



CITY OF BUENA VISTA PLANNING COMMISSION

AGENDA

DATE | 7:00 PM

Council Chambers – 2039 Sycamore Avenue

ADG #1: CALL TO ORDER

ADG #2: PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

ADG #3: REVIEW AND ADOPTION OF MINUTES

ADG #4: OLD BUSINESS

1. None

ADG #5: NEW BUSINESS

1. Zoning Text Amendment – Accessory Dwelling Unit discussion

ADG #8: REPORT OF SECRETARY

1. SVU is revising plans for the dormitory and those will most likely return to Planning Commission for review, likely in March
2. Can Planning Commission members be removed without cause? Per bylaws and City Attorney, no, there must be cause (inefficiency, neglect of duty, or malfeasance in office).

ADJOURNMENT

Members and Term Expirations

Dennis Hawes, Chairman, 7/31/2028

Harold Kidd, 6/30/2026

Kathy Janiczek, 8/31/2029

Marolyn Cash, 6/30/2028

Sarah Henson, 9/30/2027

Melvin Henson, 9/30/2027

Bryson Adams, 12/31/2028

Timothy Petrie, 12/31/2028

Jason Tyree, Ex Officio member

Staff

Tom Roberts, Director of Community Development

City Hall, 2039 Sycamore Avenue, Buena Vista VA 24416

(540) 261-8607 | troberts@bvcity.org | buenvistava.org/planning

Meetings

Members of the Buena Vista Planning Commission meet in Council Chambers, 2039 Sycamore Avenue, at 7:00 p.m. on the 2nd Tuesday of each month, unless otherwise announced. Meetings may be held and business conducted without a quorum, but no votes may be taken unless a quorum is present. A majority of members constitutes a quorum. A motion passes with a majority vote; a tie constitutes defeat of the motion.



CITY OF BUENA VISTA PLANNING COMMISSION

REGULAR MEETING MINUTES

1/13/2026 | 7:00 PM

Council Chambers – 2039 Sycamore Avenue

Members Present

Thomas Roberts, Staff Secretary

Dennis Hawes, Chair

Bryson Adams

Marolyn Cash

Melvin Henson

Sarah Henson

Kathy Janiczek

Harold Kidd

Members Absent

Timothy Petrie

Jason Tyree, City Manager ex officio

Note: Due to audio recording issue, minutes are based on written notes.

PUBLIC HEARING

Zoning Map Amendment, 2056-2068 Chestnut Ave

Daniel DeSouza, applicant, spoke on behalf of Blue Ridge Abbey. He summarized the project and explained that there is robust demand for lodging, and the expansion is designed to provide rooms for a range of guest types and price points. The new rooms in the carriage house (2068 Chestnut) will be smaller and priced as low as \$99 per night, and some will have two double beds as opposed to the single king size bed like the rooms in the main house (2056 Chestnut Ave). Although the carriage house will not be complete until March, they already have some rooms booked. He stated that the bed and breakfast is important to the revitalization of the City and helps bring more business to Buena Vista.

Luisa DeSouza, wife of the applicant, spoke. She is the designer for all the interiors and furnishings. She has stived to preserve and restore history of the buildings and Buena Vista in general.

Phil Huffman, 42 Deerhaven Dr, spoke. He is opposed to the expansion and rezoning because he believes that the residential districts should remain residential and that businesses should be concentrated in the business areas. He noted there are vacant lots and buildings in business areas nearby.

Frankie Austin, 436 Cypress Ave, spoke on behalf of St. John's United Methodist Church. He submitted a letter to staff and the Planning Commission outlining some of the church's concerns, some of which he reiterated. They are concerned that the increased number of guests would negatively impact parking for the church, because they only have on-street parking available and do not have a parking lot. They object to the signs that the Blue Ridge Abbey has set out along the street edge of the bed & breakfast property that say "Park Here" because the signal that others not associated with the B&B should not park there. He noted that many of their members are older and cannot walk long distances if they had to park further away.

