



DETACHED ADU

- An accessory dwelling unit is a small residence that shares a single-family lot with a larger primary dwelling.
- As an independent living space, an ADU is self-contained, with its own kitchen or kitchenette, bathroom and living/sleeping area. (Garage apartments and backyard cottages are each a type of ADU.)
- ADUs can enable homeowners to provide needed housing for their parents, adult children, grandchildren or other loved ones.
- An ADU can provide older adults a way to downsize on their own property while a tenant or family member resides in the larger house.
- Since homeowners can legally rent out an ADU house or apartment, ADUs are an often-essential income source.
- ADUs help to improve housing affordability and diversify a community's housing stock without changing the physical character of a neighborhood.
- ADUs are a beneficial — and needed — housing option for people of all ages.

Learn more about ADUs and order or download

The ABCs of ADUs

by visiting

AARP.org/ADU

Sign up for the free, weekly

AARP Livable Communities e-Newsletter

Be among the first to learn when AARP releases more livability guides and resources.

AARP.org/LivableSubscribe

AARP®

D20473