



MEETING AGENDA

The City of Beaufort

PLANNING COMMISSION

1911 Boundary Street, Beaufort, SC 29902

Phone: 843-525-7011 ~ Fax: 843-986-5606

Monday, September 15, 2025, 5:00 P.M.

City Hall, Council Chambers, 2nd Floor – 1911 Boundary Street, Beaufort, SC

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85876086430?pwd=J9YZkGqDzLWEeTyu8Y8gQQwcTQn1xw.1>

Password: 226273

Meeting ID: 858 7608 6430

Call in Phone #: 1+929 205 6099

STATEMENT OF MEDIA NOTIFICATION: "In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media were duly notified of the time, date, place and agenda of this meeting."

I. Call to Order

II. Pledge of Allegiance

III. Review of Commission Meeting Minutes:

A. Worksession August 11, 2025 Minutes

B. Regular August 18, 2025 Meeting Minutes

IV. Questions Relating to Military Operations

V. Public Hearing:

A. Short Term Rental Ordinance Changes, Section 3.6.2

B. Accessory Dwelling Unit Changes, Section 3.11.2, and Section 4.5.3

VI. Adjournment

Note: If you have special needs due to a physical challenge, please call Julie Bachety at (843) 525-7011.



Planning Commission

Work Session Minutes – August 11, 2025

CALL TO ORDER

1:39 PM

Following a social lunch at Lowcountry Produce, a work session of the Planning Commission was called to order by Chairman Mike Tomy and was held in-person at The Landing Pad at 500 Carteret Street, Beaufort, SC. The meeting was not recorded or able to be streamed on Facebook in accordance with City Policy due to technical difficulties.

ATTENDEES

Members were in attendance: Mike Tomy, Chairman, Kim McFann, Clinton Hallman, Benjie Morillo, Bill Suter, and Libby Anderson. Bill Bardenwerper was on the phone via Mr. Tomy's cell phone for part of the meeting.

Staff in attendance: Curt Freese, Community Development Department Director, Christopher Klement, Planner III and Nicolas Navia, Planner I. Also, present were city-contracted architects Jeremy Tate and Maria Short from Meadors Architecture, LLC in Charleston, SC, and Members of the Public, Lise Sundrla of the Historic Beaufort Foundation, former commissioner Paul Trask and resident Tom Rubin.

Mr. Freese had to leave the meeting early due to an emergency, and Mr. Klement took over his role.

Additional materials were provided including a letter and petition from Ms. Ackerman, materials from Libby Anderson, materials from McCormick Consulting and materials from Graham Trask. Graham Trask's input pertained to his belief that there should be sunset provisions for demolition permits in the Beaufort Historic District.

Discussion of the following Agenda Items ensued:

1. If and how Building Design requirements could be improved in the Code and Discussion on scope of changes to Chapters 2, 3, and 4

Staff made a presentation of slides regarding various projects approved either by staff or by Boards pursuant to the form Based Code adopted in 2017 to guide discussion of if the code has been working and meeting its intent and how it could be improved. Slides and discussion included such recent development projects of Pintail Point, Carrington Manor, Culver's, the Quality Inn Conversion (The Pearl), Pointe Grand, Hanover Park, 4000 Margaret, Garden Oaks and Salem Bay. "The compound" currently for sale on Lafayette Street was not included. Ms. Anderson mentioned Ashley Point should also be looked at. The recently approved project across the street from the hospital was also discussed.

Issues raised were whether all aspects of the form based code were actually appropriate for all parts of the City (certain corridors, for example), how some of the presented projects may not really have been totally complied with the 2017 code and may be bad examples, how lot configuration such as flag lots present special challenges, how Jeremy and Maria's firm Meadors Architecture, LLC, had little input on many projects, how

the planning process would benefit from regular updates and analyses of approved and ongoing projects, and whether the map and/or district definitions need to be addressed.

Consensus was reached to the effect that parking (including shared parking), TIA's, availability of appropriate stacking capacity, street network and neighborhood connectivity (and the tension between connectivity and security concerns and existing neighborhood arguments against connectivity) and pedestrian access issues including sidewalks and safe cross walks were critical issues to be addressed as part of the approval process.

The role of the Civic Masterplan was discussed, and it was clarified that the Civic Masterplan is a "guide" for the planning process.

Possible changes to map and definitions were suggested, including a requirement for mixed uses in high density projects, a requirement for diversity in design and housing options within projects, more detailed Lowcountry design guidelines and application of same to all districts, relaxation of guidelines and approval process for affordable housing.

The need for annexation provisions in the code and future land use planning was discussed, as were the following: differences of opinion on the future multifamily projects, realities of real estate financing and need for input regarding same to inform the code revision process in a realistic manner, and growth area boundaries.

2. Exchange on the overall issues of ADUs, Short-Term-Rentals and Affordable Housing options in general

Extensive discussion of these issues ensued, as was the plan to devote the August 18 regular PC meeting to public input on these issues. It was agreed that Kim McFann would contact Ashley Brandon, City Information Officer to seek assistance in publicizing this meeting and other future meetings on social media, as such publicity for the planning commission has not been occurring for reasons unknown.

A list of issues was developed, including the number of permissible ADUs and possible special exceptions re same, licenses and transferability of same, grandfathering upon sale, waiting list, the 6% cap, owner occupancy requirements on short term rental properties, financial considerations for property owners, code enforcement, safety, requirements to be used as a short term rental – e.g., kitchen, bathrooms, and parking.

3. Planning Commissioner Discussions and scheduling of future Code changes.

It was agreed that a regularly scheduled monthly work session would continue and be publicized at least until code revision process is complete.

4. Additional public comment

Lise Sundrla requested guidance in the Code on plans that included plaza type features (e.g. Hop Dog downtown).

Paul Trask stated he had four additional suggestions re Code changes that he was going to submit via staff.

The Work session ended at approximately 4:30 pm.