Mr. Austin also noted that there are many children who live in the neighborhood, and if there is a lot of transient guest traffic, it would make the block less safe for children because there would be more strangers coming and going. Finally, he is concerned that allowing the hotel use here and the cottages would set a precedent for allowing them in other residential neighborhoods.

Julie Goyette, Director of the Rockbridge Regional Library, spoke on behalf of the library system. They are concerned about the amount of traffic around the children's library located at the Methodist church, availability of parking for patrons, and safety for children walking to the library. She noted that there are many children who walk to the library.

James Hudson, 1872 Forest Ave, asked if there are examples of this type of development in other localities. He is concerned that the plans supplied are not detailed enough to assess the site design and other aspects of plan.

Jerry Miller, 2215 Walnut Ave, began by pointing to the intent statement of the R3 Residential Limited zone as being for residential use not commercial or hotel use. He stated that the comprehensive plan for the City does not support expanding the Mixed Use zone to this location, and he believes rezoning this parcel would be illegal spot zoning. He noted that the applicant owns land at 20th St and Magnolia Ave downtown and he thinks that would be a better location for hotel use.

Ron Cash, 253 E 32nd St, made an observation that there seems to be a paradox in what the public wants: they want the streets to be busy and vibrant with people like it was 50 years ago, yet they also want ample parking to be provided for every use.

Mason Ludgate, 2056 Chestnut Ave and co-owner of the B&B, stated that there is definitely potential to add more off-street parking on the site.

Mr. DeSouza spoke again, first affirming that safety of guests and neighbors is one of the pillars of their business. He has not heard of any safety issues in his communications with neighbors who have children such as the Tuvesons and the Hirts. He stated that when he spoke to the Tuvesons in the fall about the expansion, they thought that the B&B had closed because there

was so little impact on traffic and the neighborhood. He stated that guests typically arrive between 4-7 pm, stay the night, and leave in the morning so would not have much interference with children or others in the neighborhood. Finally, he stated that the B&B could operate with 16 rooms if the cottages were not approved.

Sam Hirt, 2057 Chestnut Ave, stated that he does not notice a difference in traffic or activity when they are open and he feels that the neighborhood is still safe for his family. Instead, he believes the danger at this location is cars speeding down 21st Street, and issue unrelated to the B&B. Still, he thinks that 24 guest rooms would be a lot for this location in a residential zone. He believes that the B&B is the best use of the main house because it is so big and prominent.

Frankie Austin returned to speak. He pointed out that there are already apartments on the south end of the block and the proposal would increase the density even further on this block. He also noted that guests in a single room might bring multiple vehicles, increasing the amount of parking needed.

Mr. Hawes summarized comments from the public by noting the following the concerns: “stranger danger” to children; the location not being right for this development, although the concept of the development is good; and the density and intensity at this location of the proposal.

Mrs. Henson opined that in current times, especially with Short Term Rentals (STRs) scattered through the City, there are strangers everywhere and that the expanded B&B would not create a unique hazard. She also offered that the B&B could provide valet parking, which she saw and example of at a B&B in Charlottesville recently.

Mr. Adams stated that the CUP issued last year for the B&B was well thought-out and that is why neighbors are not noticing any issues. He believes that the B&B will encounter serious building code challenges when they convert from a single-family home to a hotel use, including fire separation and sprinklers. He brought up unspecified litigation related to the B&B, and asked what would happen if the construction project were abandoned half way.

Mrs. Janiczek suggested that the Mountain Gateway Community College parking lot may be available for guests on the weekends.

Mrs. Cash made a motion to recommend approval of staff’s recommendation in the staff report, which was a recommendation to rezone the lots with 2056 and 2068 Chestnut Avenue (the existing buildings) to Mixed Use MU to allow operation of a hotel; but not to rezone the remaining vacant lot and not approve construction of the additional cottages. Mrs. Henson seconded the motion. Mr. Hawes, Mr. Adams, Mr. Henson, and Mrs. Janiczek voted NAY, and Mrs. Cash, Mrs. Henson, and Mr. Kidd voted YES. The motion failed.

