

DR 83-7 - Amendment to the Zoning  
Ordinance - ECHO Housing.

# A Salute to

## The Economical Alternative to Your Housing Investment

**KANSAS MANUFACTURED HOUSING WEEK — OCTOBER 15 thru 23, 1983**

CELEBRATING THE KANSAS MOBILE HOME INDUSTRY'S ANNUAL CONVENTION IN WICHITA, KANSAS OCT. 13 & 14

# MANUFACTURED HOUSING



**Governor John Carlin signs the proclamation of "Manufactured Housing Week" in Kansas. Looking on are industry representatives. Left to right, Bill Webster, Webster's Mobile Homes, Lawrence; Galen Weber, Guardian Industries, Manhattan; Chris Lemon, Commerce Bank and**

**Trust, Topoka; Juanita Baxter, Baxter's Mobile Homes, Ottawa; Pete Janszko, Schuit Homes, Flinville; Gary Skopold, Anchor Savings and Loan, Overland Park; Margie Tidwell Braden, KMH Executive Director; and Robert Glasse, Aetna Mobile Homes, Wichita.**

## KMHI . . . Working For You

The Kansas Manufactured Housing Institute is a nonprofit trade association whose purpose is to promote and represent the manufactured housing industry. KMHI has been in existence since 1958, and the membership is made up of all interests within the industry — manufacturers, retailers, park owners, suppliers, finance and insurance companies, banks, transporters and service companies.

- Benefits of KMHI membership include:
- Meetings and seminars which provide information and continuing education.
  - Lobbying efforts on the part of manufactured housing interests and monitoring of legislation to keep the membership apprised of possible detrimental legislation.
  - Legal counsel.
  - Group insurance plans.
  - Participation in an annual trade show in Kansas City sponsored by the North Central Manufactured Housing Institute. This is a five-state

association, or desiring the assistance of the association, should call or write Margie Tidwell Braden, Executive Director, Kansas Manufactured Housing Institute, 100 East 9th, Suite 205, Topeka.

By proclamation of Governor John Carlin, October 15-23 will be 1983 Manufactured Housing Week in Kansas. Mayors of various cities and towns around the state also are proclaiming the week in their communities.

Purpose of the proclamations, which coincide with the annual meeting of the Kansas Manufactured Housing Institute Oct. 13-14 at Wichita's Holiday Inn Medical Center, is to help make Kansans more aware of this growing industry in our state.

KMHI is proud of its many members who make the industry a valuable part of the state's economy, as well as providing an affordable housing alternative for the citizens of Kansas.

**WE HOPE** that this publication will give all Kansans further insight and a better understanding of our industry, and will help to make all aware of the important economic impact of our industry within the state.

We invite you to visit your local manufactured housing dealer who will be providing special displays and open houses during this week, so that you can become better aware of the housing opportunities available through manufactured housing.

We are proud of the continued growth of our industry, and take this opportunity to share that pride with you.

Robert E. Glasse, President  
Kansas Manufactured Housing Institute

### STATE OF KANSAS



## PROCLAMATION OF THE GOVERNOR

TO THE PEOPLE OF KANSAS, GREETINGS:

WEASAS, the devoted dream of home ownership should be the privilege of all who desire it; and

WEASAS, it should be the duty of all citizens to work toward the establishment of attitudes and regulations which will facilitate this dream of home ownership; and

WEASAS, the manufactured housing industry has accomplished the goal of manufacturing homes which are safe, sound, and functional; and

WEASAS, the manufactured housing industry has accepted the role of manufacturing homes for many middle-income, middle-class, and lower-income families; and

WEASAS, the President's Commission on Housing has recommended that state and local officials should treat from their zoning laws all forms of discrimination against manufactured housing; and

WEASAS, the Kansas Manufactured Housing Institute continues to work with state and local officials and other organizations concerned with zoning to promote the safety, health, and general welfare and family life of manufactured housing residents in our state;

NOW, THEREFORE, I, JOHN CARLIN, GOVERNOR OF THE STATE OF KANSAS, do hereby proclaim the week of October 15 through 23, 1983, as

MANUFACTURED HOUSING WEEK

in Kansas, and urge the citizens of this state to recognize Kansas' manufactured home industry during this week.

Done at the Capital in Topeka, Kansas, this 11th day of October, 1983.

BY THE GOVERNOR: *John Carlin*  
SECRETARY OF STATE: *John Carlin*



MANUFACTURED HOUSING WEEK

# Is Legislation Prohibiting Affordable Housing?

**By Margie Tidwell  
Executive Director  
Kansas Manufactured  
Housing Institute**

In April of 1982, President Reagan's Blue Ribbon Housing Commission completed its study of present and future housing needs in the United States.

Among its recommendations regarding zoning regulations, the report stated: "To protect property rights and increase the production of housing and lower its cost, all state and local legislatures should enact legislation providing that no zoning regulations denying or limiting the development of housing should be deemed valid unless their existence or adoption is necessary to achieve a vital and pressing governmental interest."

"In litigation, the governmental body seeking to maintain or impose the regulation should bear the burden of proving it complies with the foregoing standard."

**WITH REGARD** to manufactured housing, the commission further recommended that states and localities remove from their zoning laws all forms of discrimination against manufactured housing, including off-site fabricated housing systems or components conforming to requirements of one of the current nationally recognized model codes.

The commission found that restrictive zoning definitely affects housing costs and unnecessarily excludes low and moderate income citizens from the housing market.

Restrictive zoning, where the obvious purpose is to exclude specific types of housing, has been struck down by the courts in a number of states . . . most recently in New Jersey, Montana, Maine and Michigan.

Restrictive zoning which excludes low and moderate income families by lot-size requirements has also been looked upon unfavorably by the courts and is one of several items identified as undesirable and discriminatory by the President's Commission.

That group pointed out that in spite of the quality of today's manufactured

housing, many localities still restrict it to mobile home parks. The Commission recommended immediate steps to be taken by the Congress to alleviate such restrictions and cited such examples as Indiana, California and Vermont which have adopted legislation to prohibit such restriction.

**WHAT IS THE** thinking behind such restrictions? It is a carryover from earlier years when most housing manufactured in a factory was indeed "trailers," which could be hitched behind the family car and taken from homesite to homesite.

There were probably good reasons to allow for their placement only in

**Restrictive zoning, where the obvious purpose is to exclude specific types of housing, has been struck down by the courts in a number of states . . .**

certain areas (usually parks), where they could be quickly and easily accommodated by utility hookups and where they could come and go without greatly affecting the appearance of an established neighborhood.

But the "house trailers" of yesterday are different than the factory built homes of today.

Manufactured housing, built in a factory and delivered to a site, is built economically because it utilizes controlled conditions and assembly line efficiency. Beyond that, it differs little from other housing. The state-of-the-art in manufactured housing has undergone many changes in recent years as it has become more desirable, accepted and very much in demand because of its economy.

Today's manufactured homes are large, well-built, efficient, affordable, permanent homes, often consisting of multiple sections of factory-built units. Some, which are built on a steel frame with wheels and axles to transport the home from factory to site, are still considered "mobile."

Since June 15, 1976, all housing of this type must be built to a performance code required by the U.S. Department of Housing and Urban Development (HUD). HUD must inspect and must bear a HUD seal stating that it meets the minimum standards of the code. And, by federal definition, since August 1982, this type of housing is no longer labeled "mobile" but manufactured.

**ANOTHER FORM** of manufactured housing is modular. The only real difference between the two is the method of delivery to the site and the fact that modular is built to whatever local building codes exist, if any.

According to Dr. Thomas Nutt, Powell (author of *Manufactured Homes: Making Sense of a Housing Opportunity*), the National Association of Home Manufacturers has nine different product classifications of manufactured homes built to local codes, based on the extent of factory completion, style and use.

With all these types of manufactured housing possibilities, perhaps we are too concerned with trying to define in order to permit or exclude certain types. By doing so, we may be writing zoning or other regulations which will become quickly outdated or, worse, which will exclude our children and grandchildren from home ownership.

**FOR MANY** communities, permanence of location is a concern. The City of Wichita will soon have a permanent foundation standard which will satisfy their desire to assure permanent location of site-planned homes. Hopefully, other cities will do or are doing something similar.

In spite of some positive signs, many communities are still depriving people of comfortable, new, affordable housing because of old fears about "trailer houses."

These fears have caused local officials to enact restrictive ordinances mandating other building on site or the renting of area in a park, if you want a new home. Some communities accomplish this by defining a single-family

dwelling unit as "not a mobile home." A "mobile" home certainly is a single family dwelling unit, and it is often difficult to differentiate between "site-built" and "site-delivered" once the home is sited and landscaped.

**NATIONALLY, 30** percent of all new housing purchased last year was manufactured housing. The purchasers were not all in the lowest income brackets; many were young professionals, white collar workers, and many retirees.

The quality of the housing together with the variety of financing sources (mortgages as long as 30 years covering land and home) now available for people buying manufactured housing, is encouraging developers to look to manufactured housing as the way to offer a medium priced home.

This is creating a demand for desirable locations and will spur more innovation in planning and construction. Parks will still exist, and there will be a need for them, but it is becoming less and less satisfactory as a community's only provision for manufactured homes.

**WHAT IS THE** obligation of cities in providing for the housing needs of all

**What is the obligation of cities in providing for all the housing needs of all citizens?**

Can we any longer justify the action of one Kansas community which recently refused an elderly widow a permit to put a new manufactured home on her five acres?

That community had recently adopted new ordinances restricting single section manufactured homes to mobile home parks, stating that their reason was to upgrade and improve the appearance of the community.

The 73-year-old widow did not want to rent space in a park — she owns her own five acres and her daughter, who must care for her, already lives in a mobile home on the property. She cannot afford to build a new home on

the site, so she has been forced by local government to live out her life in her older, energy inefficient home.

**THE KANSAS** Manufactured Housing Institute (KMHII) recognizes that local governments face a difficult challenge in attempting to provide for well-planned, aesthetically pleasing development while also providing for the housing needs of the community.

But, as Dr. Nutt-Powell states, "Construction quality is an issue of engineering standards, not appearance. Unattractive housing can be well built, and attractive housing can be badly built. Construction codes exist to ensure that health and safety of the occupants. Attractiveness, in contrast, is a matter of design, choice of materials and to a large extent, personal aesthetic preference."

Often, a specific exclusion of manufactured housing is due to a lack of information regarding the product. KMHII is prepared to assist in local planning efforts by providing factual information, as well as on-site visits to manufactured housing factories, retailers and homesites.

**NATURALLY,** manufactured housing isn't for everyone; we don't advocate a "mobile home on every corner." But we believe it is the housing of the future for more and more Kansans and the rapidly changing state-of-the-art will quickly cause many of today's zoning ordinances to become antiquated if written in too detailed an effort to restrict.

We hope that local governments will follow the recommendations of the President's Housing Commission and see their role as attempting to meet all the housing needs of the community rather than to restrict based on some personal likes and dislikes.

To this end, we encourage local governments to utilize the services of local citizens involved in the manufactured housing industry or to contact the Kansas Manufactured Housing Institute in Topeka to avail themselves of our services.

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# MANUFACTURED HOUSING

## Why Manufactured Housing?

Currently, fewer than five percent of potential American home buyers can qualify for the loan on today's new average priced site-built house.

Yet, the majority of American families can afford a new manufactured home. With ever-increasing costs of buying a new site-built house, it's easy to understand why so many people are turning to manufactured homes to fulfill their housing needs.

With an average price range from \$10,000 to \$50,000 for a completely furnished home — including carpeting, draperies, furniture, and all appliances, but not land — today's manufactured home is now accounting for one out of every three new homes being sold in the U.S.

The manufactured housing industry is making affordable housing available today; homes built to a single national code stressing quality construction, energy efficiency, and occupant safety.

**PRODUCING HOMES** under factory-controlled conditions with the latest in efficient production techniques, the manufactured housing industry is able to build year-round without interruptions from weather, and with the highest degree of quality control. All this means that you, the consumer, can buy more housing for less money.

Since June 15, 1976, all manufactured homes produced for sale in the United States are built to the rigid construction, durability, and safety requirements of the Department of Housing and Urban Develop-

and performance of the heating, plumbing, air-conditioning, thermal, and electrical systems.

**ALL APPLIANCES** and furnishings are under warranty from their original manufacturer or supplier, and carry the same terms as if you purchased them from a local retailer. Ask for the warranty that comes in writing with every home, and compare the responsibilities of the manufacturer and retailer who will provide you with the best home for your money can buy.

Today's manufactured home also is extremely energy efficient. There are two reasons for this fact. The first is the effective use of space found in all manufactured houses.

The second and most important is that the home is constructed to the HUD Code which mandates thermal protection design requirements, including air infiltration calculations, and heat loss properties of the home.

With approximately 180 manufacturers producing homes from about 410 factory sites throughout the nation, the choices in architectural designs, floor plans, interior decorators, and exterior finishes are virtually limitless in today's manufactured housing.

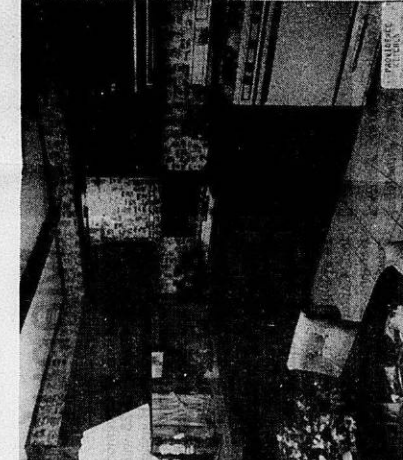
**THERE ARE** great rooms, dens, saunas, formal living rooms, informal dining areas, and country kitchens. One can choose from French Provincial, Early American, Danish Modern decors; Cathedral ceilings, bay and greenhouse windows, stucco siding and slate shingle roofs. About anything that's available

insurance is required by lending institutions on the home itself and is usually included in the financing package. You should also consider additional coverage for liability and loss of personal effects. This service is obtainable through your retailer and its lending source, but it is always wise to shop and compare with your own agent and other insurance companies.

**ALTHOUGH NO** home is maintenance free, a modern manufactured home affords its purchaser a residence that is easy — and inexpensive — to maintain. There are easy-care materials, like a wide variety of wood paneling and attractive vinyl wall coverings used throughout the interior of the manufactured home. Combine this with a most efficient use of space and you have an easy-to-care-for interior.

The same is true on the outside of the home. The manufactured housing industry takes advantage of the best exterior finishes available to home builders — hardwood paneling, cedar siding, pre-finished aluminum horizontal lap siding, and color-coordinated vinyl siding — just to mention a few.

**MANUFACTURED** homes are sited on either rental sites or the purchaser's own land, with an increasing trend toward subdivision, cooperative and even condominium developments. Manufactured home communities are environmentally attractive and appealing, offering a comfortable and inviting lifestyle



Country kitchens are available in manufactured homes

amenities, such as carpet, porch, and steps, can be added to the same contract as options. The down payment normally is 15-20 percent. Your choice of financing can usually be arranged through your manufacturer home retailer.

Other sources of financing include banks, savings and loan associations, your company credit union, and commercial finance companies. You might also want to check to see if you qualify for an FHA insured loan or a VA guaranteed loan. If you live in a rural area, you might be eligible for a Farmers Homes Administration loan.

If the manufactured home is sited on your own property, then a real estate mortgage can apply, but the furniture will have to be deleted from the contract. If you still wish to purchase and

from about \$50 a month for a very minimum service development, to well over \$300 a month for a luxurious community offering many amenities, services, and a variety of recreational facilities.

Planned communities are often designed to cater to a specific kind of homeowner — young families with children, adults only, or senior citizens. You can select the development that best suits your lifestyle and needs.

**WHEN LOOKING** for the community of your choice, your retailer is probably the best qualified person to advise you on what's available in your area. Before making a decision, be sure you know the terms of the lease, and the rules and regulations specific to that community.

The other option for sitting your manufactured home is to own the land with the home. Today this occurs in four ways — subdivision, condominium, cooperative or scattered-lot siting. Typically, your purchase will be through a developer who will sell you a land/home package.

If you plan to site your new manufactured home on your own land, you would purchase the home from a retailer and wisely seek his counsel and services. A check of the zoning ordinances applicable to your site should be the first step on your agenda, and can be done through your local courthouse or city hall. Once these stipulations are met and the permits acquired, then site preparation can begin.

Whether the home is in a

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Galen Weber  
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Lawrence, KS 66044

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Garden City, KS 67846

THIS DEALER IS A  
**MEMBER**



Kansas Manufactured Housing Institute

DEDICATED TO A QUALITY PRODUCT, INTEGRITY IN THE TRANSACTION,  
SERVICE AFTER THE SALE.

## Look for this decal at manufactured housing dealers Kansas Laws Are Designed To Protect Home Owners

Under Kansas law, all mobile homes not placed on permanent foundations are required to be anchored with tie-downs whose design must meet the standards of the State Architectural Services Division. These standards are designed so as to assure that your home will be able to withstand typical Kansas winds, storms and tornadoes.

K.S.A. 75-1230 outlines the method of placing tie-downs. The specific numbers and placement locations are based on the length of the home; i.e. homes 36 to 50 feet long require frame tie-downs on each side; homes 50-70 feet require four tie-downs on each side, etc. Similarly, K.S.A. 75-1231 outlines specific blocking requirements for installing homes not being placed on permanent foundations.

**HOW SAFE** is your mobile home in a fire? No structure, of course, is completely safe in a fire. Mobile homes of today are as safe in a fire as any comparable home. All mobile homes built today, excluding drapes and other furnishings, must have fire spread ratings which compare to model building code requirements, and must have at least one smoke detector installed.

There must be at least two exterior doors for escape which must be within 3.5 feet of each bedroom door, but cannot be in the same room or general area. Bedroom windows must open easily for emergency exiting, and the sills cannot be more than 36 inches from the floor. Most site built homes do not meet the rigid fire standards set for mobile homes. For years, mobile homes have been equipped with smoke detectors, egress windows, and other items just now being included in site-built homes.

**A NATIONAL** study, *The Comparison of Fire Risk in Mobile Homes and Site-Built Homes*, found that the risk of fire in the site-built house was greater than in a mobile home. This is probably due to the stringent fire safety features required by the HUD Mobile Home Construction and Safety Standards.

According to 1978 fire records, the fire fatality rate for site-built homes was 4.20 per 100,000 homes, while the rate for the mobile-/manufactured homes built since HUD code was 3.44 per 100,000.

# The 'Trailer' Is Dead!

One of the main problems plaguing the manufactured housing industry has to do with definitions. The terms *trailer* and *trailer park* are definite turn-offs within the industry.

Congress, in regulating the industry, has come up with a few definitions of its own . . . and they often serve to complicate things even more.

According to Congress, there's no such thing as a mobile home. But that's what it used to be called, and what many people still consider it to be. Hence, the term is still used.

In the Omnibus Housing Act of 1980, Congress defined any mobile home larger than 320 square feet to be a manufactured house. Anything smaller is a camping trailer, park model or recreational vehicle.

This effectively wipes *mobile home* from our vocabulary . . . but the news hasn't gotten around yet. That's why the clunky but inclusive transitional term **mobile/manufactured home** (MMH or MH) has come into use.

Today's MMH really isn't mobile anymore, except that it does have wheels and a frame to make it *transportable* from the factory to what usually is a permanent site.

It's carried on a flat-bed truck rather than towed on its own chassis and wheels, it's a **modular mobile**, even though it's both mobile and manufactured. It differs from the MMH in three minor ways:

1. While the MMH is built to a national code for construction and safety, the modular version must adhere to local building codes.
2. The MMH is assembled on its own steel structural frame, which becomes its permanent foundation system. The modular may be set on a concrete found-

dition or even a basement, connected by steel strapping.

3. As mentioned before, the MMH is towed and the modular house is carried.

Presently, about 70 percent of all new manufactured houses are joined on the foundation to provide a rambler-style home of 1,400 to 1,800 square feet. Prices for these three or four-wide, about 11 feet high, and as long as 70 feet. They provide from \$20,000 to \$50,000.

## KANSAS MANUFACTURED HOUSING WEEK

### OCTOBER 15-23

We invite you to learn more about manufactured housing and the Kansas Manufactured Housing Institute. KMHI is a trade association representing all facets of the manufactured housing industry, i.e. manufacturers, dealers, bankers, finance companies, insurance groups, park owners, suppliers and transporters. As a nonprofit trade association, whose purpose is to promote the manufactured housing industry, KMHI is active in both state and federal legislation; consumer affairs, and in dissemination of current industry developments through public education.

**You are invited to attend the meetings at the Holiday Inn Medical Center, 1000 N. Broadway, Wichita, KS, Oct. 13 & 14.**

### KANSAS MANUFACTURED HOUSING INSTITUTE.

Or for more information:

CALL MARGIE TIDWELL, EXECUTIVE DIRECTOR  
913-357-5246  
100 E. 9TH, SUITE 205  
TOPEKA, KANSAS



ive and appealing, offering a comfortable and inviting lifestyle for all types of families, young or old. As a rule, the rental sites are in planned developments, properly maintained, and then being in size from as small as 150 sq. ft. to a community to add or more. The price varies from 1,000 or more. It will appreciate in value.

be deleted from the contract. If you still wish to purchase and finance the furniture package, a tandem personal goods contract with your retailer or local lending institution, about the best terms available.

and greenhouses, windows, siding and slate shingle roofs. About anything that's available in housing is available in a manufactured home. The manufactured home offers you also, family tie floor plan and square footage it wants and needs. The single-section system, landscaping and exterior

ments of the Department of Housing and Urban Development (HUD) standards for manufactured housing. These standards regulate the design and construction of the home, the frame and body structural provisions, as well as the installation

site preparation can begin.



ing a location and arranging for it, apart from the purchase of your home.

Because your home is factory-built, the cost will probably include certain charges for getting the home to the site. ... There are any number of floor plans available, and you should consider your particular needs in determining which is best suited to your lifestyle.

