



Cary Childre, left, in front of the accessory dwelling unit where she lives. The house sits behind the home of her daughter, Eva Mauldin, right.

WHY IS IT SO HARD TO EXPAND A HOME?

Local politics often complicates efforts to incorporate accessory dwelling units for caregiving into neighborhoods

BY MICHELE LERNER

During her career as a nurse, Cary Childre saw too many older patients needing help but having no family nearby to provide it. “If I made the transition early to age in place, I knew I wouldn’t fall into the trap of not having support when the time came,” the 67-year-old says. In 2022, when her daughter, Eva Mauldin, became pregnant with her first child, Childre sold her 3,000-square-foot Atlanta home and built a 450-square-foot “tiny home” on her daughter’s property.

Little did she know that she was walking into a top housing policy debate of these times on whether communities should embrace the growth of accessory dwelling units (ADUs) as a potential solution to two major issues facing America: a shortage of housing across the country and older Americans’ desire to age alongside their family.

“If we don’t have the right housing options

in our neighborhoods, then we’re either forced to lower our quality of life or move out of our communities of choice as we age,” says Rodney Harrell, vice president of family, home and community at AARP’s Public Policy Institute. “We just don’t have enough affordable options, and many people realize that when circumstances change or they face life-altering emergencies.”

THE ABCS OF ADUS

ADUs (also called granny pods or flats, in-law suites, or backyard cottages) can take the form of a freestanding structure, an apartment over a garage or a basement apartment.

▶ See the August/September issue of **AARP The Magazine** for tales (and photos) of how several families expanded their homes to accommodate the arrival of parents, grown kids and others.



Generally, they have a separate entrance from the main home, a full bathroom and a kitchen. There are several ways they can be used for caregiving: Older family members can live there. Or adult children can move in to take care of those in the main house. Or an ADU can be used to house hired help. But because they are often used for purposes other than caregiving—such as apartment rentals for long-term residents or short-term visitors—they often face opposition.

“The problem with ADUs is that they change the character of a neighborhood and cause problems for a community that wasn’t built for higher density,” says Paul Jarosinski, president of the Cherrywood Homeowners Association in Olney, Maryland. His community has no legal ADUs, but he has witnessed issues in other areas of his county. “In many communities, the streets are somewhat narrow and many of the homes have added ADUs and rented space in their homes and garages. There isn’t adequate public transportation, so all these cars wind up on the street or in people’s front yards. It’s hard for other cars to drive on the street and dangerous because fire trucks can’t get to the homes.”

In addition to parking issues, Jarosinski says some nearby homes with ADUs are used as “party houses” with short-term renters, and the additional ADU structures contribute to flooding issues. “If our county wants to add affordable housing and density, there are places to do that,” Jarosinski says. “They shouldn’t be allowing ADUs in established communities where people saved to buy homes with lower density.”

ARGUING FOR CHANGE

The number of Americans 65 and older is projected to nearly double, according to the Population Reference Bureau, from 52 million in 2018 to 95 million by 2060, which could drastically alter housing needs. A recent AARP survey found that just 4 percent of U.S. households have an ADU, although 32 percent of homeowners are interested in having one on their property, according to a separate survey by Freddie Mac, the government-sponsored mortgage organization.

Many more Americans could have an ADU if they wanted one. More than 60 percent of municipalities permit ADUs. But it isn’t so simple. A raft of regulations can make approval difficult. For example, many jurisdictions

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require ADUs to include off-street parking, which can be difficult to accommodate in high-density areas. Others require the units to be owner-occupied, which means their use is limited to family members only.

As for construction, in some places, ADUs are allowed only if they can be built a certain distance from the property line, which effectively rules them out on lots of modest size. Some communities will allow ADUs only if they are not visible from the street and meet restrictive size criteria.