Old Business

Zoning Text Amendment, Section 705 Home Occupations

Mr. Roberts briefly summarized changes since the last Planning Commission meeting, and Mr. Hawes opened the floor to the public for comments, even though this was not a public hearing.

Phil Huffman, 42 Deerhaven Dr, stated that Sheena Herring is operating a retail business from her house and he does not think that retail businesses should be operating in residential neighborhoods. He also believes that the City needs a code enforcement officer.

Johnna Gittmeier, 2647 Edgewood Dr, stated that it has taken too long to resolve issues with Mrs. Herring's home occupation. The number of vehicles coming and going in her neighborhood is still too many. She questions how a new home occupation ordinance would be enforced.

There was some discussion among the Commission members about the draft text. One idea raised was adding language to strengthen the ability of neighbors to initiate complaints against an offending home occupation. The Commission motioned and seconded to recommend approval of the draft text to City Council and all voted yes.

Minutes

For minutes of 9/9/2025 meeting:

Corrections: none

Motion to approve: Mr. Kidd 1st, Mr. Henson 2nd, all yes

Abstentions: Mrs. Henson

For minutes of 11/12/2025 meeting:

Corrections: none

Motion to approve: Mr. Henson 1st, Mrs. Henson 2nd, all yes

Abstentions: Mr. Adams, Mrs. Janiczek, Mr. Kidd, Mrs. Cash

New Business

Appoint member to serve on MGCC Vista Links building committee

Mr. Roberts explained that a committee is being constituted to prepare and review submissions for an RFP for future tenant or purchaser of the City-owned building that formerly housed Mountain Gateway Community College. This was discussed at the November 2025 meeting as well. After that meeting, Mr. Petrie indicated he was willing to serve. Mr. Roberts relayed this to the Commission, and Mr. Petrie was nominated to the committee even though he was not present at the meeting.

Secretary's Report

Mr. Roberts relayed that the ROW abandonment for SVU, requested as part of their new dormitory project, was approved by City Council on 11/20/2025. Consideration of the CUP has been postponed until the new year at the request of SVU.

Adjournment

8:45 PM

Approval by Chairman:

Signature

Date



STAFF REPORT

TYPE: Zoning Text Amendment

PROJECT: Section 702 Accessory Dwelling Units

DATE: 2/5/2026

SYNOPSIS

Adopt regulations addressing accessory dwelling units (ADUs).

ANALYSIS

Process

This staff report is intended to begin the policy discussion for allowing detached ADUs in the City. In the coming months staff plan to work through policy choices with the Planning Commission, develop draft text, and move to City Council this spring.

What are ADUs?

Included with this staff report is a publication from AARP which does an excellent job explaining and showing examples of ADUs. (To be clear, AARP is a proponent of ADUs, so this publication is focused on their benefits.) Nationally, the trend in the last couple decades has been to reduce regulatory barriers to ADUs as a means of increasing housing supply. This staff report includes consideration of potential challenges with ADUs in the policy questions later.

ADUs in Buena Vista

In Buena Vista, there are currently dozens of ADUs in use, both detached and attached. The exact number is not known. The vast majority of these predate current zoning regulations. Current regulations prohibit detached ADUs but allow some types of attached ADUs, explained below.

Buena Vista zoning has a straightforward prohibition on occupying accessory buildings as dwelling units. Thus the prohibition on detached ADUs is clear. Attached/interior ADUs are less clear. A house may have separate living spaces, e.g. a finished basement with its own kitchenette, while remaining a single-family dwelling under the building code and under the zoning code if the occupancy of the whole structure meets the zoning definition of "family" (2 related people + no more than 2 additional, or 4 unrelated). In this scenario there is only one address for the house and the separate living space is more like a mother in law suite or a "soft ADU." True attached ADUs that are separate units under the building code are not permitted unless they are a legal duplex.