**AS TO WHERE** to go to buy your home, all dealers in Kansas are required to be licensed. You can always check out a dealer

# Manufactured Housing Has the Answers For Many Buyers

**Q. What is a mobile/manufactured home?**  
A. A transportable structure designed to be used as a dwelling, built in one or more sections in a factory instead of piece by piece by a contractor on a building site. Preassembled sections are shipped to home sites and joined together on location, or an entire home is built and moved to the site as a single unit. A mobile/manufactured home may or may not have a permanent foundation.

**Q. What type of construction codes are required for today's mobile/manufactured home?**  
A. All mobile/manufactured homes built since June 15, 1976, must conform to the U.S. Department of Housing and Urban Development's (HUD) Mobile Home Construction and Safety Standards Code. The HUD standards are comparable, and in certain respects superior, to other building codes. Mobile/manufactured homes are the only form of housing in America built to a federal construction code.

**Q. How much does a mobile/manufactured home cost?**  
A. Depending on size and personal taste, a new mobile/manufactured home can be purchased anywhere from under \$10,000 to over \$50,000.

**Q. What happens to the value of a mobile/manufactured home over the years?**  
A. According to a recent study by a major insurance company, mobile/manufactured homes built since 1973 appreciate in value from 5 to 27 percent on a nationwide basis.

**Q. I've heard that the construction of a mobile/manufactured home is shoddy, and its life span is short. True or not?**  
A. Not true. A quality-built mobile/manufactured home is constructed of the same materials and in the same way as a

site-built home. The only difference is that it may not have a permanent foundation. As for life span, the 1970 U.S. Housing Census showed that 85 percent of the mobile/manufactured homes built in 1940 are still in use as family housing.

**Q. How are mobile/manufactured homes being designed?**  
A. Today's home is being constructed to have the look and feel of site-built homes. Larger models offer everything from an entrance foyer to cathedral ceilings, walk-in closets to sunken tubs, saunas, and fireplaces. Also available are such optional features as porches, carports, bay windows, and pitched shingled roofs.

**Q. What kinds and sizes of homes are available?**  
A. Mobile/manufactured housing comes in a wide variety of floor plans, architectural styles, and interior decor that

fully equipped and furnished. All you have to move in are the groceries, linens, and personal effects. They are built with a minimum of wasted space, making them easy to clean. Minimal

Protection Association survey showed an 8-10 percent decrease in the number of fires in mobile homes. Fire marshalls throughout the country are reporting a dramatic decrease in the number of mobile/manufactured home fires since the outset of the HUD Mobile Home Construction and Safety Standards.

**Q. Aren't mobile/manufactured homes especially vulnerable to high winds?**  
A. HUD standards require manufacturers to install a permanent anchoring system on mobile homes. In most states individual homeowners are responsible for securely attaching the tie-down or other anchoring system and keeping it in order. Some states, including Kansas, require that newly installed homes be anchored.

**Q. Aren't mobile/manufactured homes especially inconvenient and out of the way?**  
A. No, the trend has changed. Many developers, zoning, and county officials are including mobile/manufactured housing within subdivisions that contain on-site homes. Today, the homebuilding industry and the mobile/manufactured housing industry are creating joint ventures to provide affordable housing to families.

**Q. Who are the main purchasers of mobile/manufactured homes?**  
A. Although many senior couples find them an attractive alternative for retirement living, couples under 40 years of age account for half of all mobile/manufactured home purchases. Economy — not age — is the basic motivating factor. More and more middle-aged, middle-income families are buying today's mobile/manufactured home.

**Q. What kind of mobile/manufactured housing developments exist today?**  
A. There are four kinds — mobile home park communities, mobile home subdivisions, mobile home condominiums, and mobile homes on private land. The park community consists of tenants who pay a rental fee for the land. The subdivision involves the purchase of the land, and the area often has paved streets and curbs. The condominium consists of privately owned homes where the tenants also collectively own an interest in the common grounds. Finally, more than 50 percent of all mobile/manufactured homes are located on private land.

erectivity contains heat and comfort cooling while reducing air infiltration. Some of the other energy related requirements of the HUD Code are:

- Quantitative limits on heat loss and heat gain.
- Energy efficiency standards for all appliances installed in the home.
- Energy efficiency levels for comfort heating/cooling and water heating systems.

seasonal maintenance and yard care is about all there is to do in the care of the home.

**Q. What are some of the safety features of mobile/manufactured homes?**  
A. The HUD Home Construction and Safety Standards require that all mobile/manufactured homes sold in the United States today must include two exterior doors, remote from each other; one egress (pop-out) window in each sleeping room, smoke detectors and audio alarms wired into the electrical system, an electrical system that conforms to the National Electric Code, and the retardant ratings for furnace and hot water heater surfaces and other interior surfaces.

**Q. Do fires occur more often in mobile/manufactured homes?**  
A. No. A 1976 National Fire

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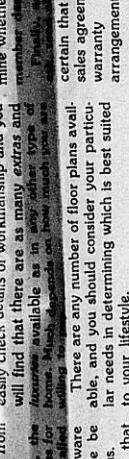
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Mobile/manufactured housing comes in a wide variety of floor plans, architectural styles, and interior decor that fully equipped and furnished.

All you have to move in are the groceries, linens, and personal effects. They are built with a minimum of wasted space, making them easy to clean.

Minimal Protection Association survey showed an 8-10 percent decrease in the number of fires in mobile homes.

Fire marshalls throughout the country are reporting a dramatic decrease in the number of mobile/manufactured home fires since the outset of the HUD Mobile Home Construction and Safety Standards.

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# 'Backyard Housing' May Be an Answer For Elderly Kansans

Kansas ranks fifth among states in the number of elderly persons over age 65. And when it comes to housing the elderly, Kansans prefer independent living. Only four percent reside in institutional care facilities.

These census reflections alert the housing industry, as well as city and county governments, to look at Kansas housing and concepts that are used in other nations. One is *backyard housing*, says Mary Tucker, Extension Specialist with Environmental Family Housing at Kansas State University.

Australians call them "granny flats" — low-cost, compact, factory-built houses for elderly couples or individuals to be located in their adult children's backyard. In the U.S., we call them ECHO houses — Elder Cottage Housing Opportunities.

Leo Baldwin, housing coordinator for the American Association of Retired Persons, says the new dwelling unit is an echo of the older house.

**BY WHATEVER** name, the concept of ECHO housing shows how manufacturers can meet critical family needs. Elderly people can find a place within the family structure without im-

## MHI to Exhibit Home

More than 5,000 of the nation's top municipal officials are expected to attend the National League of Cities 1983 convention in New Orleans in November. In an effort to educate such local officials regarding today's manufactured housing, the National Manufactured Housing Institute will exhibit a multi-section manufactured home.

pairing their independence or sense of self-worth. Their children benefit from the plan as well.

Since the plan began in 1974 in the Australian state of Victoria, hundreds of "granny flats" or ECHO houses have been installed. The demand far exceeds the supply, says Australian planning official Barry W. Cooper.

In this country the concept has taken root in several areas, most notably in Lancaster County, Pennsylvania, and Rockingham County, North Carolina. Both are rural areas with a strong sense of the extended family. The typical elder cottage has 500 to 700 square feet, with one or two bedrooms and bath, kitchen, living/dining room, and a separate utility room.

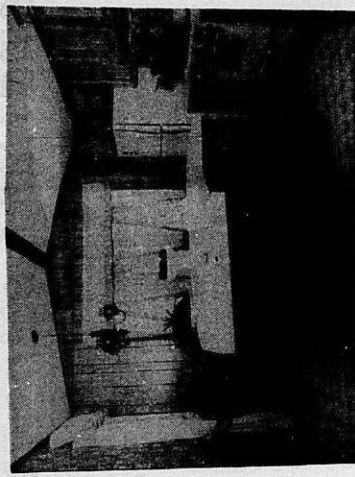
**AS ONE** might expect, the major obstacle confronting backyard housing is local residential zoning. Innovative officials respond by defining ECHO units as temporary housing.

The primary stipulation is that families show that a hardship situation exists, and that the backyard unit will be used by a member of the family. The permit must be renewed every year. Interpretation of hardship can include a non-elderly relative, such as a divorced son or daughter with a child, or one who recently became unemployed.

Rural areas may be ideal places to use "granny flats." Grandchildren can take over the large, older home and place a smaller one nearby for older family members who no longer need much room. The advantage of being near family, yet living in independent housing is a dream come true for both generations.

Some 61 percent say they'll stay put or "upscale" to a new model, while only 28 percent see a site-built house in their future. Even discounting the retirees, perhaps one quarter of that

61 percent of MHI's new quality concept and in keeping with the steady growth of manufactured housing as a percentage (36.6 in 1982) of all new single-family home purchases in America.



Most kitchens come equipped with appliances

**A CATHEDRAL** ceiling extends the length of the living room, and into the master bedroom, and into the master bedroom. The second, smaller bedroom at the opposite end is designed so it can also be used as a den.

To further open up the space, sliding glass patio doors were designed on the same side as the back door, and an Alenco green-house window was installed above the kitchen sink on the front side. Double windows were designed in the living room and master bedroom. The front door opens on a small mirrored entryway at one end of the great living area.

In the master bedroom, custom bookcases were built on top of the drawer chests for increased storage. The bookcases were constructed of vertical members with horizontal dowels, and glass shelves fit on top. The

and spinner wrap the room, up- ing in with the height of a rattan chest. Shelves above provide additional storage.

**THE PROTOTYPE** home was erected and landscaped on a quarter-acre lot in a residential neighborhood near Henderson, Texas, by Y's Mobile Homes; in cooperation with Redman. Optional wood decking was installed at the front of the home and at the rear off the patio doors. To demonstrate the attractiveness of the home, the site was landscaped. The approximate \$25,000 price tag includes shipping and set-up.

"The single-section home was selected for the project because it offers the most low-cost efficiencies and is the most popular style in the country," Anderson said. The design illustrates effective ways to make maximum use of space with quality and good taste.

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Adv., Coalition For Affordable Housing, Robert T. Glaser, President, Ohio Lemon, Treasurer

WICHITA-SEDGWICK COUNTY

DATE

DR 83-7

METROPOLITAN AREA PLANNING DEPARTMENT

April 26, 1983

TO Jack H. Galbraith, Chief Planner, Current Plans Division  
FROM Robert A. Lakin, Director of Planning  
SUBJECT ECHO Housing

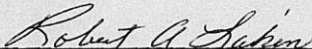
Irene Hart discussed with me a proposed project for her staff on ECHO Housing. James has apparently been assigned to review this subject matter and to make recommendations. I told her that we had some preliminary discussions with the Planning Commission on it and it related closely to the work on manufactured housing/mobile homes. I indicated that I would like for her to keep in close contact with us as she works through on this and concludes what, if anything, are impediments to ECHO Housing. I suggested that she contact either you or myself and I prefer it be kept with senior staff and not with the Junior Planners. I have also asked her that the work be done with us and be kept internally staffed, at least for our preliminary review before she takes it to her Board. My concern is that a public position be developed on this in which we may not be in concurrence, and we get steam-rollered in the process. I would like for the end result to be a position that both she and I can agree on and we can jointly support changes in the ordinance.

She had some information from the American Association of Retired Persons which I asked her to furnish us a copy. I am attaching this and much of it looks pretty good with a lot of interesting thoughts and issues being raised.

As we move into the second and third phase of Mobile Home work I would think that we should begin to build-in the ECHO Housing concept and again, assuming that Irene is in concurrence with the concept as we envision it.

At the moment I see ECHO Housing as "detached" housing and not conversion of an existing structure to duplexes. I see it as temporary; tied to age group of occupants, with special hearings through either BZA or before Staff, notice to property owners, site plan, and exterior appearance control.

I would suggest that you take this material plus other that we have and establish a DR file for it. Let me know when you get ready to move onward with this.

  
Robert A. Lakin, Director of Planning

RAL:vn  
Attachments  
cc: Glen Lytle, Special Assistant for Zoning

## ECHO HOUSING

Tied into services of the primary house to minimize the expense of new hookups and trenching.

ECHO UNIT a small home installed in the side or back yard of an existing semi-family home to be occupied by one or more people who benefit from living close to the other family.

If occupant has no car - there is little need for a parking space.

Most units are produced in factories.

A permit is given for occupancy by a group, individual or individuals with the precondition that they will be the only occupants.

Jack  
Baerbrith  
from James Redondo

## RETHINKING SINGLE-FAMILY ZONING:

### Growing Old in American Neighborhoods

Patrick H. Hare



*Patrick H. Hare is a private planning consultant in Washington, D.C. He has a background in housing and the social issues surrounding it, and has received grants from the Ford Foundation and other sources. He has been a consultant to HUD's Office of Policy Development and Research and the State of Connecticut's Department of Housing. His articles on housing have been published by professional journals and have appeared in newspapers, among them the New York Times and the Washington Post. He is currently working on a variety of projects involving zone changes to permit the installation of accessory apartments in single-family homes, and the support services necessary for older homeowners to take advantage of these changes.*

Grass-roots change is not often associated with the grass roots of suburbia. Consider, however, the establishment of an estimated fifteen thousand illegal apartments within single-family homes in suburban Long Island.<sup>1</sup> Look at the increase in similar apartments in places like Westport, Connecticut, Alexandria, Virginia, and other suburbs, as reported in news articles with titles like "The Hidden Rental Market" and "Town Officials Worry about Illegal Apartments."<sup>2</sup> These articles, when placed in the context of today's housing market, economy, and demographics, may be indicators of growing pressure for change in the zoning of suburban single-family neighborhoods.

Perhaps that pressure has gone relatively unnoticed because of the political risk entailed in proposing changes in zoning. Taking on the sacred cow of single-family zoning makes bullfighting look like child's play. If we assume that significant changes are needed in single-family zoning, local leaders in politics and public service will need equally significant assistance in proposing these changes.

What are the pressures now affecting single-family zoning? Figure 1 makes clear that as the baby-boom generation leaves home, we are shifting away from the need for large houses.<sup>3</sup> Instead, we need small homes both for newly created young households and for newly shrunken "empty-nester" households. The state of the economy reinforces the need in several ways. Young households are more often career oriented and without

children; empty-nesters are less affluent and less able to support the heat, maintenance, and taxes on large homes. At the same time, the fact that as of February 1981 we are building only 1.34 million units annually<sup>4</sup> in comparison to a net household-formation rate of 1.75 million,<sup>5</sup> and that similar shortfalls have been occurring for several years, means a shortage of housing with soaring rents and sale prices. The 1980 fourth-quarter national average rental vacancy was 4.8 percent, the lowest it's ever been.<sup>6</sup>

In this context, it makes sense for an older homeowner to invest some ten or fifteen thousand dollars<sup>7</sup> to convert a walk-out basement rec room or unused upstairs into an efficiency apartment for a young couple. The potential benefits for everybody are impressive:

- Inexpensive small apartments for both young and old households seeking rental housing
- Rental income for older homeowners
- Security for older homeowners from fear of criminal intrusion or personal accidents when alone
- Incidental inexpensive personal services for rent reduction by tenants who have no overhead or travel costs
- Companionship
- A way for older homeowners to stay comfortably in homes they would otherwise have to leave.

But "accessory apartments," "mother-in-law flats," and "single-family conversions," as they are called in various parts of the country, are not the only possibilities.

An alternative is the "granny flat," a small independent unit placed on the same lot as the original home and, preferably, attached to it. This idea, which originated in Australia, has received considerable attention. A Pennsylvania firm now produces "elder homes" for about fifteen thousand dollars each.<sup>8</sup>

The benefits of a small inexpensive unit for an older household alongside an existing single-family house are similar to those of a small unit inside an older homeowner's single-family house. Older householders can maintain their independence and still receive readily available support, usually from their children. Unfortunately, granny flats face the same problem as accessory apartments—zoning.

Single-family zoning almost universally prohibits both granny flats and accessory apartments. There is hope, however. There are a few far-sighted cities like Portland, Oregon, with its new "add-a-rental" zoning,<sup>9</sup> and Babylon, Long Island, which found itself with so many illegal conversions it had to make its zoning laws bow to reality.<sup>10</sup> And there are regional planning agencies like the Metropolitan Washington Council of Governments<sup>11</sup> and New York's Tri-State Regional Planning Commission which are studying the issue.<sup>12</sup>

Beyond granny flats and accessory apartments, there are other land uses which, if they weren't prohibited by zoning, might provide substantial benefits to residents of single-family neighborhoods. It's generally agreed that the suburbs grew because of the family car, and some ob-

servers have argued that high gas prices will result in suburban decline. In fact, the 1980 census shows that the suburbs are spreading to the exurbs where people are even more dependent on cars.<sup>13</sup> This may be in part because new-car mileage has risen almost as fast as gas prices. At the same time, the price of land and housing in existing suburbs has soared, forcing people farther out.

High gas prices may not cause the decline of the suburbs, but for older homeowners, suburban dependence on the car may still be a problem. The suburbs were built not only for people who had cars to drive but also for people who enjoyed driving. As the age structure of the population changes, the number of suburban homeowners for whom driving is a burden is increasing dramatically.<sup>14</sup> One solution—via accessory apartments or granny flats—is a close association with someone who can provide occasional transportation. Another is altering zoning to permit small "mom and pop" stores in single-family neighborhoods to which people can walk. Again, both solutions are prohibited by single-family zoning.

It is important, incidentally, to emphasize that a major benefit of the zoning changes being discussed would be that many elderly homeowners would be able to stay in their homes when economic pressures and/or declining physical abilities would otherwise force them to move. Statistics clearly indicate that they do not want to move, even when their homes are too big for them.<sup>15</sup> Lewis Aiken points out, "One reason that the elderly do not relocate even when it is advantageous to do so is that they are greatly affected by the psychological shocks and losses that result from severing ties with their home communities."<sup>16</sup> Leo Baldwin, housing consultant for the AARP-NRTA, takes the same issue further. He points out that as people retire from active roles in the community, their homes become relatively more important to them, both because they spend more time there and because their homes hold innumerable associations with their achievements and status in life, thus supporting their sense of identity.<sup>17</sup>

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... as the baby-boom generation leaves home, we are shifting away from the need for large houses.

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That association of home with status and achievement, however, is what makes it so difficult to even consider changing single-family zoning. People see zoning as a source of security against neighborhood deterioration, which in turn means deterioration in status and in quality of life. It can also mean deterioration of financial security, since the home is many people's largest financial asset. It's a truism that tinkering with single-family zoning means tinkering with the underpinnings of the "good life" that many people have worked so hard to achieve. The logical consequence of this truism is that if local political leaders and public servants are to raise the issue of change in single-family zoning, they are going to need assistance.

Without that assistance and timely change, suburban neighborhoods may develop a "dinosaur" aura presently associated with Chevy Impalas and rocket-finned Cadillacs. But necessary zoning changes conflict so strongly with the American dream of the single-family house in the suburbs that leaders may well postpone them out of fear of fruitless controversy.

**It's a truism that tinkering with single-family zoning means tinkering with the underpinnings of the "good life" that many people have worked so hard to achieve.**

Practical ways to help local leaders raise the question of zoning changes are difficult to come by. It may be best to start from the other end and consider who would be the best constituency to raise the issue. The answer seems to be the older homeowners themselves. They are politically unassailable and would be acting out of legitimate self-interest. A related group would be the sons and daughters of older homeowners who cannot take their parents into their own homes, but do not want to see them forced into nursing homes or other institutions. There are problems with the latter group in that many of them do not live in the same political jurisdiction as their parents. Nevertheless, along with their parents, they are the logical constituency to effect zoning changes, and the idea probably must be sold to them before it will become a viable option for local politicians.

The logical first step in a program to convince these groups of the need for change might be an educational program in a seminar-workshop format, along with a slide show or other visual presentation. The program should be brought into the community under the sponsor-

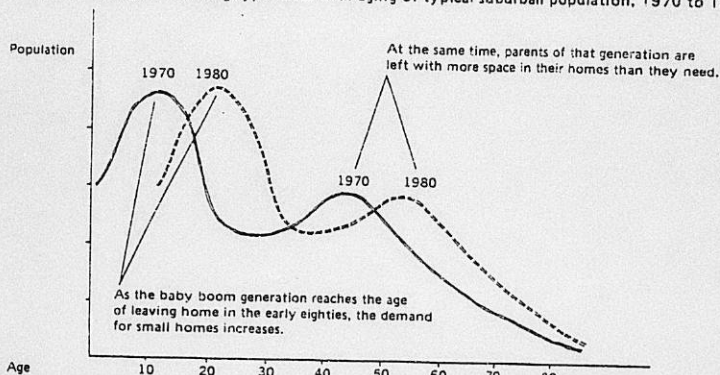
ship of a church, a nonprofit housing group, or a local government, who could endorse it in general without necessarily endorsing specific suggestions for change. The program also should not require the sponsor to possess detailed background knowledge.

In a typical presentation, for example, the head of the elderly housing committee of a church or synagogue might introduce a slide show at the committee's monthly meeting. Assuming interest was aroused, the next step would be to present the same program to other churches. In addition, the program could precede a panel discussion by local leaders whom the sponsoring organization wished to involve in the idea.

The sponsor should also offer information, available on request, to any local organizations who might be developing specific change proposals. This information should include names of potential speakers from the small number of jurisdictions that have had practical experience with zoning changes. Overall, the educational program should introduce the idea of zoning change to elderly homeowners and their children and should help them develop their interest in change to the point where they must be taken seriously by political leaders and agency heads.

The effect of a successful educational program could be significant. Consider, for example, the number of additional housing units that could be created by accessory apartments. A recent survey by the Connecticut Department on Aging showed that 75 percent of the elderly live in households of two persons or less and that 71 percent have homes of five rooms or more.<sup>18</sup> Although it is difficult to estimate the number of additional units that would be created, the potential is large, as is the need. Connecticut is currently building about eight thousand new units per year; it should have about twenty thousand just to meet new household-formation needs.<sup>19</sup>

Figure 1. Change in housing-type needs with aging of typical suburban population, 1970 to 1980



One problem with this approach is that it appears to be difficult for one of the groups most likely to see the potential benefits of rethinking single-family zoning. It will be hard for federal and state bureaucrats to support educational programs to revise single-family zoning, since zoning is both a sensitive issue and a local prerogative. However, they may be able to provide support indirectly and thus make an asset out of a liability. They can urge public support for efforts to bring together as common interest groups the adult children of older parents. These associations will probably have three outstanding characteristics. First, they will be preoccupied with the issue of independent living arrangements for parents, which means almost necessarily being preoccupied with the kinds of zoning changes described in this article. Second, since many adult children of older parents do not live in the same jurisdiction as their parents, their associations must turn to state or federal political institutions for assistance in zoning reform. Third, such associations will create an opportunity for states to better face their problems with long-term care.