The District of Columbia, faced with a housing shortage within its 68 square miles, eased restrictions in 2016, allowing “ADUs to be built as a matter of right in residential zones, which was a big victory for homeowners,” says Cheryl Cort, a policy director for the Coalition for Smarter Growth. “The top three

constraints to ADU production are whether a property owner can build one by right or needs special permission, whether parking is required, and whether the lot needs to be owner-occupied.” D.C.’s rules require owner occupancy but allow ADUs by right and don’t require additional parking. “The D.C. council and mayor were really interested in promoting ADUs as a solution for affordable housing and senior housing,” Cort says.

In Annapolis, Maryland, a new law permits ADU construction, but ADUs are not allowed “by right,” so each requires review and approval. Owners must occupy the main house, to avoid investment in ADUs by property management companies. Proponents have found another hurdle: The new structures must have their own sewer lines; they can’t tap into the main house’s lines. “We’ll come back with revisions in the future, but at least they’re legal now,” says Brooks Schandelmeier, a City Council member. “They’re allowed to be used as short-term rentals, too, which personally I don’t think is their

ideal use. But it’s better to be flexible to get them built.”

In Ashland, Oregon, additional rental units (ARUs), as they are known there, have been allowed since 1991. Rules were amended multiple times until property owners could build them with just a building permit beginning in 2021, says Maria V. Harris, a retired Ashland city planner. Opposition came primarily from appointed officials with a vision of a community limited to single-family homes for nuclear families, Harris says. “We did surveys and found that 40 percent of Ashland residents were one-person households, and that 44 percent of those households were renters,” Harris says. “That showed the need for more options. The opposition brought up parking issues, which comes up with almost anything controversial. But we did parking surveys and determined there wasn’t a lack of parking.”

California’s affordable housing crisis led to the most advanced ADU policies in the country, says Annie Fryman, a former California legislative aide and director of cities for Abodu, an ADU manufacturer. “California’s state law overrides city jurisdictions’ and caps

► **Launching Aug. 1, *Going Tiny With AARP*** is a video series featuring several family downsizing projects from start to finish. To view, go to youtube.com/aarp.



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1. The Nucleus Freedom Cochlear Implant System: Adult Post-Market Surveillance Trial Results. 2008 June.
2. Cochlear Nucleus Implant Reliability Report. Volume 16 | December 2017. D1175804. Cochlear Ltd; 2018.

WHAT'S ALLOWED IN YOUR COMMUNITY?

These two websites provide some insight into ADU regulations in various jurisdictions.

▶ **Local community regulations:**

accessorydwellings.org/
adu-regulations-by-city

▶ **State laws:** mercatus.org/

research/policy-briefs/
state-accessory-dwelling-unit-laws

Property owners should also check with the permitting office of their local planning and zoning department and, if applicable, their homeowner association for the most up-to-date rules about ADUs.



fees,” Fryman says. “They also need to be approved using objective criteria instead of design limitations.”

The law in California overrides homeowner association rules that would limit ADUs, Fryman says.

Since the California law was passed, ADUs have become increasingly popular. In Los Angeles, 1 in 3 permits for new construction are for an ADU, she says. From 2018 to 2020, 22,695 ADUs were added to the state’s housing supply, according to ADUCalifornia.org. According to HUD’s Office of Policy Development and Research, as of early 2022, ADUs make up about 11 percent of all residential building permits issued in California.

Public acceptance of ADUs is often easier when caregiving and aging in place are presented as benefits. Says Richard Duncan, executive director of the RL Mace Universal Design Institute in Asheville, North Carolina: “Older adults put a happy face on ADUs.”

For Childre, the experience of living in a house on her daughter’s property has been a good one. She doesn’t have to worry about a mortgage or where she’ll live as she ages, and her daughter loves the new grownup phase of her relationship with mom. “We talk in ways my friends just don’t get to do with their parents,” Eva Mauldin says. Childre’s granddaughter likes it, too. “Every morning she sees me,” Childre says, “and says, ‘There’s Gaga! There’s Gaga!’” ■

Michele Lerner is a freelance journalist who focuses on real estate and housing. Her work has been published in The New York Times and The Washington Post. David Hochman contributed to this report.

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