Some single-family houses in the city have been converted to duplexes. Although this now requires a conditional use permit in most residential zones, prior to 2018 it was much more loosely regulated. In many cases, these duplex conversions did not follow building code requirements for fire separation, separate electric service, etc. but are legal pre-existing non-conforming dwelling units. In some cases, these duplex conversions would be better classified as a primary dwelling and attached accessory dwelling unit, and should be considered in the overall discussion of ADUs.

Need for Housing

Completed in 2025, the Central Shenandoah Regional Housing Study looked at the whole picture of housing in the region, with specific data and recommendations for each locality. Overall, here as nationally, there is a strong need for more housing supply and housing units

that are more affordable to the working population. Some key findings, with their relevance to ADU regulation:

- Buena Vista has a higher share of renter households than Rockbridge County and some other parts of the Shenandoah region – ADUs are often rental units
- The supply of rental housing in Buena Vista is very tight, with extremely low vacancy rates (1.5%) – there is a need for new units
- In the Rockbridge region, 61% of households are either one or two persons – small enough to occupy an ADU
- 55% of Buena Vista households are considered low income, defined as having 80% or lower of the HUD Area Median Income – the City needs units that are affordable
- There is a substantial population of people over the age of 60 in the Rockbridge region, many of whom are cost-burdened, and there are very limited assisted living facilities. ADUs could allow seniors to live closer to family who can care for them.

The first recommendation for Buena Vista in the study is to pursue more flexible zoning options and streamline regulations for housing, specifically calling out encouraging ADUs. The study states,

Zoning constraints can impede the development of market-driven dwelling types, particularly low-density choices for smaller households. Reforming residential zoning and development regulations can provide greater flexibility for new construction projects that help meet the needs and preferences of residents.

Other Localities

Many Virginia localities have adopted regulations in recent years that allow ADUs. Staff reviewed text from multiple other localities, mostly in the western part of Virginia, including cities, towns, and counties.

Some localities, usually counties with rural land such as Rockbridge County and Roanoke County, have zoning code sections addressing “additional buildings on a single lot” or “accessory manufactured homes.” These code sections are intended to allow the construction of a secondary dwelling on properties in rural settings, such as when a family wishes to build a small cottage on its farm for the next generation, or to accommodate farm laborers. Although in some cases they could be used to build an ADU in a more urban or town context, they do not serve as a good model for code language because their intent is so different.

Another method to streamline ADU permitting and construction, developed in the western part of the Country but used in some Virginia localities including Roanoke, is for a locality to offer pre-approved construction plans for ADUs. These are a selection of floorplans, usually for detached ADUs, that have been vetted and meet the various regulations of the locality.

Oftentimes the permitting process will be simpler, for example by right, if the owner selects a pre-approved plan as opposed to a custom design.

Policy Analysis

Some of the common parameters that ADU ordinances address include the size of the dwelling unit, maximum number of occupants, number of bedrooms/bathrooms, and whether they require a discretionary review process. During research it was found that the majority of other counties and cities in Virginia explicitly required ADUs to be built and maintained to the same building and property maintenance codes as a normal residence.

The following are policy questions that should be addressed by ADU regulations. Once the Commission has provided feedback on these items, staff can begin drafting text.