Planning Commission

Meeting Minutes – August 18, 2025

CALL TO ORDER

4:13

A meeting of the Planning Commission was called to order by Chairman, Mike Tomy, and was held in-person on August 18, 2025, at 5:04 PM.

ATTENDEES

Members in attendance: Mike Tomy, Chairman, Benjie Morillo, Clinton Hallman, Kim McFann, and Bill Suter.

Members absent: Bill Bardenwerper, Vice-Chairman, and Libby Anderson.

Staff in attendance: Curt Freese, Community Development Director, and Christopher Klement, Planner III.

MINUTES

4:46

A. July 7, 2025 Worksession Minutes

Mr. Tomy noted that his last name was incorrect. It should be *Tomy*.

Motion: Mr. Suter made a motion to approve the July 7, 2025 Worksession Minutes. Mr. Hallman seconded the motion. The motion passed unanimously.

B. July 21, 2025 Regular Meeting Minutes

Motion: Mr. Morillo made a motion to approve the July 21, 2025 regular meeting minutes. Mr. Hallman seconded the motion. The motion passed unanimously.

All Planning Commission meeting minutes are recorded and can be found on the City's website at <http://www.cityofbeaufort.org/AgendaCenter>.

QUESTIONS RELATING TO MILITARY OPERATIONS

6:48

None.

Before moving onto the discussion item, Mr. Tomy wanted to address the transportation plan that the Beaufort County Transportation Committee is working on. At the Planning Commission's (PC's) last worksession, there was a lot of conversations about the PC's review of plans that come before them and doing a little bit more of a master planning effort in trying to taking a look at those. Mr. Tomy had some discussions with the Beaufort County Transportation Committee, and they have been trying to put together detailed information of how to

do the transportation plan they are proposing for Beaufort. Mr. Tomy said the PC needs to include transportation in their reviews and also to include the Beaufort County Transportation Committee in those reviews. He referred to Beaufort Memorial Hospital as an example.

Mr. Freese clarified that Mr. Tomy is referring to the Palmetto Breeze bus service and said, “we (staff) are incorporating all of the transportation and the County in every review”.

Ms. McFann noted that since the City of Beaufort does not own any of the roads, she’s not sure if the PC can impose conditions about those things. She suggested staff provide the PC with more information about the procedural aspects at the next work session.

Mr. Suter referred to the project on Allison Road. Mr. Freese stated the Beaufort County Traffic and Engineer were involved. Mr. Tomy clarified he is referring to the bus service.

DISCUSSION

13:06

A. Accessory Dwelling Units (ADU’s)/Short-Term Rentals (STRs)

Mr. Tomy said the Planning Commission (PC) doesn’t have any definite plans or ideas about how we want to modify the Code at this point but feels it was very important to hear from the public so we can take those comments into consideration as we move forward to actually addressing the code issues.

Mr. Hallman said at the PC’s last work session he pointed out when he was driving to the work session, that he saw a house on 1411 Duke Street listed for sale and his wife checked the listing which said, “is STR ready and you can apply for an STR license as soon as you buy it”. Mr. Hallman said this was disturbing that people are building homes here with the idea from the very beginning that they’re not for residences, but they’re to establish a short-term rental business. Ms. McFann said it was also pointed out at the worksession, that for a lot of people who are able to buy into this market in Beaufort, the subject of STRs and ADUs is very important because it fits into their larger financial plan of being able to retire here in Beaufort.

Public Comment:

Frances Ackerman, Pigeon Point Neighborhood, is not against Short-Term Rentals (STRs), but is not in favor of a residential home being bought by an investor with the sole purpose of adding an Accessory Dwelling Units (ADUs) and renting with no owner on premises. She referred to her signed petition of 247 people that was submitted last October to Planning, City Manager, and Council. Our concerns are safety, protection of the people who live in the neighborhood and with on-street parking, emergency vehicles will have difficulty getting through the streets. Limiting the ADUs to one would be best.

Daniel Blackmon, 1010 Duke Street, Northwest Quadrant Neighborhood (NWQ), has a lot of similarities to the Pigeon Point neighborhood. He referred to the former Metropolitan Planning Commission who discussed back in 2017 a process and ordinance to monitor and control the density and clustering of Short-Term Rentals (STRs). Also, a task force of citizens was formed at that time. He felt it was very important to have updated data regarding ADU’s and STR’s to inform the decision making process. Mr. Blackmon submitted his written comments.

Henrietta Goode, 1308 Duke Street, Northwest Quadrant Neighborhood (NWQ), doesn't have any problems with seeing the STRs or ADU's but does feel the local neighborhoods in the community are not represented, consulted or considered when things like this happen. Ms. Goode believes the PC needs to get people from the local neighborhood in the community to tell them what is going on. She invited them to come see their neighborhood.

Mr. Tomy asked staff to get Ms. Goode's contact information and have her speak at the Northwest Quadrant (NWQ) Special Committee Meeting.

Felice Lamarca, 802 Godfrey Street, Pigeon Point Neighborhood, said her and husband moved here a year ago from Sea Pines in Hilton Head. Ms. Lamarca referred to the STR process in Sea Pines where she lived for 30 years and the number of STR's increased steadily during that time. When she left there were 50% STRs and this is why they moved to Beaufort. She referred to "responsible growth" definition that says, *does not destroy the neighborhoods or our communities*. Ms. Lamarca would like to see the Ordinance revamped, a 6% cap would be ideal for the Beaufort communities, and to keep the ADUs out of the STRs allowable types.

Paul Trask, 610 Bladen Street, said he has 2 STRs across the street from him and in 9 years, he's never had any issues. However, he has issues with STR's generally and the STR's are out of control and a cap is needed, it's very important. STRs need to be an ADU on an owner occupied property or otherwise not investor-owned. He recommends a sunset. ADU's are potentially a vital part of affordable housing in the community as long term rentals. Mr. Trask is okay with the one ADU but would recommend the PC keep a second ADU option per lot as Special Exception used for non-STR purposes only (i.e.: for relatives, care takers, students, etc). It aligns with the Comprehensive Plan for smart growth and it's a good viable alternative to keep the option for the ADUs and limit the STRs. Mr. Trask submitted written his comments.