People see zoning as a source of security against neighborhood deterioration, which in turn means deterioration in status and in quality of life.

In summary, zoning barriers are blocking the use of untapped housing resources. Releasing these resources is a question of local community creativity. Is the suburban local-government process capable of responding to strong economic and demographic changes? Can it hammer out ordinances that preserve the character of single-family neighborhoods while allowing those neighborhoods to continue to serve the households who live in them—both the parents who have become empty-nesters and the children who are searching for homes of their own? ■

#### Notes

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2. Nancy Zeldis, "The Hidden Rental Market," *Fairfax Journal*, May 22, 1981; "Town Officials Worry about Illegal Apartments," *New Haven Register*, August 10, 1980.
3. *U.S. Census 70*, vol. 3 (Hauppauge, N.Y.: Nassau-Suffolk Regional Planning Board, 1972). Illustrative graph based on the 1970 single-year age distribution of the Nassau-Suffolk (Long Island) region of New York. To illustrate the point made here, the 1970 distribution curve has been "aged" ten years by moving it to the right.
4. Census Bureau Table of Housing Starts and Building Permits, (Seasonally Adjusted), *Housing and Development Reporter*, June 8, 1981, p. 43.
5. U.S., Congress, House, Committee on Government Operations, Subcommittee on Commerce, Consumer, and Monetary Affairs, *Statement of Henry B. Schacter: Hearing on Conversion of Rental Property to Condominiums and Cooperatives*, 96th Cong., March 31, 1981, p. 10.
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7. Patrick H. Hare, "Accessory Apartments: Subdividing the American Dream," *Planning* 48, no. 7 (July 1981).
8. Price list, May 22, 1981, Coastal Colony Corporation, 44 N. Cape Hill Dr., Letitz, Penn. 17543.
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14. "The Aged: Growing Numbers, Growing Expenses," *New York Times*, March 9, 1981. The population over sixty-five will increase from 20 million in 1970 to 30 million in 1990.
15. John Pitkin and George Masnick, *Projections of Housing Consumption in the U.S. 1980-2000 by a Cohort Method*, Department of Housing and Urban Development, Annual Housing Survey Studies, no. 9 (Washington, D.C., June 1980), p. 25.
16. Lewis Aiken, *Later Life* (Philadelphia, London, and Toronto: W. B. Saunders Co., 1978), p. 157.
17. Leo Baldwin, personal conversation with the author.
18. Conn. Dept. on Aging, *Elderly Needs Assessment Study*, in press. Prepublication data sent to author by Andrew Wright.
19. Patrick H. Hare, "Ways to Deal with the Housing Crisis," *New York Times, Connecticut Weekly*, November 2, 1980.

#### Journal of Continuing Social Work Education

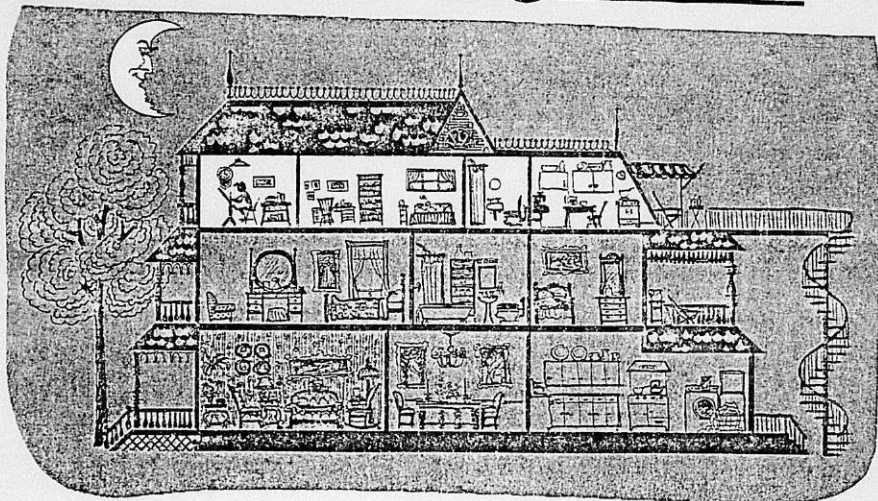
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## Carving up the American Dream

By Patrick H. Hare

Suppose a planner had a magic method of developing invisible rental units in single-family neighborhoods. Suppose the planner knew that a public proposal to permit development of the units would probably be opposed by neighboring homeowners. Suppose the planner also knew that if nothing were said, the units would be developed anyway—in violation of the town's zoning and building ordinances.

Roughly speaking, this is the only course of action open to a planner who feels there are benefits to "single-family conversions"—sub-

dividing large, single-family houses to create small "accessory apartments," or "mother-in-law apartments." There is a catch, however. If nothing is done, illegal apartments may spread until they become so common they have to be made legal. But, if planners propose legalization, they may trigger strict enforcement, which could delay or even stop development of the units.

It's clear, though, that interest is growing. Led by the articles of Andree Brooks in the *New York Times*, newspapers in Long Island, Connecticut, and New Jersey have

begun to follow the spread of accessory apartments. Phyllis Santry of the Tri-State Regional Planning Commission in New York City surveyed the communities her commission serves and estimated that over 70 percent of them have noted the existence of legal or illegal conversions. Many communities estimate that 10 to 20 percent of their single-family housing stock contains conversions.

George Sternlieb of Rutgers University says that accessory apartments are the wave of the future. In newspaper interviews, he has talked

about turning "onesies into twosies." "Whoever invented the split-level ranch must have been clairvoyant," he says. "It converts overnight."

#### Tit for tat

In today's housing market, single-family conversions offer practical advantages to both owners and tenants. The owner trades unused space and a small investment for rental income. The tenant gets an apartment in a single-family neighborhood at below-market rent, because the apartment can be created at lower cost than a new unit. According to Frank Thompson, the building inspector of Babylon, Long Island, which has about 4,000 conversions, the cost of conversion varies from \$1,000 to add a kitchen to the lower level of a ranch house to over \$30,000 to add a double dormer and make other modifications to a Cape Cod.

Obviously, the less expensive a house is to convert, the more likely it is to be converted. Plainfield, New Jersey, which has a model program designed to help older homeowners convert, estimates the costs at about \$10,000 per unit. The monthly income from the rental units varies widely but can easily be two or three times the monthly cost of the additional investment, even if that investment reflects today's interest rates.

In addition, older homeowners can bargain with tenants about reductions in rent in return for such services as helping with home maintenance and occasional transportation. Tenants may be able to provide these services fairly easily, and both landlords and tenants benefit. Finally, tenants add security just by being there. They alleviate two common fears of older homeowners: the fear of break-ins and the fear of being alone in an emergency.

#### There goes the neighborhood

However, according to Santry's survey, many homeowners view single-family conversions as the beginning of a movement to change the single-family character of the neighborhood. Some express fear that speculators will buy up houses for conversion to rental duplexes. They

worry about absentee landlords, increased traffic, and code violations.

How does the planner deal with such a politically controversial housing trend? Proposals to legalize single-family conversions have met with strong resistance. On Long Island, for example, where it's generally accepted that illegal conversions are widespread, only one town,

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#### Accessory apartments may be the wave of the future, but right now there's resistance to legalization.

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Babylon, has taken steps to legalize them. Town planner Richard Spirio has an inch-high stack of news clippings devoted to the public outcry over Babylon's ordinance. Mel Barr, the town planner of Westport, Connecticut, is caught between 4,650 accessory apartments that zoning officials can't shut down without controversial evictions and the opposition of homeowners who fight any proposal to legalize the illegal apartments.

#### Keep them on the QT

Ironically, it appears to be in almost everybody's interest to "keep them on the QT," according to Santry. For homeowners who have installed illegal apartments, making them legal means higher assessments and the risk of being caught if rental income is not reported on tax returns. Even neighbors concerned about deterioration of their area have a stake in keeping quiet about the apartments, because the fact that they are illegal makes landlords take special care to keep their tenants in line.

A few years ago, Hartford's West End Civic Association considered trying to legalize the apartments in its large single-family houses and then decided against it. Members reasoned that, if the apartments were illegal, an anonymous call to the building department could shut down an undesirable landlord. A proposal to make them legal in an adjoining West Hartford neighborhood was roundly defeated.

#### Going legit

There are ways to deal with many of the objections to conversions. One is to permit conversions only by owner-occupants, who presumably will not want to see the neighborhood they live in deteriorate. This provision also keeps speculators from entering the single-family market and creating investment properties. Another approach is to pass regulations that minimize such exterior changes as additional front doors that could change the visual character of the neighborhood. A third approach is to grant permits on a case-by-case basis so each conversion can be checked out.

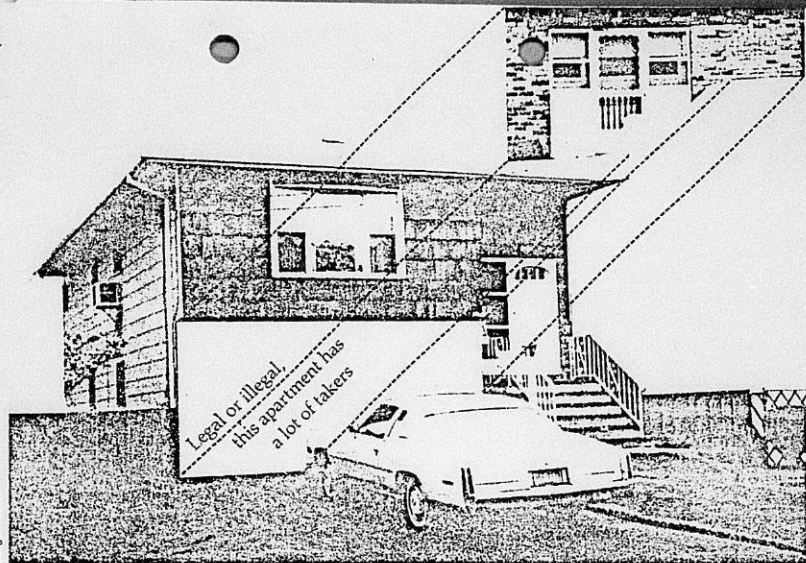
Yet another means of dealing with opposition is to point to a nearby town where accessory apartments are already legal. Babylon surrounds the incorporated village of Lindenhurst, where accessory apartments have been legal for years; and Babylon could easily use the stability of Lindenhurst's housing stock as an example. Even so, there was still substantial opposition in Babylon, as noted earlier.

Some towns make the occupants' age a criterion for granting conversions. Westport permits conversions if either the owner or renter is 62 or over. Another common approach is to permit apartments only for relatives of homeowners; these apartments often are referred to as in-law apartments.

#### Policing problems

The problem with these two approaches is enforcement. What happens when the relatives move out? What happens when the old people die? What happens when the property is sold? The extra units tend to be rented to someone who is neither elderly nor related.

In other words, legalizing apartments for specific groups tends to seed a crop of illegal apartments available for use by anyone. Fairfax County, Virginia, has responded to this threat by making homeowners who install apartments for relatives sign an agreement making them liable to pay a \$1,000-a-day fine for every day the apartment is used by someone other than relatives.



Short of such a regulation, there isn't much that can be done to stop a legal apartment from becoming illegal. The homeowner has very little to lose by trying to rent an apartment that is already installed. Assuming the neighbors don't complain, the building inspector's only recourse is what one planner calls a "search and destroy mission." The resulting evictions are less than ideal from everyone's point of view. Also, as a study by the Metropolitan Area Planning Council in Boston points out, provisions restricting use to relatives or older people may inhibit homeowners from creating apartments. They fear that their investment will become worthless if their relative no longer lives in the apartment.

#### Going slow

Nonetheless, regulations that subtly sow the seed of conversions may be the planner's only politically feasible choice. When zoning to legalize accessory apartments was proposed to a midwestern planning director, his reaction was, "It's happening anyway, so let's just let it happen." Letting it happen, either by nonenforcement of existing regu-

lations or partial legalization, may build a constituency for eventual legalization, if only to permit inspection and correction of code violations.

It also may build in a problem that has to be solved later. Now that conversions are legal in Babylon, the town is considering offering low-interest loans to owners who are willing to legalize their two-family arrangements; the loans would help pay for the upgrading now required before a two-family permit can be issued.

#### Tax trouble

One of the carrots often held out to taxpayers is the tax revenue that accessory apartments would provide. But this benefit may be illusory. In Babylon, the average assessment increase has been only \$115, and a report on mother-in-law apartments by the Portland, Oregon, Growth Management Task Force suggests that new revenue would, at best, be offset by administrative and enforcement costs.

Clearly, advocates of legalization can't promise too much. Large tax increases will substantially reduce the incentive to create accessory apartments or even to bring existing

illegal apartments under the auspices of the law.

Closely related to the question of assessments is the possibility that families in accessory apartments will add to the school population, thus leading to an increase in property taxes to meet school costs. Barbara Dietz, a real estate agent and active member of the North End Civic Association of Floral Park, Long Island, estimates there are about 500 accessory apartments in her town, 60 of them with children. She feels that it is particularly unjust that owners of houses occupied by school-age children don't pay increased assessments for their illegal apartments.

On the other hand, the lack of children might make some older suburbs feel a sense of loss of community. These towns might bend over backwards to be lenient toward families with children.

#### How big?

Children also raise the question of the size of accessory apartments—an area in which regulations vary greatly. Boston's Metropolitan Area Planning Council surveyed 23 communities with accessory apartments. It found that only 10 towns regulated

apartment size and five specified a maximum, usually 600 square feet.

This inconsistency persists in ordinances in other regions. It reflects local residents' competing concerns about the quality of the apartments to be created as opposed to the desire to maintain the single-family character of the neighborhood. The Weston ordinance avoids the issue by using subjective language. It permits one accessory apartment in a "single family owner occupied dwelling. . . provided it is . . . clearly a subordinate part thereof."

However logical it may seem to some, to others planning for the creation of accessory apartments seems to be planning for the subdivision of the American dream. This may be the real cause of the contro-

versy surrounding the legalization of accessory apartments, not practical matters like apartment size.

Such feelings may also explain the lack of enthusiasm in towns where accessory apartments have been made legal. Two months after Portland, Oregon, began its Add-a-Rental program, no applications to create legal accessory apartments had been received. When Lincoln, Massachusetts, legalized accessory apartments several years ago, it included a provision in its zoning bylaws restricting the apartments to a maximum of 10 percent of the houses in the town. This restriction was removed in 1978 because nowhere near that number of apartments was created.

And in Babylon, which legalized

accessory apartments in February 1980, almost every one of the 900 applications received within the first 10 months were to legalize existing apartments. "Only five or six applications for new apartments have come in since the program started," says Ed Thompson of Babylon's building division.

It's clear that simply legalizing accessory apartments will not necessarily result in the creation of large numbers of them. On the other hand, prohibiting them may not do much to keep them from spreading. Apparently, they involve a planning issue on which the curtain is only beginning to rise.

*Patrick Hare is a planning consultant in Washington, D.C. He is preparing a PAS report on accessory apartments for APA.*

## People and places

Listed below are the names of people to contact for more information about their communities' accessory apartment ordinances.

A summary of the Tri-State survey results, including case studies of three communities, is available for \$5 from Phyllis Santry at the Tri-State Regional Planning Commission, One World Trade Center, New York, NY 10048.

**Babylon, New York.** The town recently legalized some 4,000 accessory apartments. Richard Spino, the planning commissioner, says many questions at the public hearings began, "My neighbor got one of these illegal apartments, and he couldn't make it tonight, but he wanted me to ask if . . ."

**Contact:**  
Richard Spino  
Commissioner  
Department of Planning and  
Development  
200 E. Sunrise Hwy.  
Lindenhurst, NY 11757

**Weston, Connecticut.** This expensive, rural suburb has long permitted accessory apartments.

Owners sometimes take the apartment for themselves and rent the rest of the house. The town's ordinance is enthusiastically supported by the first selectman (mayor), who sees it as an aid to elderly homeowners and to the young people who provide town services.

**Contact:**  
Susan Hutchinson  
First Selectman  
Town Hall  
56 Norfield Road  
Weston, CT 06890

**Portland, Oregon.** Portland's Add-a-Rental ordinance has two distinctive features. It's purposely intended to promote accessory apartments, and it's short—a little over 200 words in length.

**Contact:**  
Bruce Halpern  
City Planner  
Bureau of Planning  
621 S.W. Alder  
Portland, OR 97205

**Westport, Connecticut.** In principle, the town's ordinance restricts accessory apartments to owners or tenants 62 years old or older. In practice, illegal units are as wide-

spread as legal ones. Frances Cowden, head of Westport's League of Women Voters, which did a study of accessory apartments, says the illegal apartments "are not very illegal." They may be the planning equivalent of victimless crimes.

**Contact:**  
Mel Barr  
Town Planner  
Town Hall  
110 Myrtle Ave.  
Westport, CT 06880

**Fairfax County, Virginia.** Although a member of the Board of supervisors recently raised the possibility of making accessory apartments legal, they currently are quite illegal. A second kitchen may be installed for a relative or family member, but getting zoning approval requires signing a certificate acknowledging that rental of a separate unit in a single-family home makes the owner liable for fines of up to \$1,000 a day.

**Contact:**  
Office of Comprehensive Planning  
Zoning Administration Division  
10555 Main St.  
Fairfax, VA 22030

# THE CHRISTIAN SCIENCE MONITOR

## The nation's largest untapped housing resource

Wednesday, August 19, 1981

By Patrick H. Hare

Grass-roots change is not often associated with the grass roots of suburbia. Consider, however, the growth of an estimated 15,000 illegal apartments in the single-family homes of suburban Long Island. Look at the increase in similar apartments in places like Westport, Conn., Alexandria, Va., and other suburbs, reported in news articles with titles like "The Hidden Rental Market" and "Town Officials Worry About Illegal Apartments." These articles may be indicators of growing pressures for change in the zoning of suburban single-family neighborhoods, pressures that have gone relatively unnoticed because of the political risk of proposing changes in zoning.

What are the pressures now affecting single-family zoning? For years it has been designed to produce more and more comfortable houses for raising families. Today, in contrast, we need small homes both for newly created young households and for newly shrunken "empty nester" households. The economy tends to make the young households more childless and career oriented, and it tends to make the empty nesters less affluent and less able to support the heat, maintenance, and taxes on their large family homes.

In this context, it makes sense for an older homeowner to invest the \$10,000 it takes to convert a walk-out basement "rec-room" or unused upstairs into an efficiency apartment for a young couple.

The potential benefits for everybody are impressive:

- Inexpensive small apartments for both young and old households seeking rental housing;
- Rental income for older homeowners;
- Security for older homeowners from fear of criminal intrusion and personal accidents when alone;
- Incidental personal services for older homeowners provided inexpensively in return for rent reduction by tenants who have no overhead or travel costs;
- Companionship;
- A way for older homeowners to stay in comfortable independence in homes they would otherwise need to leave.

But "accessory apartments," "mother-in-law flats," and "single-family conversions," as they are called in various parts of the country, are rarely legal.

Single-family zoning almost universally

prohibits accessory apartments except for relatives. There is hope, however. There are a few far-sighted local governments like Portland, Ore., with its new "Add-a-Rental" zoning. And there are places like Babylon, Long Island, which found itself with so many illegal accessory apartments it had to make its zoning bow to reality. In both cases accessory apartments are legal only for owner occupiers, and changes to the appearance of the home are effectively prohibited.

It is important to emphasize that legalizing accessory apartments would enable many older homeowners to stay in their homes when economic pressures and/or declining physical abilities might otherwise force them to move. Statistics clearly indicate that they do not want to move, even when their homes are too big for them. Leo Baldwin, housing coordinator for the American Association of Retired Persons, points out that, as people retire from active roles in the community, their long-term homes often become relatively more important to them, both because they spend more time there and because their homes hold innumerable associations with the achievement and status in life that support their sense of who they are.

Who would be the best constituency to raise the issue of zoning changes that would benefit older homeowners? The answer seems to be older homeowners. Few people are likely to accuse them of changing zoning in order to run down neighborhoods in which they have lived for years. They would be acting out of more than legitimate self-interest.

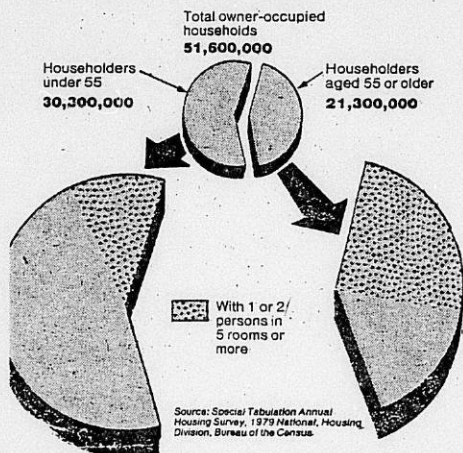
In addition, older homeowners, through changing zoning regulations, would be turning the unused space in their homes into the nation's largest untapped housing resource. It would be a resource they would control and one they could release as they saw fit for their own benefit and the community's.

It may go even deeper than that. Changing zoning to permit accessory apartments will increase the bargaining power of the elderly homeowner in our society. As the basic work on filial responsibility by Alvin Schorr points out, "bargaining power is vital to the aging person." With bargaining power comes increased dignity.

*Patrick H. Hare, a planning consultant specializing in housing, lives in Washington.*

## Wide Appeal for -'Accessory Apartments'

### Use of Space in Owner-Occupied Housing



By ANDREE BROOKS.

Contrary to predictions by many professionals in the housing field, the homeowners who have created accessory apartments inside their single-family houses are not necessarily "empty nesters," a planning consultant reports.

Instead, many young couples are seizing upon the concept as a way to cut the cost of homeownership at a time when single-family houses are frequently beyond their financial grasp. Others who create rental apartments in their homes include people who spend much time away but are not eager to leave their house unoccupied.