1. Should there be a minimum lot size for sites with an ADU?
 - a. The purpose of such a restriction is to control overall density of neighborhoods.
 - b. This varies across other localities. Some specify that the property size must be a minimum of an acre. Others don't specify so long as the ADU building and its designated area (including the yard and other amenities) does not exceed 50% of the gross area of the property.
 - c. In Buena Vista, if the minimum lot size were set anywhere above one standard lot (6,250 sf), a large percentage of residential properties would be excluded.
2. Maximum or minimum square footage of ADUs permitted?
 - a. Central to the definition of an ADU is that it is accessory—smaller than—the main dwelling. Code could include a requirement that it is smaller than the principal dwelling on the property.
 - b. Other counties and cities have generally had ADU square footage fall into a range of a minimum of 300 square feet and a maximum of 1500 square feet.
3. Maximum number of residents allowed in an ADU?
 - a. Setting occupancy limits reinforces the accessory character of units, limits parking necessary, and limits the overall density of neighborhoods.
 - b. While some localities allow for as much as three, the majority cap an ADU at 2 residents living in it at a time.
4. Cap for bedrooms and bathrooms in a ADU, or other design requirements?
 - a. The overwhelming trend is a cap of 2 bedrooms and 1 bathroom. This will be somewhat governed by the maximum square footage and building code constraints as well.
5. Can a property owner have multiple ADUs?
 - a. Most localities limit owners to one ADU.
6. Can ADUs be built in any zoning district, or can they only be built in certain zones?
 - a. Amherst County for example only allows ADUs to be built in the General Residence Zone, not medium or high density residential zones. Whereas Blacksburg and Roanoke County offer no such restrictions, instead only ensuring the property size meets the requirements.
7. Should the property owner be required to live in the primary residence or ADU?
 - a. The overwhelming trend was that the property owner must live in either the primary residence or the ADU. The intent of these requirements is to maintain an

owner-occupied character to the neighborhood. In the absence of this requirement, it is assumed that landlords will drive ADU construction.

- b. Many cities and towns in Virginia pursue owner-occupancy regulations, wherein the owner of the property and the ADU must live either in the primary residence or the ADU while the other is rented out. Such regulations have shown to decrease the rate of ADU construction.
 - c. Enforcement of owner occupancy would be challenging. It would be easy to verify this at the time and ADU is established, but subsequently the property could be sold. What is a property owner or the city to do with an accessory dwelling unit that cannot be occupied?
8. Can an ADU be used for a Short Term Rental (STR)?
9. Should there be different regulations and permitting for attached ADUs versus unattached ADUs, or different tiers of ADU types based on some other characteristic?
- a. Current code allows a “soft” ADU that remains part of the single family dwelling, as long as the occupancy of the whole house meets the occupancy regulations definition of “family.” New regulations could allow attached ADUs that are independent units, or detached ADUs, or both.
 - b. Lexington and Blacksburg were notable cities that include separate legislation between attached ADUs and detached ADUs, with different building and permit requirements for them.
 - c. Some cities in other states have created tiers of ADU types. California allows “Junior Accessory Dwelling Units” (JADUs) which are restricted to 500 sq ft and must be interior/attached units. The purpose of tiers would be to regulate them differently, such as allowing smaller ADUs by right and larger ones through a discretionary process.
10. Should dimensional regulations differ from what is currently required for accessory buildings?
- a. For example, setbacks from property lines, height limits, etc.
11. Should ADUs be required to have separate water meter and sewer connection?
- a. This would solidify that they are separate dwelling units, but the tap fees are now approximately \$3500 for water and \$3000 for sewer. This would add substantially to the cost of creating an ADU and might deter some owners.
 - b. Separate meters would generate revenue from the meter fee on the bill, but this is small in comparison to the water usage, which would be the same whether it was on the same meter as the house or a separate meter.
12. Should ADUs have to pay separately for trash pickup?
13. Parking requirements
- a. Will the ADU be required to have a dedicated off-street parking space? What if the property does not currently have the number of off-street spaces required for a single-family dwelling (two spaces)? What about properties where off-street spaces cannot feasibly be constructed due to slopes, frontage limitations, etc.? Can spaces be accessed by the alley?

14. Should ADUs be prohibited from sale separate from the house?

- a. ADUs are intended to be accessory to a primary home, not fully independent houses sold separately. Many localities prohibit sale of ADUs, either by dividing a lot or by condominiumizing the unit. In many cases it would not be possible to divide a lot and sell an ADU separately because of minimum lot size and frontage requirements in Buena Vista codes.