Dave Townsend, 1400 Block of Church Street, is one lot away from a structure that was recently changed and now has 2 AUD's built behind it. These STRs will have impact on traffic, car parking, etc, and they more than double the population in the neighborhood.

Tom Rubin, 2001 Lafayette Street, has seven homes that were brought into his neighborhood and three of them are ADU's with a main building. Mr. Rubin asked if the PC has ability to put a stop on this or halt future applications from people wanting to add ADU's. Mr. Hallman said "no, we are an advisory board to the City Council". Mr. Hallman suggested he attend Council meetings. Mr. Rubin is having terrible flooding that is caused by the rain coming off of the STR roofs. Also, the traffic is an issues for the area. It's a very unfortunate situation.

Eve Flemming, Hundred Pines Neighborhood, said she and her husband have a STR that was converted from a long term rental for several years. She is very invested in how it impacts her community, and that the renters take care of the property when they are there, and to make sure the renters are good people. Mrs. Flemming is in support of the STRs.

Jill Rubin, 2001 Lafayette Street, agreed with the comments that were made today. STRs can be a good thing but the owner needs to take consideration of the neighbors around them. She has two ADUs that were built next to her. She asked the PC to consider only allowing one short-term rental per parcel, be owner-occupied; and be non-transferable or a waiting period.

Julie Matthews, 2602 North Street, who lives in her STR. Any STR is going to surpass curb appeal and the maintenance than any long term rental. She agrees that this is part of the “retirement” plan. Something also needs to be done about the apartments that are being built because the infrastructure is not being taken into consideration.

Joe Mac, Boundary Street, owner of University Bikes, referred to the gentleman who spoke earlier about the 90 degree (“s” curve) on Lafayette where the four houses were put in. The houses are too close together and disrespects the neighbors. It does not fit into the character of the neighborhood.

Although there were people watching on line, no one had raised a hand to speak.

Public Comment was closed.

Mr. Freese said the Planning Conference Room is not available on the dates 9/2 (Tuesday) and 10/7 (Tuesday). Mondays are better for availability. Mr. Tomy said moving forward the PC agreed to have work sessions on the first Monday of each month. The PC agreed to have a worksession on Tuesday, 9/8 at 1:00 pm due to Labor Day being on Monday, 9/1, at City Hall and then another worksession on Monday, 10/6 at 1:00 pm also at City Hall.

ADJOURNMENT

1:19:30

Motion: Ms. McFann made a motion to adjourn the meeting seconded by Mr. Suter. The motion passed unanimously. The meeting adjourned at 6:19 pm.



CITY OF BEAUFORT
Community Development Department

SCOTT MARSHALL
City Manager

1911 BOUNDARY STREET
BEAUFORT, SC 29902
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CURT FREESE
Community Development
Director

To: Planning Commission
From: Curt Freese, Community Development Director
Date: 9/15/25
Issue: ADU's and Short Term Rentals

Background:

The Planning Commission discussed draft changes to Section 3.6.2 Short Term Rentals, Accessory Uses Section 3.11.2, and Carriage Houses/Accessory Dwelling Units Section 4.5.3 at their September 8, 2025, work-session. The draft changes were proposed after the August regular Planning Commission meeting, in which public discussion on Accessory Dwelling Units and Short Term Rentals was held. In addition, on August 19, 2025, The City Council held a work-session to discuss a standalone Short Term Rental ordinance to be approved as part of the Municipal Code, not the Development Code. This City Council work-session was part of a series of meetings on Short Term Rentals this year.

The draft changes attached reflect the PC discussion and direction at their September 8, 2025, meeting, and will be forwarded to City Council as a recommendation. Staff will coordinate the proposed changes to ADUS and STRS with the standalone proposed municipal code to regulate Short Term Rentals.

Short Term Rentals

Staff is recommending the attached red line changes to Section 3.6.2. This includes the recommended revisions to prohibit all non-owner Short Term Rentals. As evidenced in the redline draft, the majority of the Development Code requirements related to Short Term Rentals will be removed and such powers will be placed in the Municipal Code with expanded requirements for licensure and operation. The remaining section of the Development Code on Short Term Rentals will include permitted zoning districts, prohibited zoning districts, prohibited neighborhoods, the non-owner prohibition, and the exemption for the renovation of vacant and dilapidated homes.

Again, the City Council is considering a separate ordinance to regulate Short Term Rentals in the Municipal Code. Should the recommended changes to Section 3.6.2 be approved by the Planning Commission, they will be forwarded with the draft Municipal Code Short Term Rental Requirements, and be heard together by the City Council.



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CURT FREESE
Community Development
Director

ADU's

Staff is recommending changes to Section 3.11.2, and Section 4.5.3 (see red line changes). These changes also reflect the direction of the PC at the September 8, 2025, work session and are consistent with public discussion at the August Planning Commission meeting. The core change is to restrict ADU's to no more than one per lot and also define pool houses and constituting an ADU. To preserve and promote affordability, while protecting the rights of the citizens nearby, the Planning Commission is recommending allowing 2 ADU's in all zones, with a Special Exception. A Special Exception would require a public hearing before the ZOBA with the burden of proof on the Applicant, and all residents within 300' would be notified of the meeting, with signs and legal ad posted.

Recommendation: Recommend to the City Council approval of amendments to Section 3.6.2 Short Term Rentals, Section 3.11.2 Accessory Uses, and Section 4.5.3 Carriage Houses.

**SHORT TERM RENTAL
ORDINANCE CHANGES
TO SECTION 3.6.2**

3.6.2 ADDITIONAL STANDARDS FOR COMMERCIAL USES

The following additional standards apply to the approval and development of projects where the use is listed in the "Table of Permitted Uses" in Section 3.2 as Conditional (C), Special Exception (SE), or T4-Neighborhood Artisan (A). In addition, any Building Design standards, as set forth in Article 4, apply as applicable.