The practice is also being adopted by young single-parent families who view an accessory apartment as a way to lessen the trauma of divorce on their children. With a renter, they are more likely to be able to afford to stay in the same house. In addition, these single parents often select their tenants with the expectation that the individual will provide baby-sitting services. A trade-

off in services is often as important a consideration in creating an accessory apartment as the income generated from the unit.

These are among the conclusions reached by Patrick H. Hare, a consultant based in Washington, on the basis of information from about 40 homeowners, their tenants and municipal officials connected with zoning for accessory apartments in Westport and Weston, Conn., and in Babylon, L.I. Workshops at which tapings took place last November and December were financed with a \$2,000 grant from the American Association of Retired Persons.

The sampling, considered an interim survey, attempts to provide information for Federal and local offi-

cials studying the addition of apartments in single-family homes.

A regional forum on the need to regulate these apartments was held in the fall in Montgomery County, Md., and in Stamford, Conn. The Department of Housing and Urban Development is scheduling a national conference on shared housing in the spring.

A year ago the Tri-State Regional Planning Commission concluded that three-quarters of the suburban communities situated around New York City have apartments in up to 15 percent of their single-family homes. Just 15 years ago the commission said there were almost no apartments in single-family homes.

"We found that even though many people were getting interested in the idea there was nothing available on the experiences of people actually living with accessory apartments," said Mr. Hare. "We couldn't afford to wait for something more academic and precise. So we got some people together to

talk about their experiences on tape."

There are no clear statistics on how many homes across the country have been divided in such a fashion. Estimates range from 500,000, the number suggested by George Sternlieb, director of the Center for Urban Policy Research at Rutgers University, to the three million recently quoted by officials of the Ford Foundation.

There is ample evidence, however, that a significant number of older people have surplus space that could be turned into accessory apartments. According to the Bureau of the Census 63 percent of all homeowners 65 years of age or older are part of one-person or two-person households where accommodations consist of five rooms or more. These people represent 7.3 million households, or 14 percent of the nation's 51.6 million owner-occupied households. At age 55 or older, there are 12.2 million of these households, he said. "The figures point to a vast reservoir of available space which older homeowners could release for their own benefit and that of the community," said Mr. Hare.

Babylon is a sprawling, post-World War II town of blue-collar families with an average household income of \$18,000. The town covers approximately 53 square miles and has 38,000 homes. About 12 percent of the houses now include an accessory apartment.

Legalization of these apartments, through a special permit procedure, came into effect in January 1980.

Weston is a rustic dormitory town of senior and middle management executives living in luxury homes on two-acre lots that sell for an average of \$140,000. About 12 percent of the 2,800 houses in the town have accessory apartments. The apartments have been legal since 1967. The adjoining town of Westport, with 3,000 houses, has a similar community profile although some of the houses are on smaller lots and there are a few condominium projects.

Westport legalized accessory apartments in 1972 but only for cases where the tenant and the homeowner were over 62 years of age. Melvin Barr, the Westport town planner, estimates there are approximately 800 accessory apartments in the town, only a third of which are considered legal according to the 1972 regulation.

Westport and Weston are the towns where more affluent homeowners express enthusiasm over the value of having someone on the premises while they were traveling. The arrangement appeared so beneficial, they said, that tenants were encouraged to stay on at lower than market rents.

One finding was that houses in which owners took in renters were less likely to affect neighborhood values unfavor-

ably than houses where absentee owners brought in up to five unrelated individuals as tenants. The reason was that on-premises owners were much concerned with the social habits of their tenants. "They seem to want to be very careful about who lives so close to them," Mr. Hare said.

Richard Spirio, the commissioner of planning and development in Babylon, also said that "for the most part, the unit is rented by word of mouth or to friends of the people who lived in the unit." The market for these apartments was so strong that advertising was rarely needed.

The average length of tenancy in all communities was about five years. This was somewhat surprising, Mr. Hare said, because critics of accessory apartments in the past had claimed that the units encouraged a transient element.

Some homeowners told of situations where tenants have stayed on even though the house had changed ownership. Parking was also noted by a Westport official to be less of a problem than when a house was rented to a group of singles.

But there are problems. A Westport homeowner complained that the age limitation in his town on permitting accessory apartments inadvertently broadcast the homeowner's age.

The application that has to be posted on the front lawn of a house in Babylon 10 days prior to the public hearing that precedes the granting of an accessory apartment permit is also proving an embarrassment to homeowners. "They see the sign as advertising the fact that they are in need of money or are perhaps doing something embarrassing or wrong," reported Mr. Hare.

Babylon officials felt vigilance was needed or otherwise there was a danger of these houses being bought for investment by absentee landlords, which the officials believe could lead to poor maintenance.

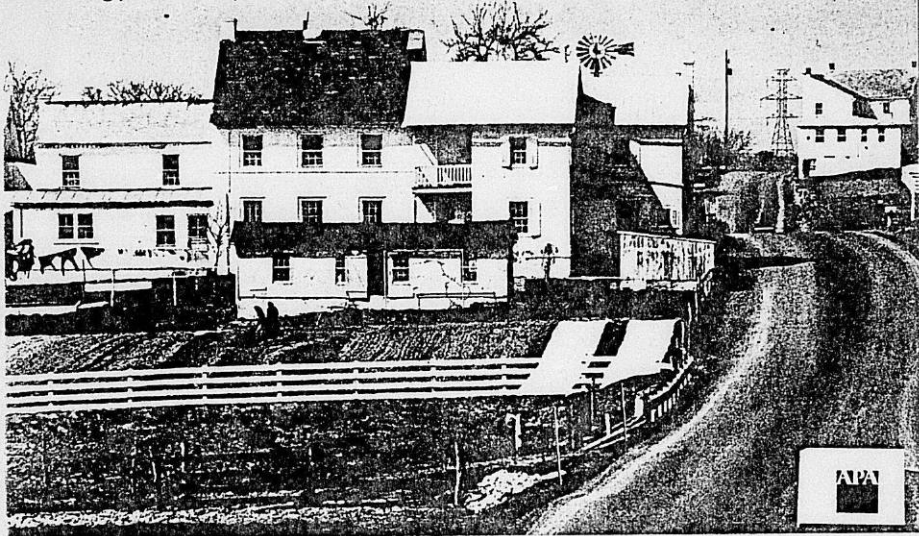
Both Mr. Spirio and Mrs. Hutchinson suggested that houses with accessory apartments were already commanding a higher price than identical homes without such an option. Mr. Spirio said that banks in Babylon considering a mortgage application had begun checking to see if an accessory apartment had been approved. If so, the new owners could be eligible for extended credit because the income produced by the apartment could be taken into consideration.

The overall impression, said Mr. Hare, was that accessory apartments were being used to provide such a wide range of opportunities for such a large number of people at different stages of their lives that regardless of whether or not communities legalized accessory apartments, "they are clearly here to stay."

Following the lead of the Amish—and the Australians—U.S. planners are showing interest in housing for extended families.

## Planning

February 1982  
Volume 48, No. 2



Lancaster County, Pennsylvania

Richard Reinhold

## Why granny flats are a good idea

By Patrick H. Hare

There is a Hebrew saying, "One mother can take care of 10 children, but 10 children can't take care of one mother." To which advocates for the elderly may add, "because of zoning."

Single-family zoning almost universally prohibits granny flats, the Australian adaptation of extended family living that fits suburban single-family development patterns. Granny flats are small, self-contained, removable dwelling units designed for installation in the backyard of an existing single-family home. They permit adult children to take care of aging parents who need some measure of support and companionship.

Removable echo housing can take any number of forms, from panel construction to mobile homes. The issue is not so much the physical form as it is the changes in public policy that would open up single-family neighborhoods to new social patterns.

Leo Baldwin, housing coordinator for the American Association of Retired Persons, has fully committed his organization to the concept, though not the name. Older men generally find the term "granny flats" insulting. In an effort to sidestep debate over the name, Baldwin came up with "echo housing," for "elder cottage housing opportunities."

### Family benefits

The benefits of echo housing appear to be substantial. Frederick County, Maryland, permits echo units as special exceptions in certain districts, and people there who have taken advantage of the program are eloquent spokesmen for the concept.

A widow who moved into an echo unit behind her daughter's house says her new home allows her to make ends meet on a limited income. Her daughter adds, "All of us were wor-

ried about her being by herself. With not having to keep up her big house, she's free to do things she has never been able to do before."

A daughter in another family says that echo housing provides a way to support older people while leaving them their independence: "It gives them freedom when they need it, when they have company. You're not in their way. They're not in your way."

There is also mutual support between households. An elderly mother talks about how she and her daughter help each other: "There are a lot of things I can do that are not physically detrimental to me. I do for her, and, of course, she does for me."

Others talked about the close relationship between grandparents and grandchildren; about the time saved by not having to travel to visit elderly parents; about the guilt spared



*This model of an 'Elder Cottage' has attracted lots of attention in Lancaster County.*

because the parents are taken care of; and about being able to keep parents out of nursing homes, a place one out of five of us will spend some time in, according to current projections.

#### Better than nursing homes

A recent public television program, "No Place Like Home," suggested that nursing homes may be good places to avoid. It reported that even though 78 percent of the \$5 billion spent annually on the elderly through Medicaid goes into nursing homes, 90 percent of the direct care is given by untrained aides, whose annual turnover rate exceeds 75 percent.

The program also pointed out that experts estimate that as many as one-third of the people now in nursing homes would not need to be there if alternative means of providing for the frail elderly at home were available.

#### Amish concept

Peter Dys, executive director of the Office of Aging in Lancaster, Pennsylvania, heard of the granny flat concept five years ago and saw its potential as an alternative to the high cost and lack of independence of nursing homes. He also appreciates the potential reduction in heating costs. A well-insulated echo unit could be heated for under \$200 a year, even in a northern state. Many elderly people

pay more than that each month to heat big houses.

Dys's enthusiasm stems in part from the fact that Lancaster County is the home of the Amish, who have great reverence for their elderly and seldom use public services to care for them. The Amish have long lived in "Grossmutter" and "Grossdawdy" houses, clearly intended for extended family living.

Dys encouraged a local housing manufacturer, Ed Guion, of Coastal Colony Corporation, to develop an "elder cottage." His idea was to have a fleet of factory-built cottages to rent for installation as needed, much as the Ministry of Housing in Victoria, Australia, rents granny flats to adult children who want to take in older parents.

Dys never got funding for the project, but that did not stop Guion, who saw a clear need for the product and found an investor to back him. More than 5,000 people, including the governor of Pennsylvania, went through Guion's model unit when it was on display in Lancaster.

#### Zoning

But all that interest does not mean market acceptance. No matter how much an individual family may want an echo house, zoning may not permit it. Very few towns do. However, as of this writing, Guion has received tem-

porary permission to install the first unit near Whitehorse, Pennsylvania. He also has discussed the idea with the zoning boards of five neighboring jurisdictions, which have been generally receptive, indicating that they would grant approval so long as the units were removable. In Australia, the law requires granny flat units to be removable so they cause no permanent visual change in the neighborhood.

#### Mobile homes

One issue that surfaces immediately when zone changes are proposed is mobile homes, with their reputation for poor aesthetics and poor quality. Removable echo housing seems ready-made for mobile home manufacturers, particularly where there is enough distance between houses to allow access to backyards, or, of course, in parts of the country where alleys are common. The Frederick, Maryland, ordinance, referred to earlier, specifically permits a "temporary mobile home." It does not mention other housing types.

Ordinances can be developed to ensure aesthetic compatibility regardless of means of manufacture. Quality may be a harder nut to crack, and it is one aspect that Baldwin and others, such as Paul Sheppard of the University of Maryland's Senior Center Institute, insist on.

The cost of providing echo housing is another important issue. Guion's unit, which Dys believes is well-built, costs about \$18,000 installed. HAUS, a West Coast group based in Santa Maria, California, is developing a unit that it expects to be very similar in price. In contrast, HUD estimates that the current cost of a conventional unit of elderly housing, allowing for regional variations, is about \$48,000.

Thus, echo units make it possible to provide affordable housing for the elderly. The savings to the public sector should be significant. So should the improvements in many people's lives, whether they're elderly people in need of support, adult children, or grandchildren.

*Patrick H. Hare is a planning consultant in Washington, D.C., who specializes in innovative living arrangements. C. Fay Lewis and Elissa Rozov helped with the research for this article.*

— Your Money's Worth —

## Accessory Apartment Legalization Urged

By Sylvia Porter

In the affluent residential community of Westport, Conn., an officer of the respected League of Women Voters is openly urging homeowners to violate the zoning laws. The violations are "illegal, but not very illegal"—and actually simply ignore single-family zoning laws that are obsolete and an anachronism in today's era.

The fact is that the baby boom is leaving home and we no longer are a nation dedicated to family raising. In contrast, we are suddenly a nation with a desperate need for large numbers of small housing units for households that are just starting families, will never start them or have finished rearing them. This surge of small households coincides with interest rates that have been choking construction of new units and also with the buildup of vast reserves of surplus shelter in the homes of empty nesters.

It's only logical for an older homeowner who doesn't need all the empty rooms to convert a one-family into a two-family dwelling. There are an estimated 15,000 such illegal accessory apartments on Long Island. Across the nation, the total may run as high as 2.5 million.

A basement "rec" room with a walk-out basement and a wet bar has a short life expectancy when you, the homeowner, no longer need a place to get your teen-agers out of sight and mind; when your taxes, maintenance and heating costs are soaring; and when it would be a joy to go off on a long vacation knowing your home was under the secure control of a trusted tenant. Having an accessory apartment can provide not only a source of income, security and companionship, but also a source of services.

The economics are plain common sense. Because the provider of the services (the tenant) has no travel costs and no overhead, you can trade rent reductions for personal assistance.

The average cost of installing an accessory apartment is \$10,000, but in many homes it will be much less. Assume interest remains at 18 percent over 10 years (I'm assuming this just for illustration), this works out to a cost per month of about \$180 in principal and interest.

The apartment generally will bring in a rental income of \$300 to \$400 a month—and this probably will rise rapidly as the growing housing shortage in our nation swells. Accessory apartments might equally be considered by 1) an older homeowner; 2) a suddenly single parent seeking a way to hold on to a home; 3) the adult children of older parents who are looking for a way to help their parents stay comfortably in their own homes. That's quite a bit of range.

It's more than likely that accessory apartments may not be illegal much longer in many communities. Patrick Hare, a city planner, has just prepared a manual for the American Association of City Planners on amending zoning to permit accessory apartments. The National Council on Aging has hired Hare to do more research on the issue.

The American Association of Retired Persons also has indicated considerable interest in this subject. Leo Baldwin, the association's housing coordinator, strongly believes that accessory apartments are an option that should be available to older Americans. He emphasizes particularly the advantages of income and services that permit older people to stay in their own homes.

Hare's draft manual on amending zoning reflects an overriding concern with protecting the character of single-family neighborhoods.

Only owner-occupiers are permitted to install or rent accessory apartments; there can be no visual change in the way the home looks; the zoning must be "special" to protect the neighborhood against bad effects. With these restrictions, repeal of the single-family zoning laws seems as sure a thing as the repeal of Prohibition.

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# Pursuing the Potential of Accessory Apartments

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Broader sanctions of accessory apartments could result in a much-needed boost to the homebuying market.

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Patrick H. Hare  
Elissa J. Rozov  
Washington, D.C.

From Marin County on the West Coast to Long Island on the East Coast, the accessory apartment is gaining popularity as a productive use of extra space in American homes. Also known as single-family conversions, accessory apartments—often created in violation of long-standing community building codes—are separate, complete living units established within another living unit such as a house or apartment building. In spite of the illegal status of accessory apartments, rough figures suggest there are as many as 2.5 million nationwide, with the potential for many more.

Traditionally, the illegal conversions have preceded changes in the zoning law. Babylon, Long Island, for example, amended its zoning law only after it found itself with more than 4,000 illegal conversions. Also traditionally, however, the zoning amendments have restricted the creation of accessory apartments by requiring that either the homeowner or tenant be elderly. In addition, zoning amendments often specify a number of years the homeowner must have lived in the home. Some municipalities permit conversions only in homes built prior to a certain year in the hope of

discouraging developers from building homes intended for conversion.

Zoning laws have been amended in this restrictive fashion to permit creation of accessory apartments because of a concern for the character of a residential neighborhood. Such changes in zoning regulations for single-family neighborhoods appear threatening to the homeowner, who fears a loss in both property value and quality of lifestyle. Yet this well-placed caution should not be allowed to undermine the opportunities presented by accessory apartments, opportunities that are not limited to older people and older homes.

Properly overseen, accessory apartments can partially solve many problems facing those in the real estate business. With the low number of new homes being built, and the low number of homes being sold, the housing market is stalled. The reduced number of property transfers can be linked to a reduction in sale prices. As continual increases in house prices are a touchstone of home ownership, if the increases disappear, so will much of the eagerness to own, causing the market to deteriorate further. At today's interest rates, or

even at yesterday's, a dropping housing market will have to drop a long way before many potential buyers consider home ownership worth the cost.

Such a drop possibly would have a ripple effect. The financial security of many—particularly older homeowners—would be shaken as they would see the value of their homes, their largest asset, shrink. Further, they would no longer have a ready way to dispose of it. Investors in single-family homes would be similarly affected.

This potential collapse of confidence can be avoided by finding a way for more people to buy at today's prices and interest rates. The promise of additional income to be generated by accessory apartments can give interested homebuyers the encouragement they need to assume mortgage payments on houses bought at today's prices. Although the homeowners will have to bear the expense of modifying their homes to create accessory apartments, in most cases this can be done relatively inexpensively.

Likewise, more liberal zoning amendments, which would not exclude accessory apartments from new homes, would help make new

homes affordable by providing the opportunity for rental income. The approved creation of such apartments in new homes would skirt the current political debate about the necessity for roll-backs in zoning standards. Affordable housing need not be smaller or substandard if accessory apartments are allowed.

If he can rely on rental income from an accessory apartment, the first-time buyer may be motivated to buy. But a homeowner, too, may need additional income if he is to plan on staying in his home. Recent reports indicate that the housing market has been suffering from the increased number of home-mortgage defaults. By providing additional monthly income, accessory apartments help homeowners meet their mortgage payments and help savings and loans avoid the trouble of repossessing.

Recent zoning amendments have enabled the elderly to remain in single-family homes as tenants or as homeowners supplementing a fixed income. Although the elderly as a group have benefited from the favorable zoning changes, their creation of accessory apartments has done little for the housing market as a whole.

However, some observers say the successful modification of extra rooms to accessory apartments for and by the elderly is the first step toward broader zoning changes that would benefit the entire housing market. The chief elected official of Weston, Connecticut, has commented that "Age restrictions are a way to get a foot in the door. Eventually the restrictions will be removed when the fear is gone, when the neighborhoods haven't fallen down, and the quality of life is intact."



The controversy surrounding accessory apartments and amendments to outdated zoning regulations can be extinguished by the united support of a coalition of special-interest groups that stand to benefit. To builders, accessory apartments represent a means to build affordable new homes without negotiating for a roll-back of zoning standards. To real estate salespeople such amendments provide another way to help homebuyers see that home ownership still is feasible. Young householders can rent out rooms as apartments, enabling them to buy homes now and expand into them as their incomes and families grow.

School districts should see in accessory apartments a way to keep their schools open by providing young families with available, inexpensive housing. Too, parents who find themselves suddenly single through death or divorce can rent out their rooms as a way of keeping their children in neighborhoods they might otherwise be forced to leave. And, of course, older homeowners can turn their empty rooms into a source of income—or possibly exchange the rent for services they can no longer provide for themselves.

These groups, organized as a coalition, may wield sufficient power in many communities to lobby for zoning amendments that encompass more than the elderly and existing homes. Farsighted zoning officials will avoid such restrictions, and by doing so will protect the value of their residents' homes and the strength of the local businesses that make up the housing industry, in addition to providing more affordable housing within the community. □

*Mr. Hare is president of Patrick H. Hare, Planning and Design, and Ms. Rozov is an associate in the company, which recently prepared for the American Planning Association a manual on zoning amendments to permit accessory apartments.*

# PLACES

## Second housing options for aging suburbs

Patrick H. Hare  
Linda E. Hollis

Accessory apartments and echo housing may help attract younger families to older suburban neighborhoods

Over the next decade, many suburban single-family neighborhoods in the United States may become "serendipitous retirement communities"—places that unintentionally develop heavy concentrations of residents over sixty-five years old. Typical candidates are neighborhoods built after World War II and first occupied over a short period by people of roughly the same age. The original occupants for the most part will have aged in place, resulting in large and growing percentages of older residents. The neighborhoods have relatively large homes, as opposed to the "starter" homes that many people moved out of as their incomes and families grew.

Falls Church, Va., is an example of a town with such neighborhoods. The city of Falls Church was incorporated in the postwar period in response to citizens' feelings about community control of the public schools. It is now faced with the possibility of having to close the schools that prompted its incorporation, and in response it has set up a Committee to Attract Families. Finding younger residents may be difficult—if not for Falls Church, then for other communities.

To the best of our knowledge, and that of other sources such as Arthur Young, director of the Housing Division of the U.S. Census Bureau, Stephen Golant of the University of Florida, and Michael Rubinstein of Ohio's Miami University, there is no available research on the degree to which unintentional concentrations of the elderly may develop in suburban neighborhoods. Nor is there any research on the impact of such concentrations on either the quality of residents' lives or on the quality of their neighborhoods. But the problem will become increasingly clear. In some northeastern

suburbs, it's already hard to find kids to deliver newspapers. [It should be noted that this article is not only exploratory but is also consciously intended to raise fears about the future of serendipitous retirement communities.]