Considerations Outside Zoning

Regulation is one of the key opportunities or barriers to creation of ADUs, but there are other challenges for homeowners, primarily related to money. They are cost effectiveness, financing, and insurance.

The idea of an ADU may be appealing for many property owners, but given current construction costs, it may not make financial sense. Owners may be surprised at the actual cost of constructing an ADU. If an ADU is planned for rental income, the expected rent would usually need to represent a fair investment return over the long term. Some property owners may do the math, especially for a detached ADU, and find that it does not pay off.

If an owner determines that an ADU pencils out, he or she may have trouble financing it. Most modern mortgage products are geared toward a single-family home, and alternative configurations complicate mortgages and narrow the range of products available. As a result, construction of ADUs may in practice be limited to wealthier individuals who can either fund the ADU with cash, or who have a high credit score and can navigate more sophisticated mortgage products.

A 2021 study in California of 800 homeowners building ADUs found that 62% were financed with liquid assets (i.e. cash savings), 43% used mortgage products, and 10% used alternative unsecured debt. (Some owners used multiple sources.) This breakdown immediately suggests that the mortgage options are difficult or unattractive because the majority of owners did not use them. The share who did use mortgage options were broken down into 56% using a home equity loan or line of credit, 35% using cash-out refinancing, and 6% using a construction/renovation loan. The study's authors found that construction/renovation loans were so rare because they do not count future rental income from the ADU, it is difficult to find comparable homes for appraisals, and renovation loan programs are inherently cumbersome, have high denial rates, and have other built-in limitations aimed at ADUs. The Urban Institute has a 2024 white paper detailing the difficulties and limitations in using a variety of mortgage programs and products for ADUs.

Lastly, ADUs can increase homeowners insurance rates. Many different factors affect how an ADU would be handled by an insurer, and insurers differ, but these factors include

- Who lives in the unit
- Whether the occupants pay rent
- Whether the unit is freestanding or attached to your home
- Whether the ADU has a separate address
- Whether the ADU has its own utilities

In most cases, if an ADU is rented out, the owner should obtain some type of landlord insurance to cover the risks of having tenants. These policies can cost significantly more than typical owner-occupied home insurance.

RESOURCES

[All About Accessory Dwelling Units \(AARP\)](#)

[ADU Financing \(Urban Institute, 2024\)](#)

[Accessory Apartments/ADUs - Plan Roanoke](#)

[CSPDC Housing Study | CSPDC Connects: Planning Together](#)



The ABCs of ADUs

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



DETACHED ADU



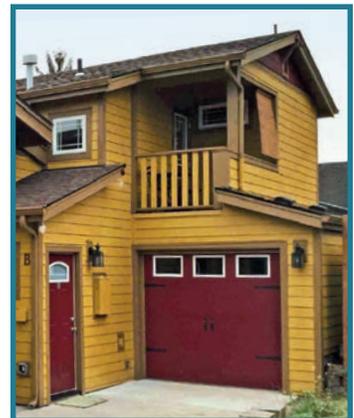
BASEMENT ADU



GARAGE-CONVERSION ADU



ATTACHED ADU



SECOND-STORY ADU

[AARP.org/ADUs](https://www.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.



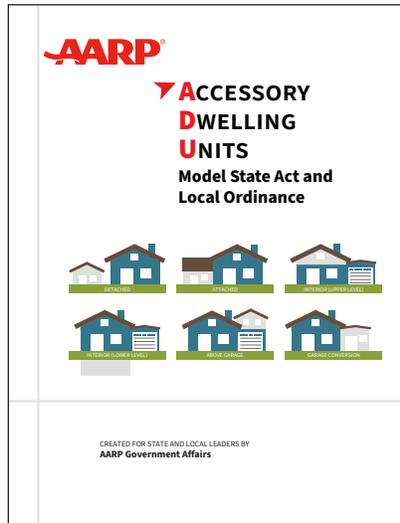
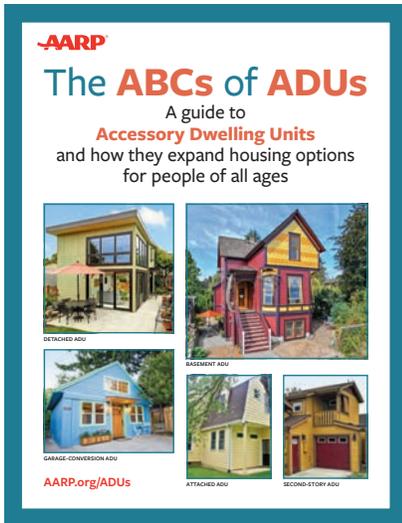
Orange Splot LLC