2. Short Term Rental:

- a. ~~Short Term Rentals are permitted in the following zoning districts: T3-S, T3-N, T4- HN, T4-N, T5-UC and IC. Specific to T3-S, T3-N, and T4-HN: Short term rentals, where the owner does not live on premises, are prohibited. Short term rentals, where the owner does not live on the premises, are limited to 6% of the lots in the neighborhood as shown on the City of Beaufort Neighborhoods Map zoned T3-S, T3-N, and/or T4-HN with the following exceptions:~~
 - i. ~~Short term rentals are prohibited in The Point neighborhood, the U, RMX, and T-1 districts, as shown on the City of Beaufort Neighborhoods Map~~
~~Structures on the City's List of Vacant and Abandoned Structures being rehabilitated for use as a short term rental, and~~
 - ii. ~~Exceptions: Structures on the City's List of Vacant and Abandoned Structures being rehabilitated for use as a short term rental are exempt, and Short term rentals are prohibited in The Point neighborhood, as shown on the City of Beaufort Neighborhoods Map.~~
- b. ~~Short Term Rentals shall follow the guidelines of the City of Beaufort Municipal Code.~~
~~Minimum Stay: 2 nights.~~
- c. ~~Permitted Rental Types:~~
 - i. ~~Rental of the primary dwelling.~~
 - ii. ~~Rental of an accessory dwelling.~~
 - iii. ~~Rental of a portion of a primary dwelling.~~
 - iv. ~~Rental of a boat in an approved marina.~~
- d. ~~Parking: Parking shall be provided on-site and located to the side or rear of the dwelling. On-site parking shall be clearly delineated with an improved surface such as pavement, gravel, or another method approved by the administrator. If formalized parking is provided on the street(s) adjacent to the primary or accessory unit, this may be utilized in lieu of on-site parking.~~
- e. ~~Rental Agreement: The applicant shall provide a copy of the rental agreement that will be used. The rental agreement shall specify the following:~~
 - i. ~~The minimum stay.~~
 - ii. ~~The maximum number of guests which shall be based on the number of beds in the unit. For Primary house rentals, the number of adult guests is limited to 2 per bedroom. For Carriage House rentals, the total number of adult guests is limited to 4.~~
 - iii. ~~The maximum number of vehicles permitted at the unit which shall be based on the number of bedrooms and the design of the driveway. For Primary house rentals, the~~

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number of vehicles is limited to 1 per bedroom. For Carriage House rentals, the total number of adult guests is limited to 2.

- iv. ~~Where guests are to park. Where no formalized on-street parking is available, the agreement shall specify that guests are to park on-site and not in the street.~~
- v. ~~That the City's noise ordinance applies between 9:00 p.m. and 8:00 a.m.~~
- vi. ~~Prohibit large gatherings such as weddings and reunions unless specifically approved by the City.~~
- vii. ~~Pets, if permitted, are not to be left outside unattended.~~
- f. ~~**Property Management Plan:** A property management plan shall be developed and approved by the administrator. The property management plan shall identify a property manager. Where the property owner does not live on the premises, the property manager must be available to appear on the premises to respond a complaint within three hours of being notified by the administrator. Where the property owner lives on the premises, a back-up property manager must be identified unless the owner certifies the unit will not be rented when the owner is out of town. The administrator shall be notified when management of the unit changes. Failure to comply with the approved property management plan shall result in the revocation of the zoning permit (Section 9.4).~~
- g. ~~**Signs:** No on-site signs shall be permitted.~~
- h. ~~**Rental Rules:** Rental rules, including use of the sanitation and recycling roll carts, and emergency contact information including the police non-emergency number, shall be posted in a conspicuous location in the unit.~~
- i. ~~**Monitored Fire Alarm:** A monitored fire alarm is required for all units except boats. Boats are required to provide documentation that a Coast Guard Auxiliary Safety Vessel Check has been performed is required. The Vessel Safety Check can be arranged through this link: <http://www.cgaux.org/vsc>. Existing facilities not meeting this requirement shall be brought into conformance within 6 months of the date of adoption of this Code.~~
- j. ~~**Outside Approvals Required:** For properties located in a neighborhood with a property owners' association, written confirmation from the association president that short term rentals are permitted in the neighborhood is required. In multifamily structures, written approval from the property management association is required. For boats in an approved marina, written permission from the marina manager is required.~~
- k. ~~**Safety Inspection and Licensing:** A Safety Inspection shall be conducted before the Business License for the facility is issued. The facility shall comply with all business license, revenue collection, and health laws of the City of Beaufort, Beaufort County and the State of South Carolina.~~
- l. ~~**Unlicensed Units:** For units that are found to be operating without approval of the City, the short term rental application fee shall be \$1,000. If the property owner chooses not to submit a short term rental application within 60 days of being notified by the City of being in violation of the ordinance, a short term rental application shall not be approved for a period of 2 years.~~