Why will serendipitous retirement communities have trouble attracting the young? A variety of factors may make these neighborhoods unattractive:

- House prices that are too high for young families
- Homes that are too large for hard-pressed young households planning small families
- Lack of kids for other children to play with
- Cuts in financial support for schools, as voters with few children react to rising property taxes
- Absence of neighborhood elementary schools, because declining enrollment has resulted in their closing
- Lack of homes for sale, because residents holding mortgages at favorable interest rates can't afford to move
- Rundown housing, because of undermaintenance by older homeowners who may no longer be able either to handle it themselves or to hire someone else

Nor are the "inner" suburbs the only choice for house-hunting young people. Two alternatives are available. One is to move to the newer, outlying suburban developments or "exurbs." The 1980 census shows that many young families are making this choice, presumably because land and housing are cheaper. The growing acceptance of manufactured housing in single-family subdivisions, and the resulting increased savings to home buyers, will enhance this choice for many young people. The other choice for young households is to move back into the cities, into the old houses their parents or grandparents left behind. A 1982 report by the Conservation Foundation suggests that significant numbers are making this choice, even though the precise number is unclear.

If young households do not have to move into inner suburbs, and if, because of the way many of those neighborhoods have aged, young households do not want to move there, what will happen to the neighborhoods? Serendipitous retirement communities could follow the path taken by many older city neighborhoods after World War II. At that time, expensive Victorian houses and disintegrating urban schools lost their appeal for a new generation of households with no servants and many children. Peter Muller, in *Contemporary Suburban America*, makes a statement about the suburbs that echoes that history: "Demographic change foretells . . . dissatisfaction: falling enrollments necessitate education program cut-backs and even closing schools, often beginning in the more affluent municipalities into which today's younger families cannot afford to buy." Similarly, the Urban Institute's report, *The Graying of Suburbia*, points out that under-maintenance of housing stock by the elderly, which was a sign of initial decline in central city neighborhoods, is beginning to occur in the suburbs.

#### Second housing units

Two new housing options, accessory apartments and echo houses, may help solve the problems of serendipitous retirement communities. Accessory apartments are self-contained units installed inside single-family homes. They are usually not visible from the street, and generally produce no visual change in the neighborhood. Echo houses are removable units installed in the side or rear yards of single-family homes. Both can house at least one or two adults, and both contain their own kitchens, bathrooms, sleeping, dining, and living areas.

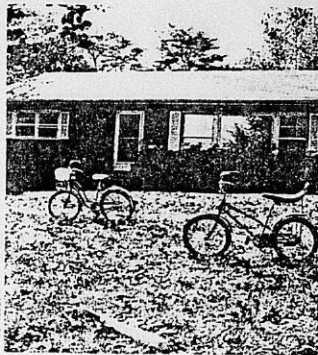
Both accessory apartments and echo houses have their roots as housing forms that permit adult children to support aging parents. They were originally known as mother-in-law apartments and granny flats, respectively. However,

they are increasingly seen as a way in which aging homeowners can stay in their own neighborhoods, often by moving into the smaller units and renting the larger units to young families.

Known collectively as "second housing units," both housing options offer privacy with proximity, enabling two independent households to exchange services. These commonly include maintenance of house and yard, transportation, and shopping. The relevance of these new housing types to serendipitous retirement communities is that they provide a way for young households to move into expensive suburban neighborhoods. Rental income from accessory apartments can supplement other sources of income in qualifying young buyers for mortgages and helping them meet monthly payments. This use of accessory apartments is particularly appropriate for four- and five-bedroom homes that are too large for today's families and today's economy.

In addition, both types of second units can increase available rental openings for young families in single-family neighborhoods. From the neighborhood viewpoint, accessory apartments and echo houses have the advantage of eliminating absentee landlords. Under most current zoning ordinances, the owner must live on the premises if either type of unit is to be permitted.

Second units are already gaining acceptance. Significant numbers of communities in Connecticut, New York, and California permit them, and in these states, as well as in such states as Virginia, Colorado, and Minnesota, many communities have new ordinances under consideration. Under a new California law, every jurisdiction must either permit second units or explain their reasons for not doing so to the State Department of Housing and Community Development by July 1, 1983. In addition, the American Association of Retired Persons is actively engaged in efforts to educate its 13.5 million members and the



Elissa Rozov

Accessory apartments encourage young families without altering a home's exterior.

public at large on accessory apartments and echo housing, and Leo Baldwin, the association's housing coordinator, is developing and disseminating a slide show and a variety of other related materials. Falls Church, Va., sees its proposed ordinance as a way to attract young households.

#### Double dependency

Second housing units are also a possible solution to another social problem related to aging and housing. Many of today's families with two full-time workers are facing the prospect of supporting dependents at both ends of the age spectrum. Such families are becoming common for a variety of reasons:

- The number of women working outside the home is increasing. In March 1982, 49.9 percent of all U.S. females sixteen and over with children under six were in the labor force.
- The number of children under six is increasing. The baby boom generation is in its childbearing years, producing a baby boom echo. At the same time, women in their thirties, some of them older sisters of baby boomers, are taking their last chance to become mothers. Be-

tween 1970 and 1979, the percentage of women thirty and over having a first child doubled.

In addition to young dependents, working couples are increasingly likely to have old dependents as well.

- Aged people are the fastest-growing segment of the U.S. population. In 1980 one out of nine Americans was over 65. By 2000 at least one out of eight Americans will be this old.

- Within the aged population itself, the fastest-growing group is those elderly persons most in danger of becoming frail and needing daily support. The number of people aged 80 and over is expected to increase by 60 percent by the year 2000.

Many working couples in their thirties are likely to have parents in their sixties who are rapidly approaching the age where they cannot live independently. There was a small boom in the number of births in the early 1920s. The children of that age group were born primarily in the 1940s and 1950s. They are now in their thirties, and their parents are over sixty. As a result of these age spreads, many families find themselves caught in a double dependency dilemma. On one hand they must worry about supervision for their young children during the day. On the other hand they may also worry about their aging parents needing support and a sense of security. The situation is particularly acute for two-paycheck families.

Here, too, accessory apartments and echo housing may present a possible solution. If working families were able to live near their aging parents in second housing unit arrangements, the barriers of time and distance between residences would be eliminated. Working couples would not have to make special evening or weekend trips to visit their aging parents. Instead they could see them daily and provide them with essential services like taking out the garbage or changing light-bulbs. Close daily contact would even make it feasible for adult children to provide aging parents with

basic health care and added security. The grandparent generation, on the other hand, could provide their adult children with assistance in childrearing. (There are now twice as many children whose parents are seeking day care as there are slots available nationwide.)

Not everyone wants to live with their parents or their children, of course. However, given the practical advantages, the actual number of those interested may be higher than most people would believe. The March/April 1982 issue of *Dynamic Years*, a publication of the American Association of Retired Persons, carried a story that cast this issue in an interesting light. The author, a retired homeowner whose pregnant daughter and her husband returned home so they could save to buy a house of their own, wrote that "the house [shrank] to a third of its former size but—most pleasant of all surprises—it made life more bearable, our goals more attainable because of the fresh motivation. Anyone considering an extended family household should by all means include a baby." It should be added that the same kinds of intergenerational exchanges can also work between well-matched households that are not related by blood or marriage. In some cases the absence of a prior relationship may make the people involved less demanding of each other, and the relationship easier.

#### The business perspective

The potential of second housing units to alleviate serendipitous retirement communities and double dependency should be of practical interest to major corporations for a variety of reasons. First, the affluent suburban neighborhoods that could become serendipitous retirement communities are home to many senior executives, and will probably continue to be so long into their retirement. Second, the quality of life of those neighborhoods is a recruiting incentive for junior management talent, and as such needs to be preserved.

In addition, senior management should be interested in alleviating the double dependency dilemma because it adversely affects the productivity of employees, particularly women workers. A November 21, 1982, *New York Times Magazine* article, "Working Motherhood," documented the child-care portion of the dilemma and suggested that increasing numbers of women are abandoning their careers, at least temporarily, or modifying their work schedules by negotiating part-time positions or looking for flexible hours elsewhere. Abandoning careers, cutting back hours, and changing firms all represent losses in productivity to companies that may have invested years of training in female employees. The problem has prompted some businesses to open on-site child-care centers. If working mothers could count on child care from other trusted adults in a second unit arrangement, they might not have to cut back on their commitments to their employers.

In sum, we need to study the potential of second housing units to introduce young families into established neighborhoods as a means of preventing serendipitous retirement communities. Similarly, we need to investigate second units as a way to facilitate the exchange of services between households and to alleviate double dependency. Both types of study may result in a new vision for the future of what are now single-family suburbs. Both should also be of particular interest to older corporations that have already witnessed one cycle of decay in neighborhoods that were once built for their executives and ended up as housing of last resort. ●

*Patrick H. Hare and Linda E. Hollis are president and research associate, respectively, of Patrick H. Hare Planning & Design, a housing consulting firm that has prepared a number of manuals and studies on second housing for such organizations as the American Association of Retired Persons and the American Planning Association. An expanded, footnoted version of this article is available for \$2, and a packet of materials on second housing for \$5.40, from the firm at 2027 Q Street, NW, Washington, D.C. 20009.*

# PERSPECTIVE

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## ON AGING

MARCH/APRIL 1982

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# The Empty Nest as a Golden Egg

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by Patrick H. Hare

**S**INGLE-FAMILY ZONING, producing homes and neighborhoods for raising families, is a reflection of "the American Dream." In neighborhood after neighborhood, it stands guard over that dream. As much as anything else in our society, it seems unchangeable . . . except that the society itself is changing.

Neighborhoods once devoted to raising children no longer have many to raise; elementary-school enrollments are dropping at epidemic rates, and high schools and colleges are not far behind. With the emphasis on women's careers and the state of the economy, many new young households formed by the maturing baby-boom generation are postponing having children. Young adults and parents who once lived together in single-family neighborhoods are breaking away into smaller households, often respectively dubbed as "young professionals" and "empty nesters."

Which raises two questions: Where will young households find enough small homes? How can older households utilize the extra space in homes that have suddenly become too large?

The second question could provide a partial answer to the first: Adapting large, single-family homes to needs for small units is both relatively simple and offers the older homeowner substantial benefits. However, there is a legal problem in many areas: Single-family zoning.

The two basic means of adapting existing single-family homes to new needs, accessory apartments and "echo" housing,\* both often violate conventional single-family zoning. But some areas—among them ~~Weston, Connecticut,~~ Weston, Connecticut, Portland, Oregon, and Babylon, a town in Long Island, New York, have legalized such types of housing alternatives.

Accessory apartments are created when the owner-occupier of a single-family home converts it by installing a new rental unit. Most versions probably occur after the homeowner is finished with child rearing or when the newly single parent needs help to meet the mortgage payments. The relatively few areas that permit accessory housing almost universally limit the privilege to owner-occupiers, with the intent of protecting the neighborhood from absentee landlords and poor maintenance.<sup>3</sup>

Echo housing, similar in many ways to accessory apartments, is a small, temporary, independent living unit for older persons installed in the back of a single-family home. The concept, developed in Australia as "granny flats" and spreading to England, was introduced into the United States by such groups as the Council of International Urban Liaison.<sup>4</sup> Echo housing allows older persons to live independently but in close

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\* For elder cottage housing opportunities, a term suggested by Leo Baldwin, senior program coordinator for the American Association of Retired Persons, as a substitute for "granny flats," which may be offensive to men.<sup>2</sup>

proximity to younger households, often related, from whom they can receive various kinds of support.

Both kinds of housing alternatives can add new, appropriately sized units to the nation's housing stocks at costs of under \$20,000<sup>5</sup> each, and sometimes much less for the accessory apartments.<sup>6</sup>

Though moving is generally unpleasant for anyone, it is particularly so for most older persons; both housing alternatives obviate the need for them to leave their homes because of reduced income or declining physical ability. As Struyk points out, it is fundamental to recognize that . . . "a dwelling is located in a neighborhood with a particular set of attributes . . ."<sup>7</sup> These include relationships to neighbors and friends, shops, recreation, institutions, trees, parks, gardens, etc. No matter how well the home is designed in a new location, it cannot replace that set of relationships.

Perhaps one of the most important benefits of alternative housing for older homeowners is that it can provide income and services that enable them to stay in their own homes or in immediate proximity and in the same geographical relationship to familiar people and places.

Generally, echo housing is seen as a way for a younger household to more easily take care of older parents. When and where zoning permits, an equally common usage may evolve in which the older homeowners instead move into the backyard unit, renting their original home and bargaining with tenants for services such as maintenance, taking out the garbage and furnishing occasional transportation in exchange for rental reduction. Given the zoning option, it is reasonable to believe that echo housing will become increasingly popular in that context—not in its original concept as a way for adult children to take care of their aging parents but as a means for older persons to take care of themselves longer. Many would prefer smaller homes—if they could have them without moving away. As one woman put it, she does not want to spend her "golden years" cleaning three bathrooms.<sup>8</sup>

In Weston, Connecticut, which permits accessory apartments but limits them to 25 percent of the original home's floor area, for homeowners to move into the small apartment themselves<sup>9</sup> is not uncommon. The size of the original homes may be another reason why older homeowners install such housing in the first place. In moderate-cost suburbs built soon after World War II, the houses are now often too large for the elderly couples or single persons but not big enough to install an accessory apartment. However, many are on lots large enough for an echo house.

Often such vintage houses are located in suburbs with short commuting times and access to the new mass transit systems, insuring that the original home will bring a good price as a rental unit. A good example of an area where older homeowners might benefit from echo housing is Arlington, Virginia, in the Washington, D.C., suburbs, which is served by the Metro rail/bus system.

It seems likely that changes in single-family zoning to

permit installation of echo housing and accessory apartments will become issues of growing interest to local organizations of older persons. The potential benefits for society are impressive:

- inexpensive small rental units for both young and old households
- rental income for older homeowners
- more security for isolated older persons against both criminal intrusion and personal accidents
- incidental personal services for older homeowners provided by tenants in return for rent reduction, a two-way benefit
- companionship
- older homeowners can stay in or near homes they would otherwise have to leave

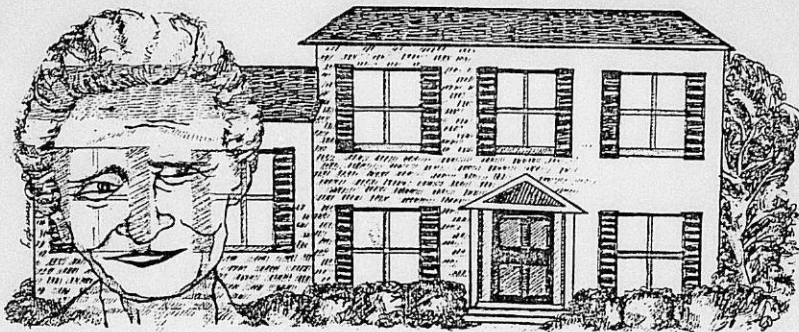
A less obvious social benefit also needs to be mentioned. Zoning changes to permit echo housing and accessory apartments will result in single-family neighborhoods that offer housing appropriate for a variety of households at different stages in the life cycle, not just families raising children, thus stabilizing the demands for services, such as elementary education. Another benefit may be increased by trading services between households along the lines traditionally associated with extended families.

Perhaps the major drawback for older homeowners who might consider installing accessory apartments or moving into echo housing is to lose the independence of a single-family home. Alvin Schorr, writing about parents and adult children living together, states that "independent living is an article of the American creed, and living together thus becomes a failure and an imposition."<sup>10</sup> The stigma of failure and loss of independence may make some older homeowners hesitate to take in a tenant even *after* installing an accessory apartment or echo house. However, his/her growing awareness of the real independence and more comfortable life to be gained from an additional source of income and services should mitigate those feelings.

Zoning changes to permit such alternative housing will enable the older homeowner to bargain for resources from a position of strength. And that extra space in homes and on lots is the nation's largest untapped housing resource. Zoning changes would release that resource for older homeowners (and the nation), increasing their bargaining power, dignity and independence.

The issue of zoning changes to permit such usage will begin to surface in more and more communities, though at this point any discussion of alternative housing still produces instant outrage among civic associations in some single-family neighborhoods. However, as mentioned earlier, Portland, Oregon, has legalized accessory apartments,<sup>11</sup> and ~~Portland, Oregon, has legalized accessory apartments,<sup>11</sup>~~<sup>12</sup> in any single-family zone. Babylon, in Long Island, is at least one town forced to legalize such zoning because of the sheer numbers<sup>13</sup> of illegal accessory apartments.

Long Island<sup>14</sup> itself has an estimated 15,000 illegal accessory apartments, and many towns in other areas



have growing numbers of them, as indicated in news articles with titles like "The Hidden Rental Market" and "Town Officials Worry About Illegal Apartments."<sup>15</sup> Arthur Young, Bureau of the Census, estimates there may be a million and a half illegal accessory apartments nationwide.<sup>16</sup>

For the benefits of accessory apartments and echo houses to reach more older homeowners, there must be zoning changes—and the active support of older homeowners themselves. The instinctive cautiousness of civic associations faced with any proposal that conceivably could affect either property values or quality of life must also be overcome. Probably the only group capable of effecting the change is that of the older homeowners themselves, the long-term residents who cannot decently be accused of wanting to run down the neighborhood—the same neighborhoods they want to continue living in.

Without their active support on behalf of legitimate self-interest, the necessary changes in single-family zoning will probably never occur. □

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# Human Development News

## Innovative Living Arrangements and the Role of Agencies Serving the Elderly

by Patrick H. Hare

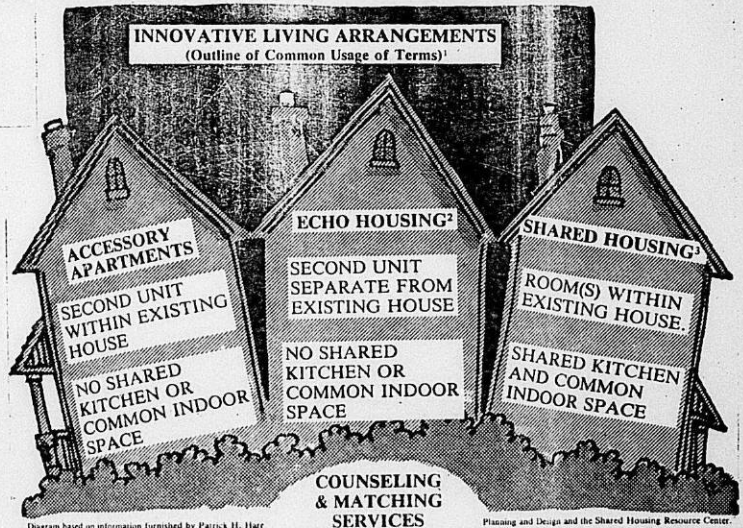


Diagram based on information furnished by Patrick H. Hare

Planning and Design and the Shared Housing Resource Center.

<sup>1</sup>Prepared in conjunction with the Shared Housing Resource Center.

<sup>2</sup>Called "Cluster Echo Housing" when used in conjunction with a nursing home.

<sup>3</sup>Shared Housing covers a continuum from naturally occurring to agency-sponsored and staffed.

Innovative living arrangements (ILAs) offer several opportunities to improve not only the quality of housing for many elderly but also the quality of life. The accompanying chart defines the terms that are generally used in reference to ILAs.

"Second Units" describes both accessory apartments and echo housing, both of which offer "privacy with proximity." An accessory apartment is usually installed in surplus space in a single-family home. An echo house, also known as a "granny flat," is a separate, movable, small unit usually installed in the side or rear yard of a single-family home.

Shared housing involves, at the simplest level, a rented room. At the other end of the spectrum, it may be sponsored by an agency, which owns the house. At its best, shared housing creates a "family of choice." It benefits from matching and counseling services to insure that the individuals involved will be personally compatible.

None of the "innovative living arrangements" are really that innovative. They are simply a revival of boarding houses and of extended family and surrogate extended family living. Necessity has been the mother of reinvention.

All of the ILAs offer varying degrees of the same benefits:

- Added income from rent or from reduced housing costs.

- Added security from criminal intrusion, from accidents while alone and from damage to an unwatched home while away on vacation.

- Increased companionship.

- Services provided, in return for rent reductions, by people who have no overhead or travel costs.

- Increased ability to stay in one's own home, because of these benefits.

Finally, innovative living arrangements offer the elderly a potential source of inexpensive housing — accessory apartments, for example, are usually rented as well below the rates for conventional apartments — and they provide new ways of meeting the demand for housing created by the "baby boom" generation.

One of the advantages of innovative living arrangements is that they benefit not just low-income elderly, or older persons who are "house rich and cash poor," but other groups as well — particularly single parents and the affluent elderly. All three arrangements can offer single parents and their children the financial and childrearing support necessary to help them stay in their own homes and neighborhoods following a divorce. Accessory apartments and echo homes offer the affluent elderly a means of either staying in their own homes or remaining close to their children and grandchildren. In other words, ILAs are not likely to be stigmatized as being associated solely with the "elderly" or the "low-income."

Similarly, in principle, none of these ideas needs substantial public subsidy. Shared housing requires nothing more than a spare bedroom and the willingness to share your home. Accessory apartments typically cost \$10,000 to create. Principle and interest on a loan for this amount, plus added taxes and insurance, may run as high as \$200 per month — far less than the rental income from a small apartment in most areas.

The cost of an echo house, based on existing manufacturers' prices, is about \$18,000, installed. This can be compared with the \$48,000 cost for a new federally subsidized housing unit for the elderly, or with the \$1,500 to \$2,000 per month it costs for long-term institutional care.

It should also be added that elderly homeowners might install echo units in their own backyards and rent out their original homes. This arrangement would provide them both rental income and more appropriate living space.

The economics of innovative living arrangements suggest that the housing resources controlled by elderly homeowners may significantly improve the status of older people in our society. Seventy percent of the elderly own their own homes, and they are often large homes. Some 7.3 million households are headed by homeowners over age 65 and consist of two persons or fewer occupying five rooms or more. Elderly home-owners

control the nation's largest untapped housing resource. The scarcity of that resource is indicated by the fact that the baby boom generation is now forming new households at roughly twice the rate of new home construction. Elderly homeowners with surplus space have bargaining power, because they have a resource the rest of society needs. Such power, as Alvin Schorr has pointed out in his study, *Thy Father and Thy Mother* (Social Security Administration Pub. No. 13-11953, Jul. 1980), is essential to real dignity for the elderly.

There is, however, one major problem: single family zoning regulations. Shared housing, accessory apartments and echo housing each present, in that order, progressively greater challenges to established regulations. However, resolving the conflict between ILAs and single family zoning is not a technical problem for town planners. The technical solutions are either already there or becoming available.