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.

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.

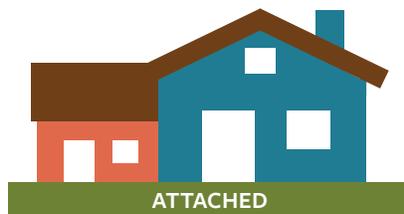
As small houses or apartments that exist on the same property lot as a single-family residence, accessory dwelling units — or ADUs — play a major role in serving a national housing need.

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



▲ 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.

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. ■

- 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.

HOME VISIT #1

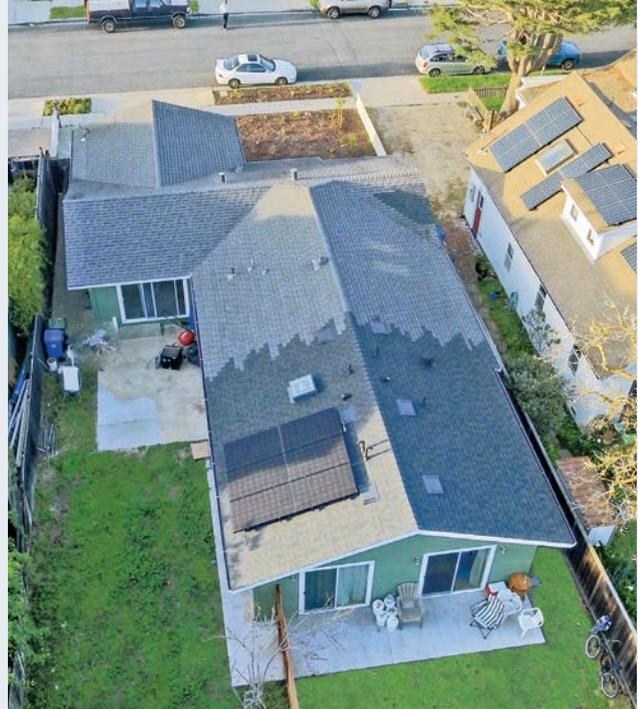
Attached ADU Addition

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

▼ **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.**



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. ■

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.

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.



▲ 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.)

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. ■

▶ 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.

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

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

▼ 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.



you can and can’t do with your space and what investment you are prepared to make in sound insulation.”

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.

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.