**DRAFT CHANGES TO
ADUS: SECTION 3.11.2
and SECTION 4.5.3**

3.11.2 USES CUSTOMARILY ACCESSORY TO RESIDENTIAL DWELLINGS

TYPE ²	#/LOT ¹	SIZE ¹	ADDITIONAL STANDARDS ⁴
A. C.C. A. Accessory Dwelling Unit (syn. Carriage House) - detached	See Section 4.5.3 for complete standards ³		
D. B. B. Accessory Dwelling Unit - attached	1	Min.: 240 sf Max.: 50% of the footprint of the primary unit, or 1,500 SF max., whichever is smaller	1. All standards from 4.5.3 apply, with the following addition: Any additional entrances will be located in the side or the rear of the primary structure. Additional external stairways or fire ladders are strongly discouraged but may be permitted at the discretion of the Fire Marshal when no practical alternative exists.
E. C. C. Garage/Carport/Workshop	2 ³	Maximum: 50% of the footprint of the primary unit, or 1,500 SF max., whichever is smaller	1. Specific to T3-N, T4, T5, RMX and IC Districts: prefabricated/per-manufactured metal structures are not permitted when visible from a public right-of-way. 2. May be provided with electricity, sink and a commode but shall not be used as an ADU. 3. If a carport is used for storage, any side visible from an adjacent property or street right-of-way must be enclosed to screen the building contents.
D. F. Shed	2	Max.: 320 SF	1. Specific to T3-N, T4, T5, RMX and IC Districts: prefabricated/pre-manufactured metal structures are not permitted when visible from a public right-of-way. 2. Shed may be provided with electricity, sink and a commode but shall not be used as an ADU. 3. Any shed that is 3' or closer to a house shall meet the fire protection prescribed for Garages in the IRC. 3. Specific to T3-N, T4-N and T4-HN: Side and rear setbacks may be reduced to 2' if the following conditions are met: a. Residential Sheds are <200 SF and Commercial sheds are <120SF. b. Shed doesn't contain plumbing or HVAC and is not used as a habitable space. c. Lot size is 6,000 SF or less.
E. G. Pool	1	n/a	1. Barriers shall be required per Section 305 of the 2015 International Swimming Pool and Spa Code, or equivalent as updated. All pool permits shall include such barrier. Before the pool can be filled with water, barriers shall be installed, inspected and approved.
F. H. H. Pool House	1	Max.: 50% of the footprint of the primary unit,	1. Standards from 4.5.3.B.8 apply. 2. A Pool House may be utilized as an Accessory Dwelling Unit, provided the total number of Accessory Dwelling Units on a lot do not exceed 1.

		or 640 SF max., whichever is smaller	
G. Covered/Open-Air Structure (ex. Gazebos and Trellises)	2	Max.: 320 SF	1. May not be used for parking. If used for storage, any side visible from an adjacent property or street right-of-way must be enclosed to screen the building contents.
H. Greenhouse	1	Max.: 320 SF	1. See 8.5.4 for additional standards on food production.
I. Outdoor Living and Recreation	Playhouses, picnic tables, dog houses, chicken coops, flagpoles and furniture designed specifically for outdoor use are permitted, and do not require a Project Permit, if they are not permanently affixed to the ground (e.g., on a slab or pier foundations). If a structure under roof (e.g., playhouse, doghouse, chicken coop) is permanently affixed to a the ground, it is considered a shed and shall comply with the standards in paragraph C of this section.		

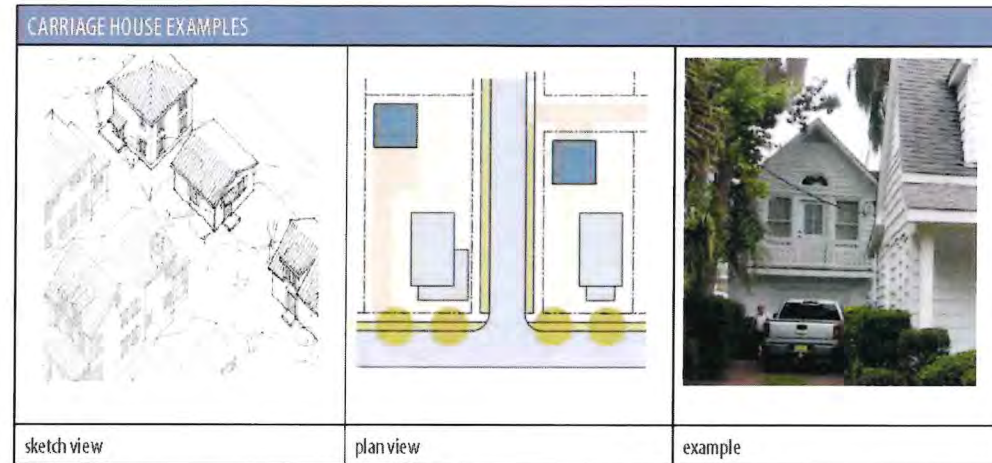
¹ The number and size of the units shall not cause the property to exceed the maximum lot coverage by roofs in 2.4.1.A.3 or total impervious coverage found in 2.4.2.B.3. The total number of Accessory Structures per lot is limited to 4.

² Location for all Accessory Types shall meet the Accessory Building Placement standards in 2.4.1.C, unless specifically noted in this section.

³ A maximum of 2 garage/carport/workshops are permitted, regardless of whether they are attached or detached, or contain an Accessory Dwelling Unit; however only one of each type is permitted per lot. *Example: A lot may have one attached garage and one detached garage but cannot have two detached garages.*

⁴ Items B-I may not be built before the Primary Structure on a lot.

4.5.3 CARRIAGE HOUSE



- A. **Description:** This is an Accessory Structure that provides small, flexible living spaces adjacent to a main house (a.k.a. Accessory Dwelling Unit [ADU], Granny Flat). It is often used for rental housing, and may be free standing, or located above a garage or parking area.
- B. **Special Requirements:**
1. **Infrastructure:** The lot shall be served with public water and sewer.
 2. **Number allowed:** 1-2 per lot. [An additional ADU/Carriage House may be allowed as a Special Exception, except in T3-S where 1 per lot is permitted.](#)
 3. **Placement on the Lot:** The carriage house shall be located to the rear of the primary structure, or to the side as a secondary option, with the following exceptions:
 - a. Units may be placed at the front of a lot where the front of the primary structure is not the street, and the structure has clearly been designed to take advantage of unique site amenities, such as location on the water.
 - b. Units may be placed in the front of the lot where the prevailing character of the neighborhood has other similarly-placed units.
 4. **Frontage Type:** No frontage type is prescribed unless the building is close to the street; in which case, appropriate frontage types are: porch, stoop.
 5. **Maximum Number of Bedrooms:** 2.
 6. **Minimum Size:** 240 square feet in total area.
 7. **Maximum Size:** The footprint shall not exceed 50% of the footprint of the primary building, or 1,500 square feet, whichever is smaller. Conversions of existing accessory structures that exceed this maximum may be permitted if the administrator determines that there is no adverse impact on surrounding property.
 8. **Compatibility with Primary Structure:** Architectural details, including color, siding, roof pitch, window detailing, roofing materials, height, and foundation, shall be compatible with the primary dwelling unit.
 9. **Parking:** 1 parking space per Carriage House is required, and shall be clearly defined. See Section 7.3 for additional parking standards.