The American Planning Association has published a manual on amending zoning to permit accessory apartments, and the American Association of Retired Persons will soon publish a preliminary study of zoning to permit echo housing. In addition, community experience with both types of zoning is growing rapidly. The real problem is political. Changing single family zoning means changing zoning designed to protect the quality of life in

single family neighborhoods. Such changes will not be achieved without the support of long-time residents who can advocate for zoning changes at public hearings. Specifically, change will not be achieved without the elderly, who can legitimately ask whose quality of life zoning is intended to protect, if not that of long-term residents.

To ask the elderly to provide leadership for zoning changes to permit innovative living arrangements is to ask that organizations serving the elderly provide leadership. Happily, providing that leadership should coincide with a growing instinct for survival. There are several ways that aging agencies can use ILAs to insure survival:

- Since the middle class also benefits from ILAs, a middle-class constituency can be developed not only for zoning changes but also to provide political support for aging agencies.

- Since ILAs also benefit groups in addition to the elderly, such as single parents, funding requests based on a broader constituency can be used to compete effectively against other groups pursuing public funds for social service programs that benefit narrowly defined interest groups.

- Since ILAs do not require either significant initial funding or ongoing subsidies, requests to promote and develop ILAs are likely to be viewed favorably.

There are also other, more altruistic reasons why aging organizations will probably

want to get involved in ILAs. First, it is a rare pleasure for any social service organization to be able to take the lead in helping its constituency make a resource like housing available to the rest of society, rather than continually asking society for resources for that constituency.

Second, ILAs offer a chance to dramatically increase the productivity of existing housing resources at a time when society is gripped by economic problems and low productivity.

Finally, ILAs offer an opportunity not only to release untapped housing resources but also untapped human resources. Single family zoning, almost by definition, has prohibited once-common lifestyles that permit the exchange of services and support between households and between generations. Local efforts to change single family zoning to permit ILAs are both a step back into the best of the past and at the same time, a step forward into a better future.

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the resulting changes can best be seen against the backdrop of the original Australian concept.

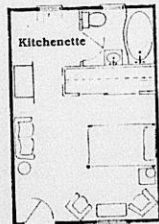
The Australian granny flat is a separate, self-contained unit that is installed as temporary living quarters for an elderly person in the yard of the single-family home of the adult son or daughter of the elderly person. It enables the son's or daughter's family to take care of the aging parent (or parents as the case may be) while maintaining the independence of both households. In Australia, all flats were initially rented from a "fleet" built and owned by the Victoria Ministry of Housing. The Ministry is exempt from local zoning, and that power extends to the granny flats it owns. The flats are made in prefabricated panels for on-site assembly. The Ministry removes the granny flat when no longer needed and rents it to another family.

The relevance of granny flats in the United States is suggested by the \$48,000 it cost in 1981 to build a federally subsidized housing unit for the elderly. By contrast, the only American producer of housing units designed as granny flats is selling them for \$18,000. It is thought that they could even be produced for considerably less. Aside from the low cost of the housing, some elderly people prefer granny flats because they allow them to be close to their families and with people of different age groups.

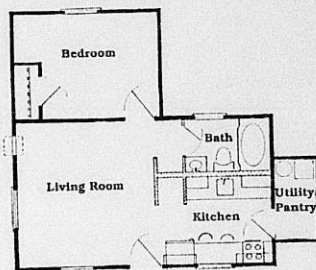
The first American modification to the granny flat has been to change its name. Older men, as well as women, often find the name unattractive or derogatory. Leo Baldwin, housing coordinator of the American Association of Retired People (AARP), coined the term "echo house"

which is now almost as well known as "granny flat." The word "echo" was chosen in part to suggest that the new unit is in concept an echo of the older one. It is also a term which lends itself to use by other groups, such as handicapped persons who need to be near sources of support.

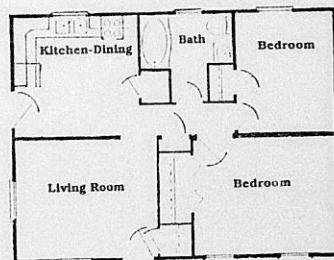
The next clear change in the concept will be to make the echo house attachable to the main house. Victoria, Australia's climate is similar to that of Southern California, which is highly dissimilar to the climate in many other parts of the United States. Although it is no problem to cross the yard to care for a parent where the climate is mild, it is altogether different to do so in an area like Minnesota where it could well be 20 degrees below zero and snowing. Attaching the echo house to the principal residence would solve this problem in many regions.



Efficiency Cottage  
280 Square Feet

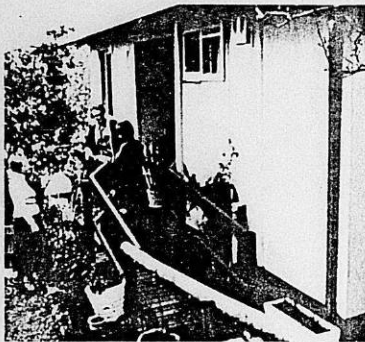


One-Bedroom Cottage  
508 Square Feet



Two-Bedroom Cottage  
702 Square Feet

Granny flats can be developed in a variety of configurations.



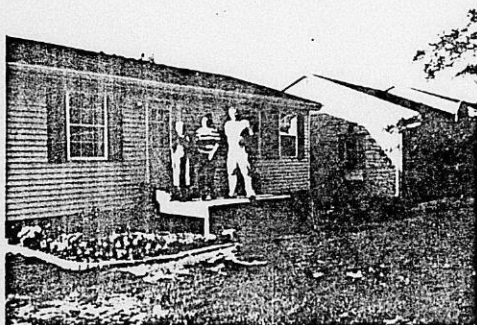
A structure placed "temporarily" in the yard of a home in Australia.

Theoretically, the attached echo house would be harder to remove. While it would seem designers and manufacturers have the high-tech capabilities to make attachable and detachable units relatively easily, the practicalities of these systems being emplaced so they work without major expense and without leaving scarred exteriors will require extra effort and expense on the part of echo housing suppliers and purchasers. Some housing professionals and many homeowners will question the need for removal and therefore the need for the effort and expense of making echo housing removable.

The justification for its being removable is that in America, as in Australia, removal will be a political prerequisite which will make echo housing possible. Few areas—rural, suburban, or urban—now have zoning which permits echo

housing. In order to amend the zoning regulations, residents of single-family neighborhoods will have to approve the amendments. That approval will be difficult to get. Most homeowners regard zoning regulations as the first line of defense against threats not only to neighborhood quality, but also to the security of their largest financial assets. Therefore, the less impact echo houses have on the neighborhood, the more likely it is that residents will approve zoning amendments to permit them. Removal capability clearly lessens their impact. It dissolves any fears residents might have that the units will be transformed into bunkhouses for teenagers with megawatt stereos, or even worse, bunkhouses for "transient tenants."

The same fears of neighborhood deterioration will probably result in echo housing being restricted to the elderly, even though it is evident that it could also benefit other groups. Mike Gurnee, Planning Director of Rockingham, North Carolina, has devised a zoning ordinance which permits divorced daughters and their children to use mobile homes as echo houses. It allows children and grandchildren to receive support from their families without giving up their independence or identity as a separate household. In developing the ordinance, Gurnee was, in fact, giving legitimacy to a practice that had evolved in neighborhoods where zoning was not strict.



This granny flat could have been attached to the existing home beside it.

At this point in time, it seems likely that only a few, primarily rural communities will permit such a use of echo units, regardless of whether or not they are mobile homes or conventional homes. Few other groups have the overall sympathy engendered by the elderly, and making echo housing available to other groups will be viewed as possibly jeopardizing the future of the neighborhood. In summary, to be accepted in most communities, echo housing will have to be both removable and restricted in use to elderly family members. At most, disabled and handicapped family members and perhaps elderly persons not directly related to the homeowner may be accepted as a relatively small additional user group. These particular modifications have been adopted in Australia.

Efforts to amend zoning regulations to permit accessory apartments are already underway in a significant and growing number of jurisdictions. Like efforts to amend zoning to permit echo housing, they require neighborhood residents to assess the risks to their property values and quality of life. The zoning changes required for the two types of housing are similar enough so that some communities such as Belvedere and San Anselmo in California have dealt with accessory apartments and echo homes under one ordinance, referring to them jointly as "second units." However, in more conservative states and towns, the combination may be too much to ask neighborhood civic associations to deal with at one time. Thus, in most communities, the two issues will probably be dealt with separately.

Because accessory apartments—complete units customarily installed within surplus space in single-family houses—have little visibility, they will be accepted more rapidly and made available more frequently to people of all ages. By the same measure, echo houses will be accepted more slowly and restricted more frequently to use by the elderly because of their greater visual impact. Finally, residents are more likely to accept zoning amendments for accessory apartments and echo housing if they are introduced one at a time because singly they will have less general impact on the neighborhood. Separation of the concepts tends to occur less frequently in rural areas. However, if housing conditions continue to deteriorate, the public may be more open to more radical and simultaneous changes in regulations affecting the provision of housing.

### Manufactured Housing

The most likely method of producing echo housing in the United States will be to use manufactured modular units rather than the panel construction method used in Australia. The principal reason for this is that in the United States, the manufactured modular housing industry is more developed and therefore

units can be manufactured more cost-effectively. This factor will probably override the advantage of panel construction which by its nature can be applied more easily to sites with limited rear yard access. The manufactured modular housing industry, as mobile home producers are now called, is ideally suited to produce echo houses economically. However, the cost of modular housing will be affected by whether it is manufactured to mobile home standards or to building code standards.

The president of the Manufactured Housing Institute estimated in 1981 that a fully equipped echo house of 500 square feet would cost about \$5,500 if

built to mobile home standards on site. This should be compared with the \$18,000 mentioned earlier for a similarly sized factory built echo unit produced by Ed Guion of Coastal Colony Corporation, in Litz, Pennsylvania. Guion's unit, although factory built, is of conventional construction and meets the BOCA (Building Officials and Code Administrators) model building code. Guion is the only known producer of specifically designed echo units in this country, and his units

have a reputation for being well built. His demonstration unit has been moved seven times with no signs of deterioration. The comparison between Guion's cost of \$18,000 and the Manufactured Housing Institute's estimate of \$5,500 logically raises the question of comparable quality. Is the unit costing less a reflection of lower construction standards for mobile homes and therefore, "one gets what one pays for"? If so, would the use of mobile home construction standards for echo housing, no matter how economical, transfer to echo houses the low regard homeowners in traditional "stick built" neighborhoods have for mobile homes? The use of echo housing could thus gain a reputation as a back door method to move essentially mobile homes into conventional single-family neighborhoods. Should this attitude develop, it would make zoning amendments to permit echo housing impossible. It would be

a disaster from three points of view. First, many elderly people would lose an opportunity for improved housing and more support from their families. Second, the manufactured housing industry would lose a new market. Third, the country would lose a means to both reduce the need for long-term care facilities and to free homes that can be used for younger households. Thus, the use of manufactured housing methods to produce echo housing must be handled carefully to avoid a political problem.

The way to avoid this disaster is for two major institutional actors to take parallel actions. The manufactured housing industry should voluntarily set high national standards for the industry's echo housing units, and it should police these standards aggressively. The standards must cover design features appropriate to the elderly as well as energy efficiency and overall quality. Although this process may erode some of the cost differential between units constructed to mobile home and building code standards, it would still result in lower costs than stick built housing.

Leo Baldwin of the American Association of Retired Persons has also emphasized there should be standards regulating the exterior appearance of an echo unit, including the requirement that manufacturing techniques permit exterior alterations, at little or no additional cost, so that the unit will match or be



Echo house in transit.

compatible with the siding, window details, roof pitch, roof materials, and foundation of the single-family dwelling unit on whose site it is to be located. Ed Guion's Coastal Colony Corporation already follows this standard. AARP and others advocate the design and construction standards suggested here which clearly distinguish echo units from mobile homes and which protect the public and the user from inadequate or flimsy products that fail to reflect the need for emergency access, barrier freedom, and the ability to withstand repeated moves.

On the other side of the fence, in amending zoning, local jurisdictions should include strict design reviews of construction standards and exterior features as a precondition of zoning permits. The objective of both these exercises will be to ensure that as average homeowners are exposed to the granny flat concept and what its implementation in other communities has meant, they will be reassured that their interests are protected. As anyone familiar with local zoning knows, if that reassurance is lacking, little zoning to permit echo housing will be forthcoming, and both the elderly and the manufactured home industry will be the losers.

### Broader Market

Finally, it may be useful to look at echo housing not only as a way to meet the housing needs of the elderly, but also as a way to make life better for people who are affluent enough so that housing in itself

is not an issue. It presents an opportunity for architects to design custom-built echo homes for affluent elderly people. Custom-built homes should provide a source of new design ideas which can in turn strengthen the manufactured housing industry.

Echo housing offers something almost no other housing, regardless of price, offers the elderly: increased access to family support. It also offers an increased support system to other family members. The exchange of services implied by echo housing is not necessarily a one-way street. As young mothers increasingly participate in the work force, grandparents may increasingly participate in child rearing. The privacy with proximity to relatives provided by echo housing will make that participation much more practical.

Echo housing need not be limited to older persons who want to move closer to their children's residences. Many elderly people may want to remain in their old neighborhoods, but the burdens of maintaining their large houses have become too much. In such cases, they might

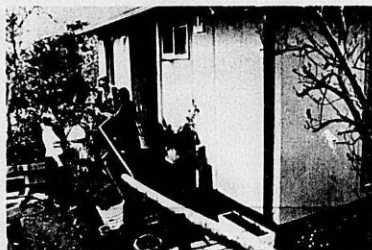
prefer to install new echo units in their own backyards, move into them, and pay for them by renting their houses to their children's families or to other families they like.

Preserving the dignity of the elderly should well be a goal of society. The efficient use of community resources is another. Echo housing appears to offer a variety of ways to approach these goals.

# ECHO HOUSING FACT SHEET

ECHO is the acronym for "Elder Cottage Housing Opportunity." It refers to small, free-standing, barrier-free, energy efficient, and removable housing units that are installed adjacent to existing single family homes. In Australia, where this housing concept originated, they are known as *granny flats*. When ECHO units are installed on the property of adult children, they are appropriate residences for many elderly parents or other aging relatives.

ECHO units, (which are designed for only one or two occupants), can also be installed on the property of the older homeowner. If the large home is too costly and difficult for the older homeowner to maintain, he/she can move into the smaller ECHO unit and arrange for adult children or other relatives to live in the primary house. Or, an older homeowner can continue to live in the primary house and install an ECHO unit adjacent to it for a younger relative. In any case, the two families are expected to provide support for each other and help with home maintenance and expenses.

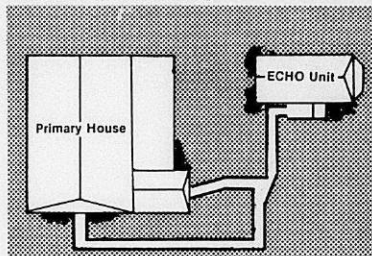


AARP recommends that one of the housing units be owner occupied to help promote family relationships which provide both households with independence, support, security, and companionship.

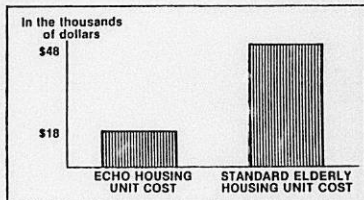
ECHO units can also form elderly housing cluster arrangements on small tracts of land and be leased out by non-profit corporations, local housing authorities, or private investors. These clusters can be interspersed in residential areas as infill housing, integrating the elderly into the larger community, or the units can be located adjacent to a health care facility to provide easy access to the elderly at various stages of need.

The amount of land required to "site" an ECHO unit, as well as setback requirements, will normally be determined locally. AARP recommends front setbacks be

observed and "zero" lot line placement be permitted at side and back when necessary. Accessibility of emergency equipment and personnel should also be considered in the placement of ECHO units. When possible, utilities for the ECHO unit should be tied into the services of the primary house, thus minimizing the expense of new hookups and trenching.



Many elderly homeowners are unable because of finances or personal needs to remain in their large homes, but other housing and services are scarce and expensive. ECHO housing is an affordable option for many older persons and their families. Completely equipped and installed, the estimated cost is about \$18,000 as of mid-1982. Taxes, utilities, and maintenance should average about \$1,400 per year, in contrast to \$3,600 per year for an average free-standing home.



ECHO housing encourages day-to-day support that benefits both households yet permits the separate households to share meal preparation, shopping, household chores, transportation, and other daily activities. The proximity of the families should result in each feeling more secure about property and personal safety, and less vulnerable in the event of an accident or

illness. Young children can be given more attention during the absence of parents. Lawn work and heavy household duties can be shared. The environment helps both families enjoy independence, mutual concern, and sharing as economically as possible.

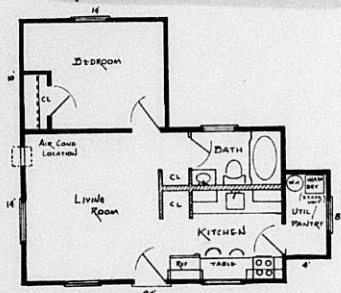
**ECHO  
HOUSING  
BENEFITS**

- SECURITY
- COMPANIONSHIP
- GIVING SUPPORT
- GETTING SUPPORT
- ECONOMY
- INDEPENDENCE

Economy, uniform standards, and portability generally dictate that ECHO units be manufactured, either as panel structures or factory assembled modular buildings. Efficiency units can be as small as 300 square feet, with one and two bedroom units up to 900 square feet in size. A variety of finish materials allow considerable flexibility in appearance. Completely wired and plumbed, units are fully equipped with heating/cooling, kitchen and bathroom fixtures. Floor covering, drapery and decor can be chosen by the occupant and is included in the purchase price. Doorways and other design features make the ECHO unit suitable for the frail or handicapped.

Zoning, lack of public information, and concern about changes to the neighborhood are the major barriers to the development of ECHO housing. AARP believes that neighborhoods will maintain their character and preserve their quality if local ECHO units are designed to:

- provide a temporary residence for relatives of the property owner;
- be removed from the site when they are no longer needed by the relative of the owner; and
- compliment the exterior of the original home.



If ECHO housing is not permitted in your community, you and others who believe it should be available may need to gather information and develop a broad constituency which supports ECHO housing. For information and technical assistance, contact AARP and other aging organizations, civic leaders, public officials, and non-profit corporations which are established leaders in providing community services such as Area Agencies on Aging.

Two federal agencies which have studied ECHO Housing are: the Department of Housing and Urban Development (HUD), Room 8518, 451 7th Street, S.W., Washington, D.C. 20410, and the Administration on Aging, 300 Independence Avenue, S.W., Washington, D.C. 20201. A number of state or governor's Commissions on Aging as well as universities and colleges have organized educational programs to assist the public in understanding the opportunities of this housing program.

In 1981, California Senate Bill 1160 provided that local jurisdictions, by passing zoning variance, special use or conditional use permits, can allow ECHO units in single family zones for persons 60 years or older, not to exceed 640 square feet of floor space.



Zoning has been amended to accommodate ECHO housing in the following communities. Their experience and information may guide you in amending zoning in your locality:

Single copies of the AARP manual on ECHO housing, *Zoning Issues and Other Considerations*, are available free by writing:

Housing Program  
Program Department  
American Association  
of Retired Persons  
1909 K Street, N.W.  
Washington, D.C. 20049

Prepared by:

Leo E. Baldwin, AARP Housing Consultant  
Gerilyn R. Miller, AARP Housing Intern

PROGRAM DEPARTMENT

HOUSE-SHARING

House-sharing is a living arrangement in which several unrelated persons reside together, sharing living expenses and housekeeping duties. Generally, it is 3 to 7 individuals living in a large house, each having private space but sharing other common areas.

Advantages

The most obvious advantage of house-sharing is the reduction in costs for any one individual in maintaining a large home. For older homeowners who might otherwise not be able to keep up an independent home, house-sharing is a means of remaining in their neighborhood with friends and community connections that have been established over a number of years. House-sharing can help in overcoming loneliness, in providing a sense of security and in offering a care-giving peer support system, mutually beneficial to all residents of a house.

Disadvantages

House-sharing requires thoughtful decisions in selecting sharers. A cooperative outlook is necessary, as privacy may be reduced and living patterns adjusted. House-sharing may not be adaptable to meeting special needs stemming from medical or personal problems. Furthermore, it is possible that additional income accrued from rental incomes may affect an older homeowner's eligibility for such public benefits as Supplemental Security Income, food stamps, and Medicaid. Assistance in setting up and maintaining shared housing programs, from either public or private sources, is also minimal.

Restraints


The principal restraint facing house-sharing is restrictive zoning ordinances which, in an effort to safeguard property values and neighborhoods from intrusions which might detract from their residential nature, have prohibited two or more unrelated individuals from sharing a home. Specifically, "single-family residence" zoning is an obstacle in situations in which "family" is defined in terms of biology, marriage or adoption.

Room Rental

Instead of a house-sharing arrangement, an older homeowner with a larger than necessary home may opt to rent out a bedroom, making kitchen and laundry privileges optional. The advantages, in terms of extra income, companionship and a sense of security, are similar to those of a house-sharing situation. The disadvantage may be a loss of privacy, particularly if a bathroom must also be shared. Although zoning laws may restrict the number of rooms which may be rented to non-related individuals, these ordinances, like all legislation, can be amended when the pressure for change is strong enough, making house-sharing and room rentals viable housing options for elderly persons.

For Assistance

There are an increasing number of "match-up" programs in communities across the country which assist in matching home-seekers with home-owners. Trained counselors attempt to minimize potential problems by educating both parties about responsibilities they may incur. For more information contact Shared Housing Resource Center, 6344 Greene St, Phil. PA 19144.



AMERICAN ASSOCIATION OF RETIRED PERSONS

PROGRAM DEPARTMENT

ACCESSORY APARTMENTS

Accessory apartments are complete private living units built into or attached to an existing single-family home. The two units share, at most, an entrance, yard and parking. By this means, unused space in a home can be utilized more effectively.