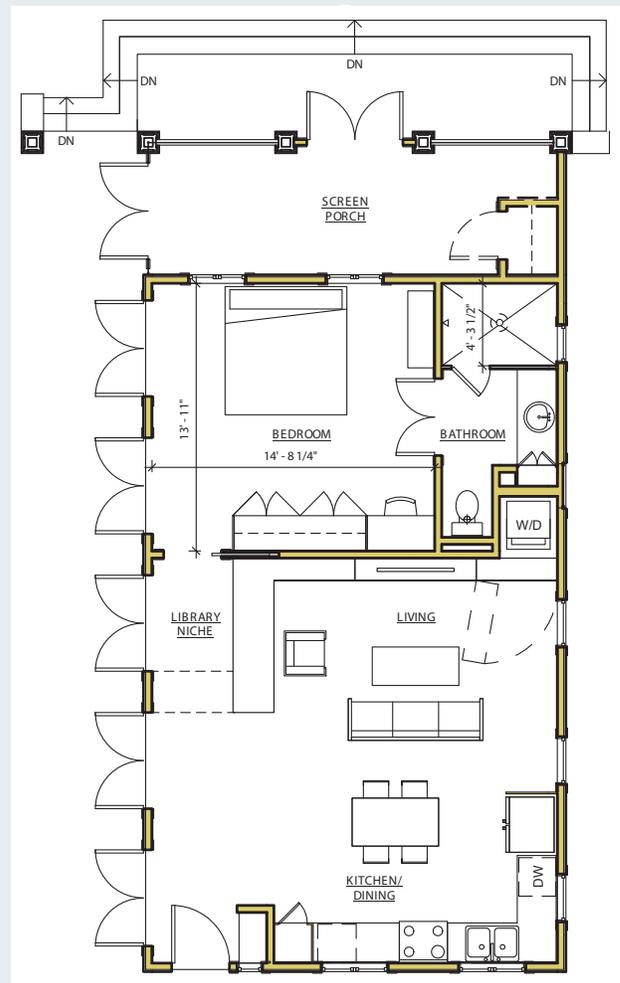
“From not finding what we wanted for Dad, we decided to create it,” says Scott. “Neighborhoods built in the 1920s have carriage houses. Building an ADU was a modern day version of something people have been doing on their property in this area for a hundred years.”

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)

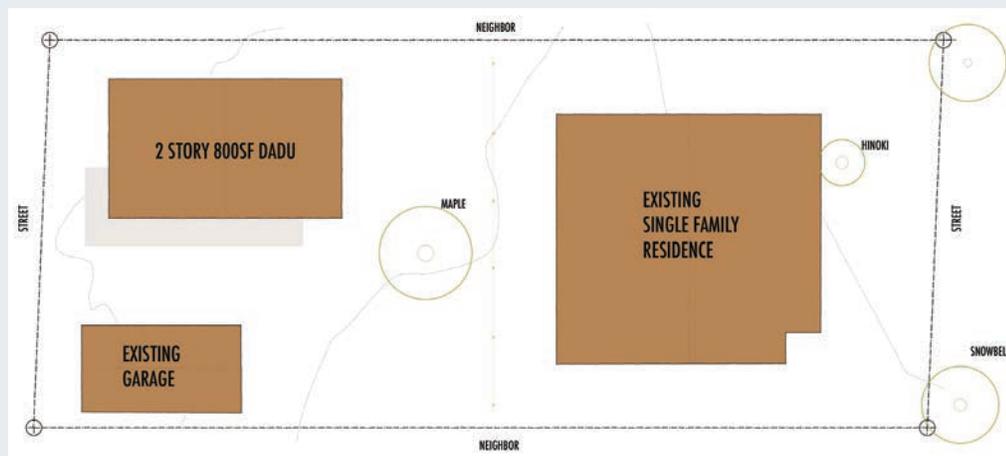
Seattle, Washington

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: *Christine 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.)



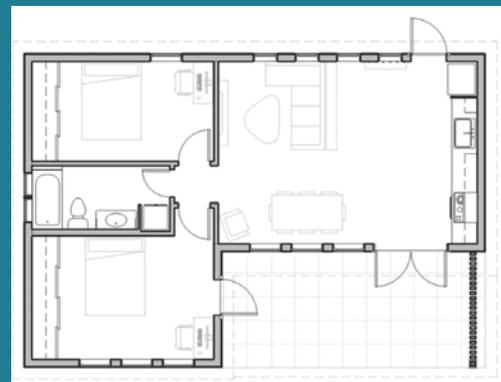
▲ A detached bedroom, which contains a bathroom but no kitchen, can provide housing for a loved one or serve as a home office or guest cottage.

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.

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](https://www.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. ■

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 visiting 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).



▲ 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.

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.



◀ ▲ “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.



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 ABCs of ADUs

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

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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](https://www.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

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