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10. **Timing:** The carriage house(s) shall be permitted to be built prior to the primary structure on the lot if the following requirements are met:
- a. A sketch plan showing the potential build-out, including parking, of the site is required;
 - b. The size(s) must be appropriate to permit a primary structure without exceeding the maximum lot coverage; and
 - c. Materials of the future primary structure must coordinate with the carriage house.

Letters From Community and Chamber

Argument in Favor of Retaining Two ADUs (with Special Exception for the Second)

1. Supports Housing Diversity Without Dramatically Altering Neighborhood Character

Allowing two ADUs offers flexibility for a range of household needs—aging parents, adult children, live-in caregivers, or rental income—without introducing large multifamily structures. ADUs are inherently smaller in scale and more compatible with single-family neighborhoods.

2. Addresses Affordable and Workforce Housing Shortages

Beaufort’s housing market is under pressure from rising costs, limited supply, and demand from both residents and seasonal populations. Two ADUs per lot allow property owners to create modestly priced rental units that can serve local workers, teachers, service employees, and others vital to the community—without requiring major public investment in new housing projects which tend to contribute to suburban sprawl and more traffic congestion.

3. Promotes Economic Stability for Property Owners

An additional rental unit can help property owners offset mortgage payments, maintenance costs, and rising property taxes.

4. Balances Opportunity with Oversight Through Special Exception for the Second ADU

While some may worry that two ADUs could over-intensify certain neighborhoods, requiring a Special Exception for the second unit gives the City the ability to review each case individually. The Special Exception process could consider:

- Lot size and capacity
- Landscape buffering
- Parking availability
- Utility and infrastructure limits
- Compatibility with surrounding properties

This ensures that higher-density use happens in appropriate contexts while still allowing flexibility where it’s feasible.

5. Aligns With Comprehensive Plan Goals for Smart Growth

The Comprehensive Plan calls for increasing housing choices, encouraging infill development, and making efficient use of existing infrastructure. Allowing two ADUs supports these goals without the sprawl, traffic, and infrastructure costs associated with outward expansion.

6. Responds to Demographic Trends

Households are getting smaller, multi-generational living is on the rise, and more people are working from home. Two ADUs per lot provide adaptable housing solutions that can evolve with the needs of residents over time.

Recommendation:

Keep the current allowance of two ADUs per lot in most zoning districts, but amend the code so that:

- **One ADU is permitted by right** (subject to existing dimensional and design standards).
- **A second ADU requires a Special Exception** to ensure neighborhood compatibility and infrastructure adequacy.

This approach preserves flexibility, supports the housing market, and addresses concerns about over-intensification through targeted, case-by-case review.

Argument Against Non-Owner-Occupied ADUs as Short-Term Rentals

1. Undermines the Intent of ADUs

Accessory Dwelling Units were introduced primarily to expand long-term housing options—especially for local residents, workers, and family members—not to create income-generating mini-hotels. Allowing non-owner-occupied short-term rentals shifts ADUs away from their original purpose.

2. Reduces Long-Term Housing Supply

In tight housing markets like Beaufort's, every home counts. Turning ADUs into short-term rentals removes them from the long-term rental pool, driving up rents and limiting options for year-round residents.

3. Increases Neighborhood Impacts

Short-term rentals—especially without an owner living on-site—can bring increased traffic, noise, parking pressure, and higher turnover of strangers in residential neighborhoods, eroding community cohesion.

4. Encourages Investor Takeover

If non-owner-occupied ADUs can operate as short-term rentals, it creates a financial incentive for outside investors to purchase properties purely for tourism income, displacing full-time residents and changing neighborhood character.

5. Burden on Enforcement

Regulating noise, occupancy limits, and parking for transient guests is far more challenging when there's no owner on-site. Enforcement costs rise, but those costs are typically not covered by revenues.

6. Conflicts With Comprehensive Plan Goals

Most comprehensive plans—Beaufort's included—emphasize increasing housing availability for residents and preserving neighborhood character. Non-owner-occupied ADUs work against both objectives.



BEAUFORT, SC

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Rita Wilson
AlphaGraphics

August 28, 2025

City Council and Planning Commission
City of Beaufort
1911 Boundary Street
Beaufort, SC 29902

RE: Policy Position on Accessory Dwelling Units and Short-Term Rental Regulations

Dear Members of City Council and Planning Commission,

Thank you for sharing a public call for input on current discussion related to Accessory Dwelling Units (ADUs) and Short-term Rentals (STRs).

In September 2023, the Beaufort Regional Chamber of Commerce wrote to Council about the critical connection between workforce availability and housing affordability in our community. We advocated for development code changes to address "missing middle" housing, specifically recommending that Accessory Dwelling Units (ADUs) be allowed by right in all residential zones with clear design standards. That letter is also included for reference.

Today, we write to reinforce and expand upon that position, focusing on two interconnected policy areas that can meaningfully advance housing solutions for our community: Accessory Dwelling Units and Short-Term Rental regulations.