Accessory apartments may be an appropriate housing option for an older person. A homeowner may wish to continue to live in an established residence, but would benefit from having a tenant to provide a source of income, to assist with maintenance, and to add the security of having someone else around. Accessory apartments promote independence, privacy and extended family living by allowing homeowners to live adjacent to, but separate from, related tenants.

Advantages

The principal advantage of creating an accessory apartment may be the additional income that can be realized through rental of the apartment. Although some expense will be incurred in creating and maintaining such a unit, these expenses, as well as the depreciation of the apartment, qualify for income tax deductions. Arrangements can be made for the occupant of an accessory apartment to provide personal support services or assistance in maintenance and chores, in exchange for a reduction in rent. Finally, a person who may otherwise be forced to give up a large home may find an accessory apartment, perhaps in a familiar neighborhood, to be an attractive place to rent.

Disadvantages

The primary disadvantage of accessory apartments is the initial construction or rehabilitation costs. Converting a walk-out basement "rec-room" or an upstairs area into an accessory apartment may exceed \$10,000. Neighborhood opposition may stem from the fear that an accessory apartment would devalue other properties. For the homeowner, the enhanced property value may result in increased property taxes. When the house is sold, capital gains taxes will apply 100 percent to the rental unit portion of the house.

Restraints

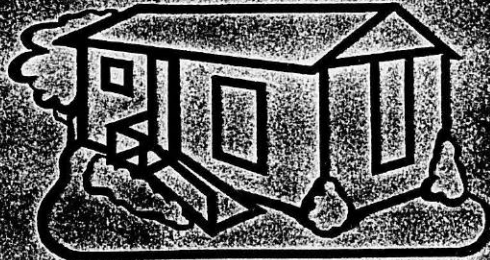
Although the validity of restrictive zoning as a device to control density in residential neighborhoods has been challenged on a number of occasions, "single-family residence" zoning remains the principal restraint against widespread use of accessory apartments. Interpretations of ordinances and deed covenants vary dramatically from state to state.

Some areas are considering age-related zoning changes, or limitations on the number of conversions in any one neighborhood. These changes can be justified as a locality's good faith effort to meet the special needs of its elderly population. Ideally, these ordinances would permit the elderly homeowner to live in either apartment, and would permit only owner-occupied units to prevent investor speculation and to preserve the character of the neighborhood.

For Assistance

Additional information may be found in Legal Issues in Accessory Apartments: Zoning and Covenants Restricting Land to Residential Uses, available at no charge from AARP Housing Section, or in Accessory Apartments: Using Surplus Space in Single-Family Houses, available for \$10 from the American Planning Association, 1313 East 60th St, Chicago, IL 60637.

**ECHO**



**HOUSING**

**A Review of  
Zoning Issues  
and  
Other Considerations**

**By  
Frank H. Harris  
and  
Linda E. Hollis**

**A Publication of the  
Housing Program  
Program Department**

**American Association of Retired Persons  
1909 K Street, N.W.  
Washington, DC 20049**

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## CREDITS

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Finally, special thanks to Ed Guion of Lititz, Pa., whose commitment to ECHO housing is recognized by all those who have been associated with him.

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## PREFACE

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The American Association of Retired Persons is the nation's largest membership organization, dedicated to helping older Americans achieve retirement lives of independence, dignity and purpose. AARP encourages older citizens to remain active in community and public affairs, provides legislative representation at all levels of government, and sponsors services to help stretch fixed retirement incomes. AARP publishes magazines and other materials of special interest to older persons. It is a non-profit, non-partisan, educational public service organization.

AARP receives numerous communications from the older population regarding the difficulties they face in their housing and living arrangements. The home they own or rent often becomes less suitable for their needs because of its size, location, maintenance needs, structural barriers, or the burdens imposed financially.

Elder Cottage Housing Opportunity

(ECHO) is a housing arrangement which offers the older person an opportunity to live in close proximity to those who can help maintain independence and privacy. An ECHO unit is a small house installed in the side or back yard of an existing single family home to be occupied by one or two people who benefit from living close to the other family.

The opportunity for older persons and their families to make this arrangement is thwarted in many jurisdictions by zoning. The purpose of this review is to educate families and public officials about ECHO housing's potential for responding to the needs of the diverse population of older persons. ECHO housing's promise lies in the fact that it gives older persons and their families wide latitude in providing safe, decent, and economic housing, with assistance readily available.

Leo E. Baldwin  
AARP Housing Coordinator

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## INTRODUCTION

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This booklet represents a review of the technical zoning issues raised by Elder Cottage Housing Opportunity (ECHO) units, small temporary units placed in side or rear yards to enable adult children to take care of aging parents. The role of local zoning boards, however, is not limited to technical issues. They serve in many ways as gatekeepers for the community. As such, they often have to consider questions that go beyond narrowly defined limits of planning and zoning. In the case of ECHO housing they have to decide whether or not to let a totally new concept of housing into their communities. Only a few ECHO homes, designed as such, have been built and occupied in this country.

The only clear fact about ECHO homes at this time is that most will be produced in factories rather than built by conventional methods. Many zoning boards have little contact with factory-built housing, and what contact they do have occasionally involves controversy. They are going to have to know more about ECHO housing than how to zone for it, or few will zone for it at all. Specifically, to protect themselves and their communities they need national standards for ECHO housing that control such things as design for barrier-free access, energy efficiency, ability to withstand repeated moves, and exterior appearance. The same standards can also protect and guide consumers, financial institutions, manufacturers, and others involved in making ECHO housing a viable option for the elderly. The discussion of energy efficiency and other topics at the end of this report is included to emphasize this need for national standards.

Zoning in principle permits land to be used in certain ways, without too much concern for who individually will use it. The use "runs with the land," regardless of the owner or occupant. *However, in zoning for ECHO housing, a permit is given for oc-*

*cupancy by a specific individual or individuals, with the precondition that they will be the only occupants.* The unit will be removed when occupants no longer need it. This unique usage may make it possible to eliminate many zoning requirements. For example, if the occupant of an ECHO house does not have a car, there is little need to require a parking area. Also, any ECHO house for only one occupant can be substantially smaller than one for two people and therefore suitable for a smaller lot.

This flexibility, which on the one hand will help individual occupants keep down the costs of installation for ECHO units, may make it difficult to communicate to a community just what an amendment to permit ECHO housing means. ECHO housing will involve a variety of possibilities depending on occupancy. Here again the need for standards arises. If the options are defined, described and delineated in a set of nationally endorsed standards that, for example, cover minimum square footage for a single-person ECHO unit, the community will feel protected. In contrast, without standards, zoning for ECHO housing will be more rigid, simply because communities want to feel secure about what they are getting. The opportunities ECHO housing can provide will therefore be limited.

Finally, many of the ordinances cited in this review are from California. Communities there frequently permit what they refer to as "second units," a term which encompasses both accessory apartments and small separate units like ECHO houses. Under these ordinances, however, the separate units are generally not required to be either temporary or restricted to use by elderly and disabled persons. We have nonetheless relied heavily on these California ordinances because they represent a significant amount of the limited experience we have in this country with the problem of zoning for ECHO housing.

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## ISSUE: SIZE OF ECHO UNIT

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### Reasons for Size Requirements

Size requirements for all dwelling units are generally included in the housing and building codes in local jurisdictions. Minimum size requirements are intended to insure that occupants have adequate space for sleeping, eating, cooking, bathing and other activities of daily life. In ECHO housing, as in all housing, a certain amount of square feet of living area is necessary to avoid unsanitary and unsafe conditions.

The scale of residential development, which includes size of dwelling unit and its coverage of the lot, is also very important from an esthetic viewpoint. Residents of single-family suburban neighborhoods usually take great pride in the appearance of their houses and lots, and feel this appearance is enhanced by low density of development. Except in areas with large lots of one acre or more, the size of the ECHO unit will probably be an issue of concern to local citizens.

Having in an ordinance a specific range of sizes for ECHO units will help people imagine how the arrangement will work in their neighborhoods. This should increase the likelihood that zoning amendments to permit ECHO housing will be approved.

### Existing Size Requirements

ECHO units now in place in Frederick County, Maryland, and Colerain Township, Lancaster County, Pennsylvania, have maximum size requirements of 800 and 900 square feet (SF) respectively. The state enabling legislation in California specifies a maximum of 640 SF for two adults. (A copy of the California law is in the Appendix.) Even so, local jurisdictions in that state have set higher maximums; for example, Belvedere, 750 SF, and Claremont, 900 SF. None of the ordinances reviewed contains minimum sizes.

HUD's Minimum Property Standards for One- and Two-Family Dwellings now contain minimum room size requirements, but these minimums are among the sections to be deleted under a proposed streamlining of the standards.

The One- and Two-Family Dwelling Code of the Building Official and Code Administrators, Inc. (BOCA), a trade association, contains minimum room size requirements similar to those now in the Minimum Property Standards. These include at least one habitable room of 150 SF or more; a minimum of 50 SF for the kitchen and a minimum of 70 SF for other rooms. Appendix B, References, contains the full citations for the BOCA Code and the HUD Minimum Property Standards.

The Federal Housing Administration follows minimum dwelling size requirements for combined living space, such as efficiency apartments. Space for living, dining, kitchen, and sleeping areas must be at least 220 SF. To this is added the bathroom, usually about 35 SF. One U.S. manufacturer of ECHO homes produces units that total 280, 336, 508, and 720 SF.

In addition to requirements for width and length of dwelling units, some ordinances specify their height. Four California ordinances set maximums for accessory structures of between 15 and 16 feet for one story and 35 feet for two stories.

### Recommendations

ECHO housing is too valuable a concept to be limited to two-person occupancy. Requiring a minimum size large enough for two people will impose unnecessary cost and site requirements on many single elderly persons. Therefore we recommend two different minimum sizes. For the single person

a unit of 280 SF is workable. For two persons a unit of 400 SF should be adequate. Although these minimums may be too small for many communities, they represent an attempt to enhance individual choices by not making units larger than necessary. It should be remembered that for some elderly persons, the ECHO unit will be a retreat from involvement with the principal residence, and not the total living space.

*Than Regular housing should Wash.*

A maximum of 900 SF for ECHO units should work in most moderate density residential areas. A lower maximum such as in the California law may result in units which are too small to satisfy some people. If conversion of existing structures to dwelling units is contemplated on single-family lots, the lower maximum may make this impractical. However, a small maximum size may be appropriate where density is high. A higher maximum size may be possible on large lots or in rural areas.

Most ECHO units will be only one story high so that they can be removable. A two-

story ECHO unit would probably be a conversion from an existing structure such as a garage, or an attachment to a two-story principal dwelling. ECHO units placed in rear yards should generally not exceed one story or 16 feet in height.

*no longer Temp.*

The size of the ECHO unit will depend on the number of occupants, the size of the lot on which it is to be placed, the size of the principal dwelling, and the location of the ECHO unit on the lot. Lot size and location are discussed in the following sections.

Local jurisdictions may also wish to set a maximum percentage of the lot that can be covered by both dwelling units as a way of limiting the size of the ECHO unit. In this case, each building permit application or site review process must involve a field trip for inspection. In general, however, the public will have an easier time understanding the ECHO housing concept if the zoning ordinance includes a specific range of ECHO unit sizes.

## ISSUE: SIZE OF LOT/COVERAGE

### Reasons for Lot Size/Coverage Requirements

The reasons for inclusion of lot size and/or coverage requirements in zoning ordinance amendments for ECHO housing are practical as well as esthetic.

One practical reason is that the lot must be large enough so that after the addition of the ECHO unit, there remains usable yard space both for it and for the principal dwelling. Also if the property has a private water and sewer system (usually a well and septic tank), any additional facilities required for the ECHO unit will have to be accommodated on the existing lot.

An esthetic reason for considering lot size is that a principal dwelling with an attached ECHO unit must continue to fit in with the overall appearance of the neighborhood.

### Existing Lot Size/Coverage Requirements

ECHO housing lot size requirements in existing zoning ordinances vary over a broad range. Within the state of California alone, there are minimums of 4,000 SF in Carpinteria and 35,000 SF in Claremont. Some other California jurisdictions require that the lot be twice as large as the minimum requirement for that residential zone.

The Ministry of Housing in Victoria, Australia, originator of the modern "granny flat" concept, requires a minimum lot of 6,000 SF. Tucson, Arizona, has a minimum lot size requirement of 10,000 SF in addition to a coverage requirement.

Coverage generally refers to the ratio between the square feet contained within buildings on a lot, to the square feet of the lot itself. Usually it is expressed as a percentage figure. That is, in Figure 1, a one-story dwelling of 1,440 SF and ECHO unit of 720 SF are on a lot of 7,560 SF. These sizes were chosen to illustrate what will probably be the most difficult siting problem for ECHO

housing. 7,560 SF is a typical lot of 60 x 126 feet likely to be found in a modest subdivision. As lot sizes increase, siting problems generally decrease. 720 SF was chosen for the ECHO unit because that is a large-size elder cottage. 1,440 SF makes the principal dwelling twice as large as the ECHO unit, and is a house size normally found in a modest residential area.

Using Figure 1 to calculate coverage, we add the square footage of the principal dwelling (1,440) to that of the ECHO unit (720) and get 2,160. Dividing 2,160 by the lot size (7,560) we get 29%, the percent of the entire lot covered by both dwellings.

Tucson's coverage requirement, like several other ECHO ordinances, compares the ECHO unit's square footage to that of the rear yard only. Tucson's rear yard maximum is 25% coverage. Three California ordinances set a maximum of 30%, with Arcata describing the rear yard as extending from the back of the single-family dwelling to the rear lot line. (Arcata's provision is in the Appendix.) On Figure 1 this would mean a rear yard of 3,900 SF. Dividing the size of the ECHO unit (720 SF) by that, we get a rear yard coverage of 18%, well below 30%.

If the main house in Figure 1 were built of two stories of 1,440 SF each, coverage of the lot by both units would still be less than 50% and therefore permitted in many relatively dense residential areas.

Figure 2 shows a 900 SF ECHO house with the same size main house and lot as Figure 1. Whole lot coverage becomes 31%; rear lot coverage by the ECHO unit is 23%.

Figure 3 shows a 4,000 SF lot, as permitted in Carpinteria, California, with a 280 SF ECHO unit and a 1,000 SF main house. Whole lot coverage is 32%; rear lot coverage 22%. Figure 4 contains the same size lot and main house as Figure 3, with a larger ECHO unit of 400 SF. Whole lot coverage is 35%; rear lot coverage 32%.

Fig. 1

**SINGLE FAMILY LOT:**  
7560 SF 60' x 126'

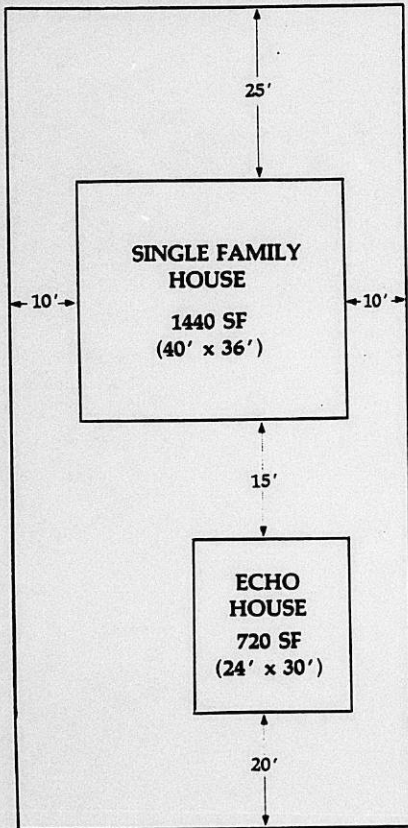


Fig. 2

**SINGLE FAMILY LOT:**  
7560 SF, 60' x 126'

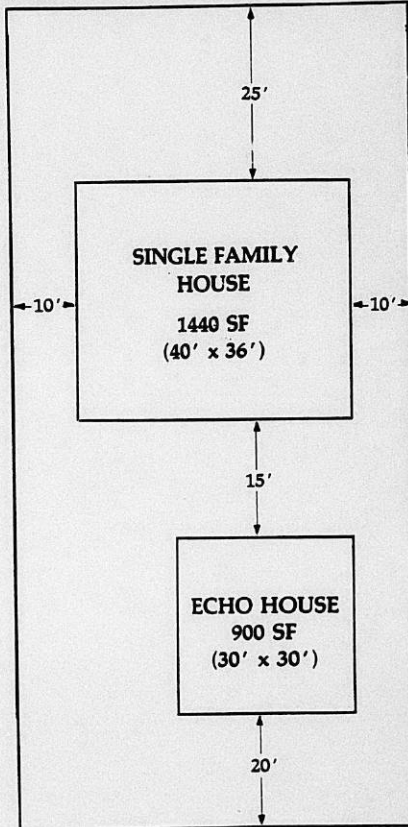


Fig. 3

**SINGLE FAMILY LOT 4000 SF, 50' x 80'**

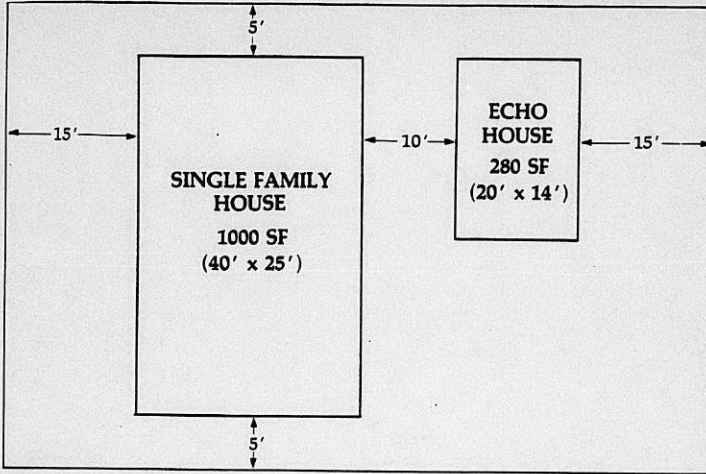
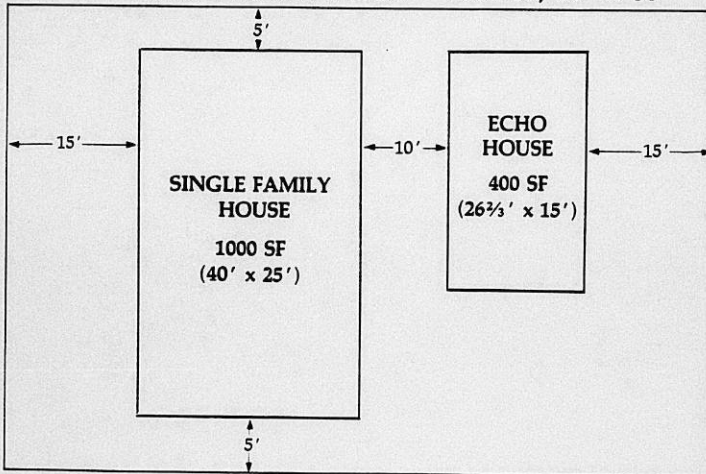


Fig. 4

**SINGLE FAMILY LOT 4000 SF, 50' x 80'**



### **Recommendations**

As Figures 1 through 4 indicate, minimum lot size depends on the size of the principal dwelling and the ECHO unit. In most situations two of these three variables will already be fixed. That is, a property owner wishing to install an ECHO unit already has a certain sized lot and principal dwelling. These in turn are determined by the type of residential density for which the area is zoned. The lot size shown in Figure 1, 7,560 SF, is about one-sixth acre. This is a moderate size lot likely to be found in many single family suburban developments. Below one-sixth or one-seventh of an acre, or a lot of 6,000-7,000 SF, placement of a 600-700 SF ECHO unit on a lot with a larger

house may be difficult, and may result in too high a density of development for many neighborhoods.

However, as mentioned in the discussion of ECHO unit sizes, a 280 SF unit is feasible for a single individual. Small one-person ECHO units may work on lots that are smaller than 6,000-7,000 SF. For this reason, some communities may want to use lot coverage rather than lot size as a basis for deciding whether or not to permit an ECHO unit. This approach will make the opportunity to use ECHO housing available to the largest number of people while still protecting neighborhoods at all levels. Existing practice indicates that a 30% rear yard coverage figure is workable.

## ISSUE: LOCATION ON LOT

### Reasons for Location Requirements

Location of the ECHO unit on the lot is an issue because of existing zoning setback requirements. These also serve both practical and esthetic purposes.

Practically, setback requirements protect buildings from the noise of street traffic or of neighboring buildings. They permit access to the side and rear portions of lots for deliveries and services such as refuse collection, meter reading, fire fighting, and ambulances. Space between buildings also reduces the risk of a fire spreading from one house to the next.

Esthetically, space between dwelling units gives the occupants privacy. Careful placement of an ECHO unit can also permit occupants of both houses to use the remaining outdoor space as they choose. Finally, where a private water and sewer system is in use, location of the ECHO unit may depend on which areas of the lot have been reserved for the well and septic tank.

### Existing Location Requirements

Available ordinances do not discuss placement of ECHO units on single-family lots in much detail, except to say that existing zoning setback and coverage requirements must continue to be met.

Figures 1 and 2 were drawn using a moderate lot width of 60 feet, length of 126 feet, and setbacks of 25 feet for the front yard, 10 feet for the side yards, and 20 feet for the rear yard. Fifteen feet is shown between the principal dwelling and the ECHO unit. Figures 3 and 4 show lower setbacks, still within the range of traditional requirements. Figure 5 shows another possible placement of the ECHO unit on the lot—attachment to the principal dwelling by a temporary three-foot-wide breezeway. Depending on the size and shape of the three variables (lot, principal dwelling and ECHO unit), attachment may result in more yard space for all occupants to enjoy.

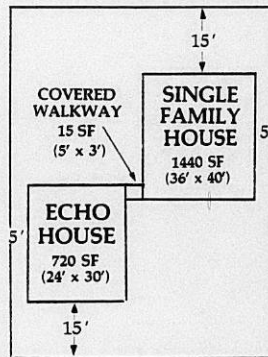
A final consideration is placement of any walls of the ECHO unit which have large windows. Such windows should face the house with which the ECHO unit shares a lot. They should not be placed near a boundary line or overlooking a neighbor's property. HUD's Minimum Property Standards and other authorities have developed complex standards for distances between dwelling units depending on sizes of windows.