Accessory Dwelling Units represent one of the most practical and immediate opportunities to increase housing supply while supporting existing homeowners. ADUs can:

- Provide affordable housing options for young professionals and workforce members
- Enable seniors to age in place and create multi-generational housing options
- Support infill development that maximizes existing infrastructure
- Generate supplemental income for homeowners facing rising costs of living

Short-Term Rental Policy should be structured to balance community character with economic opportunity. Thoughtful STR regulations can:

- Allow property owners to generate revenue that helps offset housing costs
- Support tourism while maintaining residential neighborhood integrity
- Create pathways for ADUs to serve dual purposes as long-term and short-term housing

The Chamber supports balanced policies that advance these goals:

- Increasing overall housing stock through infill development
- Providing diverse housing options at various price points
- Leveraging private investment to address public housing needs

We believe that allowing ADUs by right with clear standards, combined with reasonable STR regulations that preserve neighborhood character while enabling economic opportunity, will help address the workforce and housing challenges our members consistently identify as top concerns.

The Chamber looks forward to continuing our partnership with the City as you work to create policies that support both our community's character and its economic vitality.

Respectfully submitted on behalf of the Board and Membership,



Mark Cutler
Board Chairman



Megan Morris
President & CEO

Cc: Scott Marshall, City Manager



September 13, 2023

Hon. Stephen Murray
Mayor, City of Beaufort
1911 Boundary Street
Beaufort, SC 29902

RE: Development Code Changes to Address “Missing Middle” Housing

Dear Mayor Murray,

Surveys and conversations consistently reveal two dominant concerns for members of the Beaufort Regional Chamber of Commerce: workforce availability and housing affordability. The issues are linked. We cannot hope to address our workforce challenges without also addressing housing. Likewise, we cannot meaningfully improve housing affordability without increasing supply of “missing middle” housing types.

We applaud the City of Beaufort for recognizing housing concerns in its Comprehensive Plan, and for undertaking a process to review and revamp the City’s development code and processes. There is no single “silver bullet” solution to address housing, but changes to local public policy and to the approvals processes can allow the private sector to deliver more housing units. To make progress on the region’s affordable housing challenge, please consider the following:

- **Accessory Dwelling Units (ADUs)** – smaller footprint stand-alone housing units on existing lots can allow local residents to age in place near family or for young professionals to afford housing. Many detached carriage houses in historic neighborhoods have already been converted for this purpose. With clear standards for design, ADUs should be allowed by right in all residential zones.
- **Small Scale Multifamily** – many established neighborhoods like Pigeon Point, where I live, enjoy generous lot sizes and close proximity to parks, retail and other amenities. Neighborhoods like this are ideal for small scale multifamily redevelopment including duplexes, triplexes, quadplexes and attached townhouses. With clear standards for design, small scale multifamily housing should be allowed by right in all residential zones.
- **Expedited Review and Permitting** – ADUs and small scale multifamily are not novel in our community, but they are uncommon. Property owners and developers are unlikely to take the financial risks associated with building them if they are unsure that the project approval process will be swift. Establish clear and rigorous guidelines and empower City staff to issue permits without board approval or public hearings. If we are serious about “missing middle” housing, we should allow it to be built with the same efficiency we allow single family housing.
- **No New Barriers** – easing our region’s housing affordability challenge will require more housing supply of all types. Do not implement any new requirements that might impede housing in the interest of promoting other laudable goals like increasing mixed use. Instead, look for real value incentives, like reduced parking requirements or fee abatements, to incentivize more mixed use.

- **Explore Existing Barriers** – as the city continues the development code review process, please look for other policy areas for changes that may reduce cost and add efficiency to the development process for affordable housing. Elevation, parking, construction materials, and road frontage requirements may all present opportunities for meaningful discussion and refinement in the interest of generating more affordable housing units.

Thank you for your leadership to address our region's housing challenges and to promote the economic prosperity of this great community.

Sincerely,



Ian D. Scott
President & CEO

Cc: Curt Freese, Neil Lipsitz, Scott Marshall, Mike McFee, Mitch Mitchell, Josh Scallate



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.



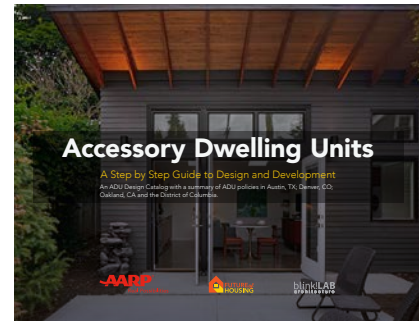
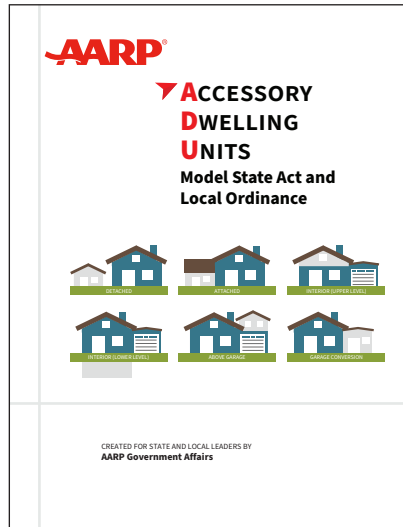
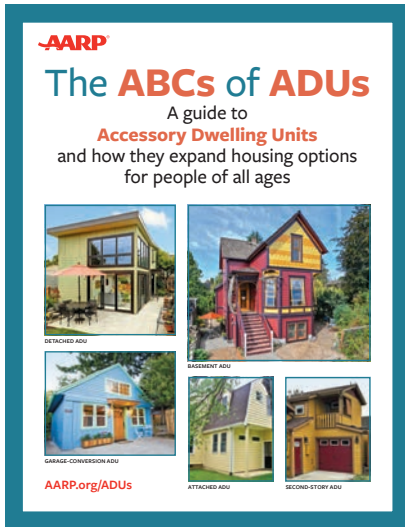
Orange Splot LLC

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.

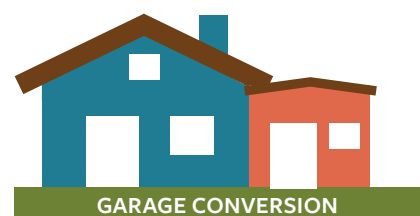
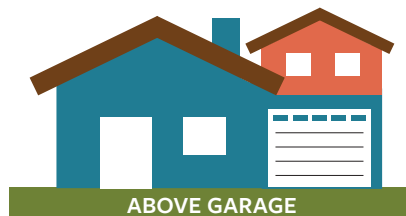
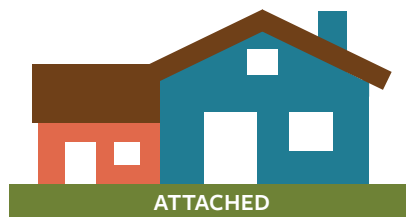
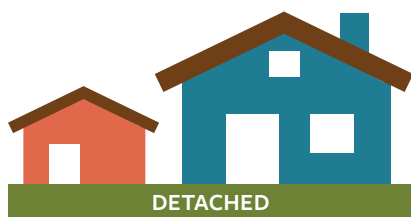
As small houses or apartments that exist on the same property lot as a single-family residence, accessory dwelling units — or ADUs — play a major role in serving a national housing need.

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 up different images. (Who wouldn’t rather live in a “carriage house” than in an accessory or “ancillary” unit?)



▲ 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.

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.

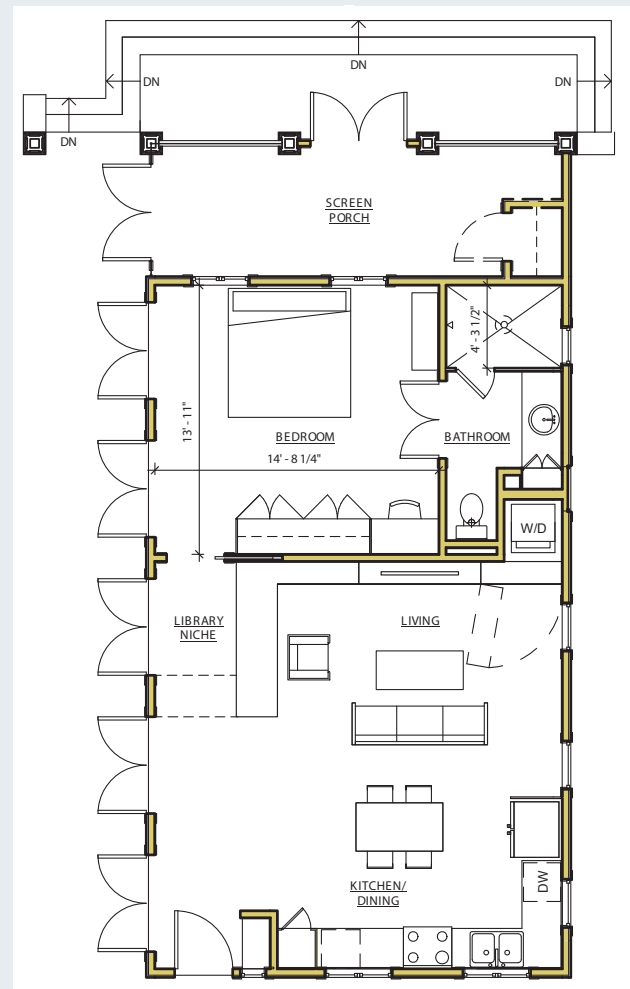
“From not finding what we wanted for Dad, we decided to create it,” says Scott. “Neighborhoods built in the 1920s have carriage houses. Building an ADU was a modern day version of something people have been doing on their property in this area for a hundred years.”

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)

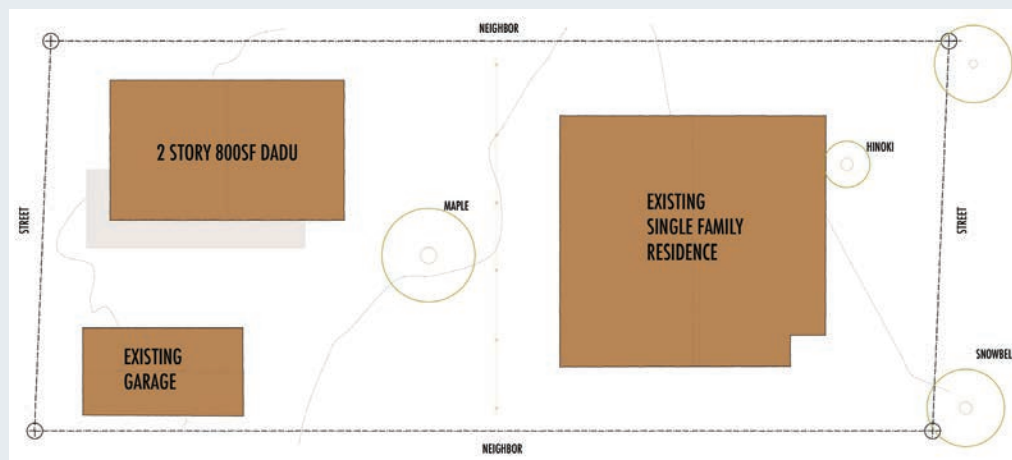
Seattle, Washington

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.)



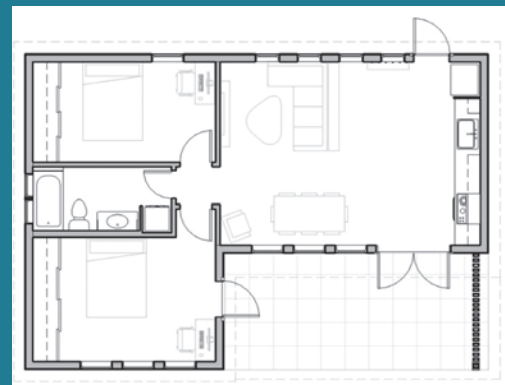
▲ A detached bedroom, which contains a bathroom but no kitchen, can provide housing for a loved one or serve as a home office or guest cottage.

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

by visiting
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