### Recommendations

So that necessary practical and esthetic considerations can be properly dealt with when locating the ECHO unit on a lot, the property owner should submit a proposed site plan as part of the application process. The local authorities may ask for a sketch showing the relationship between the ECHO unit's major windows and those of adjoining residences. The site plan and sketch can then be reviewed and any necessary changes suggested before the ECHO unit is installed.

For their part, designers and manufacturers of ECHO units should consider placing small high windows on walls likely to face neighboring residences.

Fig. 5 SINGLE FAMILY LOT  
7312½ SF, 75' x 97 1/5'



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## ISSUE: DESIGN FOR REMOVABILITY

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### Reasons for Removability Requirements

Many areas of the country, rural, suburban, and urban, do not yet have zoning which permits ECHO housing. Amending these zoning regulations means getting the approval of residents of single family neighborhoods, and that approval may be hard to get. Many homeowners see zoning regulations as the first line of defense against threats not only to neighborhood quality of life, but also to the security of their largest financial assets. The less neighborhood impact ECHO houses have, the more likely that zoning will be amended to permit them. Removability clearly lessens their impact since it eliminates the possibility that they will be transformed into hide-aways for teenage kids with megawatt stereos. It also allays another homeowner fear that ECHO units will be turned into bunkhouses for "transient tenants."

Careful attention to the details of removability should overcome residents' fear that these second units will be permanent additions in single family neighborhoods. Proper planning by local authorities will also help property owners protect the condition and value of their lots and principal residences, and will make enforcement of ECHO unit removal easier for themselves. Although design features that permit easy and inexpensive removal are not generally addressed in existing ordinances, there are two primary factors that affect removability—type of foundation and attachment method.

### Foundations

Recently pressure-treated timber foundations have been used for modular houses installed both permanently and temporarily. These are easy to remove and inexpensive to install (about \$500). Another type of removable foundation is composed of piers of

cement block. This type may cost twice as much as a timber foundation because it is time-consuming to dig the holes for the piers, while the holes for timbers can be dug by a tractor with an auger. Labor costs are also higher for a concrete foundation because it requires the skills of a concrete mason.

Either of these foundations is more economical than full concrete pads or conventional footer and block foundations, which take a great deal of time and effort to remove and leave the property worse for wear.

Specifications for foundations can be found in the HUD Minimum Property Standards and BOCA One- and Two-Family Dwelling Code, although neither of these deals directly with design for removability.

### Attachment

Attachment of the ECHO unit to the principal residence will often be necessary to enable easy movement between dwellings in those parts of the country with severe climates. Care should be taken so that both dwellings suffer only minimal damage when they are detached.

An ECHO unit can be directly attached to the principal residence by means of an expandable polyurethane foam, such as Com-priband. This is a product originally used to seal dams and other structures in Denmark, which is now available in this country. It would permit detachment of the ECHO unit with no damage to the main house. The cost of the sealant and the savings from leaving siding off the attached end of the ECHO unit should balance each other out.

To attach the ECHO unit to the main house by a breezeway, a three-foot wide wooden connecting structure can be built for approximately \$300 to \$400. Later the ECHO unit can easily be detached from this breezeway. If siding on the ECHO house

needs to be replaced after detachment, the cost should not exceed another \$300 to \$400.

#### **Recommendations**

To ensure that ECHO homes are removable, the local jurisdiction will probably want to require that the property owner include a description of the type of foundation and the means of attachment (if any) as part of the application process for the ECHO

unit. In this way the local authorities can ensure that the applicant has considered the time and expense that will be involved in removing the ECHO unit and in restoring the lot and principal residence to a condition compatible with the neighborhood. It may also be useful to require that the owner provide assurance that no permanent fencing, walls, or other structures will be installed that will impede removal of the ECHO unit.

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## ISSUE: OCCUPANCY

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### Reasons for Occupancy Requirements

As mentioned earlier, the less neighborhood impact ECHO houses have, the more likely it is that zoning will be amended to permit them. Although ECHO units will clearly have some impact simply because they are visible, there are not likely to be that many ECHO units in a single neighborhood at any given time, particularly since they will be removed after use.

Even so, fears of neighborhood impact generally result in ECHO housing being restricted to the elderly, although it is evident that it could also benefit other groups. The Planning Director of Rockingham, North Carolina, has developed a zoning ordinance which permits use of mobile homes as ECHO houses for divorced daughters and their children. This allows children and grandchildren to get support from their families without giving up their independence or identity as a separate household. The ordinance gives legitimacy to a practice that had evolved in neighborhoods where zoning was not strict. Similarly, some California ordinances open up the option to use ECHO housing for all age groups.

At this time, however, it seems likely that only a few, primarily rural communities will permit unrestricted use of ECHO homes, regardless of whether or not they are mobile homes or conventional in appearance. In most communities, ECHO housing will be restricted to elderly family members. This occupancy restriction based on age, unlike racial or other types of discrimination, should not be considered a "legally suspect category" of discrimination when used for a "permissible legislative purpose." At best, disabled family members may be accepted as a relatively small additional user group, and perhaps elderly persons not directly related to the homeowner. This particular modification is being considered in Australia.

Another issue some may raise with regard to occupancy restrictions is the question of what constitutes a family relationship. An acceptable definition of family is "persons related to one another through blood, marriage, or adoption."

### Existing Occupancy Requirements

Existing ECHO housing ordinances require that the owners of record live in one of the dwellings on the property. Many ordinances require a family relationship between the owners and occupants. They also require that the occupants of one of the dwellings, usually the ECHO unit, be elderly. This means over 60, 62, or 65 years of age, depending on the ordinance.

In the few exceptions to this age restriction, ECHO housing is permitted as a means of providing support to non-elderly family members. In Frederick County, Maryland; Belvedere, California; and Colerain Township, Lancaster County, Pennsylvania, non-elderly family members may occupy ECHO units if they are disabled, physically handicapped, physically or mentally incapacitated, or otherwise seriously ill. A proposed zoning amendment to permit second units in Fairfax County, Virginia, defines disability as being eligible to receive Social Security disability benefits or, more specifically, "... unable to engage in any substantial gainful activity by reasons of any medically determinable physical or mental impairment or deformity . . ." A copy of this section of the draft ordinance is included in Appendix B.

Finally, existing ordinances restrict occupancy of ECHO units to one or two adults.

### Recommendations

The following quite common occupancy requirements for ECHO housing should work in most jurisdictions.

*good print*

*All are  
conditions  
of approval*

- 1) Property owners live in one of the dwelling units on the lot.
- 2) Owners be related to occupants of other unit by blood, marriage, or adoption.
- 3) Occupants of the ECHO unit be one or two adults.
- 4) Occupants of the ECHO unit be of retirement age (usually over 65) or be unable

to live independently because of disability. These requirements may be waived in cases of extreme personal hardship such as when an occupant is in serious ill health or otherwise physically or mentally incapacitated. Such a waiver should be temporary, not to exceed the duration of the hardship.

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## ISSUE: PROPERTY OWNERS OCCUPYING ECHO UNIT

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### Reasons Issue Is of Concern

ECHO housing as it has informally developed has usually involved the property owners remaining in the principal residence, with family members occupying the ECHO unit. However, retired persons often could take advantage of ECHO housing's affordability, barrier-free design and contemporary comforts by moving into the smaller units themselves. Rental income from their larger houses could more than cover the cost of the ECHO unit. The larger houses could then be occupied by families with more need for the additional space. Also, ECHO units can make it possible for elderly persons with impaired mobility to avoid the limitations common to many single family homes, such as upstairs bathrooms and washers and dryers in basements.

The families which occupy the larger houses might be headed by the adult children of the retired homeowners, but not all retired persons are fortunate enough to live near adult children. Additionally, all members of different generations do not share similar values and lifestyles that would make living in such proximity a positive choice. Parents and children also tend to make emotional demands on one another and sometimes have unrealistically high expectations of each others' behavior.

Some retired persons would probably like to live in ECHO units but do not have or will not choose the option of their adult children living in the main house. These individuals should not be forced to struggle along paying for taxes, utilities and maintenance on their retirement income. Nor should they be forced to sell their homes and move out of their neighborhoods. Enabling property

owners to rent the principal residence to an unrelated family could make the ECHO housing option available to more retired persons. It would make it possible for older people who value their own independence to remain in their own homes and maintain their ties to religious institutions, friends, neighbors, familiar doctors, lawyers and other service people.

### Existing Treatment of Issue

None of the available ordinances deal with this issue in its entirety. Two of the California jurisdictions require only that the property owner live in one of the dwelling units on the lot. Several permit the ECHO unit to be rented. The government of Victoria, Australia, is considering making granny flats available to elderly property owners on their own lots, with principal residences occupied by tenants.<sup>1</sup>

### Recommendations

Each jurisdiction considering ECHO housing should tailor occupancy requirements to what is acceptable in that community at that time. In some cases this may at first preclude property owners from occupying ECHO units on their own lots and renting the principal residence to tenants. Wherever possible, however, we recommend that permission for this type of arrangement be included in the original zoning amendment allowing ECHO housing.

<sup>1</sup> A similar arrangement is found in ordinances permitting accessory apartments to be installed in single-family houses. That is, homeowners can live in the apartment and rent the main part of the house to non-family members. Hare, Reference 5), Appendix B.

## ISSUE: PARKING

### Reasons for Parking Requirement

One concern that is often expressed when there is public discussion about adding second units to single-family neighborhoods is parking. People are afraid that occupants of second units will bring one or two automobiles with them, just as occupants of principal residences do. Even if the principal residence already has off-street parking, most lots cannot accommodate one or two more cars. If there is no existing off-street parking, one or two more cars on the street in front of the principal residence may make an existing crowded situation worse. Excessive on-street parking may represent a practical hazard to street traffic, and also an esthetic eyesore to some citizens.

In the case of ECHO housing, however, parking should not be a critical problem. ECHO units are assumed to be installed for temporary occupancy by elderly, disabled or physically handicapped persons. These individuals very often do not own a car or, if they are elderly or disabled, may no longer drive it. If they are choosing to live in an ECHO unit because of the support they can receive from the occupants of the principal residence, transportation will probably be one of the forms of support available to them, thus negating the need of the ECHO occupants to be car owners.

### Existing Parking Requirements

Most of the California ordinances address parking for ECHO housing. Three do so within a general discussion of neighborhood impact by stipulating that there be no excessive noise, traffic or overloading of public facilities. Five others require that parking be adequate, sufficient, maintain required setbacks if located on the lot, and otherwise meet development standards. Finally, five ordinances specify numbers of parking spaces:

Arcata - one for ECHO unit

Hemet - one for ECHO unit

Martinez - one for ECHO unit if one

bedroom; otherwise follow existing codes.

Corte Madera - one for ECHO unit if one bedroom; two for ECHO unit if two or more bedrooms; two for principal residence.

Madera County - two for each dwelling. Of these, only the Hemet ordinance applies primarily to ECHO units for elderly persons. The other four assume the second units may be occupied by younger persons more likely to own and use their own cars on a regular basis. A copy of Hemet's proposed zoning amendment is in Appendix A.

### Recommendations

It does not seem necessary or prudent to require a property owner to provide additional off-street parking for the occupant(s) of an ECHO unit. Since the unit is intended to be temporary, such a requirement would result in a large expenditure for only a short period of use, thereby discouraging many property owners from trying the ECHO concept. It will also generally end up making them pave part of their yards, to the detriment of the neighborhood.

There will be cases, however, in which the provision of off-street parking will be worthwhile. One is when the occupant(s) of the ECHO unit have quite a long life expectancy and, therefore, the cost of installing parking might be justified. Another is when the occupant of the ECHO unit is a physically handicapped person who drives a specially equipped vehicle. In that case provision can be made for wheelchair access to and from the ECHO unit. This can be accomplished by widening or lengthening any existing paving such as a driveway or sidewalk.

Local jurisdictions may be able to consider the parking situation for each ECHO application individually. Factors to consider are the needs of the ECHO occupant(s) and the existing parking situation on the particular lot or street. Proposed parking for the ECHO unit, if any, should be included on the site plan for review by the local authorities.

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## ISSUE: ACCESS TO ECHO UNIT

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### Reasons for Access Requirement

Even where the ECHO unit is attached to the main house, it should feature separate access to the rear yard. Traditionally such access has been required for reasons of fire safety. Where the occupants of the ECHO unit are elderly or handicapped, access requirements refer to adapting the site to facilitate their mobility. The entrance to the ECHO unit should be accessible for wheelchairs, stretchers, and persons using walking aids without going through the principal dwelling.

Such access is important not only for the elderly occupants of ECHO units, but also for friends who may wish to visit them in their new homes. An elderly woman in Lancaster County, Pa., for instance, moved into an ECHO unit on the same lot with the home of her adult children. She has no mobility impairment herself, but when she moved into the ECHO unit, she installed a ramp from ground to entrance level. This enables her friends who use wheelchairs to enter her home more easily than they could when she lived in a traditional house.

### Existing Access Requirements

Chula Vista, California, requires direct access from the ECHO unit to usable open space area of a minimum of 600 square feet,

and a maximum lot slope of 5%. The HUD Minimum Property Standards also recommends maximum lot and path slope of 5%. Among its other recommendations for elderly and handicapped persons is that there be a distance of no more than 100 feet from dwelling unit to parking.

Detailed specifications about parking spaces and necessary modifications for physically handicapped persons are contained in ANSI 117.1-1980, published by the American National Standards Institute, Inc. (see Appendix B for full citation).

### Recommendations

ECHO units should have paths and open yard space suitable for wheelchair and stretcher access. If applicable, they should also have walkways which are level and smooth enough for use by handicapped and disabled persons. Walkways should be equipped with handrails if necessary. Ramps may be installed at entrances.

Any adaptations for access may be expensive. They will also vary in usefulness depending on the needs of the individuals involved. Zoning boards must make their decisions on a case-by-case basis. Adequate information to make such decisions should be included in the application for permit.

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## ISSUE COMPATIBILITY OF ECHO UNIT WITH SURROUNDINGS

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### Reasons Issue Is of Concern

Unless the general public can be assured that ECHO units will be attractive additions to existing single-family neighborhoods, they will usually block efforts to amend local zoning to permit their installation. Even where zoning regulations allow ECHO housing, property owners are likely to try to block any installations in their neighborhoods unless they are satisfied that the units will not be eyesores. A clear distinction must be drawn in the minds of property owners between ECHO units and standard mobile homes which are usually viewed with distaste in single-family neighborhoods. Mobile homes also are designed for permanent installation on lots while ECHO units are intended for temporary placement and removal after use. Like mobile homes, ECHO units built by companies which specialize in their production are factory-built, but they are of conventional construction with demonstrated durability during removal or structural stress.

To avoid the problems that will invariably arise if property owners assume that allowing ECHO housing will open up their neighborhoods to mobile homes, the major institutional groups involved must take several important steps. First, the manufactured housing industry (which produces mobile homes) should identify ECHO housing as a specific type of structure. Next, it should develop, in coordination with aging associations and the federal government, high standards for what can be called ECHO units. Finally, it should enforce these standards aggressively.

The standards should cover all ECHO homes, factory-built, assembled on-site with panels (prefabricated), or "stick-built." They should cover design features for elderly and disabled persons, energy efficiency, portability and overall quality as

well as exterior appearance so the unit can be altered, at the consumer's choice, to replicate the siding, window details, roof pitch, materials, and foundation appearance of the large majority of single-family dwelling types in the country.

At the same time, local jurisdictions should include in ECHO housing zoning amendments strict design review of exterior features as a precondition to receiving zoning permits.

These actions will insure that, as average homeowners are increasingly exposed to the ECHO concept and what it has meant in other communities, they will be reassured that property owner interests are protected.

Although the legitimacy of having zoning commissions make esthetic judgments is often questioned, their power to do this was established in principle, by the Supreme Court in 1954 in *Berman v. Parker*. In practice their power is limited by the need to provide clear and equitable design review procedures as a basis for decisions. Without such procedures local zoning boards are liable for lawsuits on the grounds of unconstitutionally limiting the rights of property owners. This may be particularly true in states where design review is not clearly spelled out in zoning enabling legislation.

### Existing Treatment of Issue

Among existing ECHO housing ordinances, many require submission of floor plans, elevations and site plans as part of the permit process. Of these, six California ordinances include descriptions of features the ECHO unit should or should not display:

—In Belvedere it should not reduce neighbors' privacy or otherwise constitute a nuisance.

—In Carpinteria it should be compatible with adjacent residences.

—In Claremont it should relate architecturally to the single-family house and neighboring structures.

—In Martinez it should show continuity with neighboring homes in color and building materials.

—In Corte Madera and in Marin County it should show appropriate scale, form, height, materials, color and landscaping.

These last two jurisdictions are the only ones with available ordinances requiring formal design review for new construction. In Chula Vista and Martinez, California, the ECHO housing site plan undergoes administrative review by the Planning Director and the Planning Department, respectively.

Texts and manuals on residential design for compatibility with existing surroundings emphasize exterior appearance, proper proportions, visual organization, material usage and texture, scale, simplicity and restraint, and color.<sup>2</sup> More specifically, they indicate that most U.S. detached homes share the following attributes which should

be reflected in accompanying ECHO units as much as possible: main roof pitched, of shingled appearance; main body rectangular, not too narrow; exterior walls of wood and masonry appearance and completely enclosing the foundation; overall effect similar in scale but not too similar in appearance to neighboring houses; and no "weird" colors, window design, ornamentation, or shiny exterior finish.<sup>3</sup>

### Recommendations

Design review boards are often set up in association with zoning commissions to make esthetic decisions. However, since the main issue here is compatibility with existing structures, the esthetic decisions should not be that complicated. The primary concern is that the ordinance reflect the principle of compatibility, and that the applicant for an ECHO house permit provide adequate information on the exterior of the unit so that the zoning board or other body can be confident that it will fit into its surroundings.

<sup>2</sup> Watkins, Ref. 11), App. B., pp. 94-7.

<sup>3</sup> Bair, Ref. 4), App. B., pp. 7-8.

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## ISSUE: APPLICATION PROCEDURE

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### Reasons for Formal Application Procedure

A formal application procedure will be required so that local jurisdictions can address the various issues involved in the temporary installation of an ECHO unit. Application will generally be made to the authority responsible for zoning in a given jurisdiction, perhaps a zoning board, planning commission or elected legislative body.

The ECHO housing application will normally be for a conditional or special use permit. Many local zoning authorities have dealt with another type of second unit, accessory apartments, by this means. Such permits are generally appropriate for land uses which may have a negative impact if specific conditions are not met.

The specific application procedure a community chooses for ECHO housing will depend on the local situation. Existing density of residential development will be a critical factor. In rural areas or single-family districts already zoned for large lot sizes, the jurisdiction may not need to control ECHO housing as strictly as in more urban areas, or ones with small residential parcels. In any case, a balance should be struck between a detailed application procedure designed to protect neighborhood character and property values, and the needs of homeowners for a simple, straightforward process that costs them little in time, expense, and complexity.

### Existing Application Procedures

Whatever the agency of local government involved, existing ECHO housing ordinances require that property owners apply for permission to install the ECHO unit. In Butte County, California, this application is made to either the Health Department, the Building Department, or the Board of

Supervisors. In Lancaster County, Pennsylvania, and many others, it is made to the zoning board.

At the time of application owners pay an application fee and supply information about the property, usually including a site plan. They also agree to abide by any special conditions concerning use of the ECHO unit.

The next step is generally administrative review of the application. Four California ordinances provide examples of this type of review. In Chula Vista it involves site plan and architectural approval by the Director of Planning. In Martinez there must be written consent from adjoining property owners and design review of elevations and floor plans by the Planning Department. In Butte County the Health Department works out an additional sewage disposal system for each second unit. In Tuolumne County property owners submit an application form prescribed by the Planning Commission, along with plans and elevations.

In all four of these jurisdictions, a permit is issued if the application passes administrative review. If it fails to pass—for example, in Martinez, if it varies from the specific conditions set for ECHO housing—a hearing is held before the Planning Commission. In most other existing ordinances a public hearing is routine after administrative review. Residents of the jurisdiction are notified of the hearing date in adequate time to attend if interested. Owners of abutting property, in particular, are notified.

Although no ordinance now provides for it, it seems appropriate to include provision for the application and hearing process to be expedited if an emergency exists.

If the permit is issued, the property owner is often asked to pay to have the jurisdiction record the conditions of use on the deed. In Butte County, California, recording is done

by means of a brief affidavit. A copy of the affidavit and permit procedures is in Appendix A. Information to be recorded includes the names of the occupants of the ECHO unit and principal residence, their relationship to one another, the length of time for which the permit is granted, and the property owners' responsibility to remove the unit or reapply to the jurisdiction if the permit is revoked or expires. A principal reason for recording the conditions of use is to insure that prospective buyers of a house, lot, and ECHO unit are aware that the ECHO unit will have to be removed unless they apply for and are granted a permit.

#### **Recommendations**

Whatever application procedure is set up, special attention should be paid during the application process to ensuring that the ECHO unit is installed as a temporary structure. More specifically, owners must be able to remove the unit with minimal expense and minimal effort in restoring the property to its original condition. This will minimize enforcement problems for zoning officials.

Information requested from applicants should consist of specific and verifiable data about the property, its owners and occupants. It should also be inexpensive for applicants to obtain. Some materials applicants may use will already be available, such as brochures for manufactured ECHO units.

The application process will need to be more or less strictly controlled depending on the density of development and the demand for ECHO housing in any particular jurisdiction. Existing local housing, building,

health, and other zoning requirements should be met by newly installed ECHO units. Once basic requirements are met, it is recommended that each locality make its application procedure as simple and expeditious as possible. This will ensure that citizens are not prevented from taking advantage of ECHO arrangements by an application procedure that is too complicated or time-consuming.

#### **Public Hearing**

The completed application will be placed on the agenda of the next regular meeting of the zoning board. At that meeting the board will set a date for public hearing to be held within 45 days. If necessary, the chair of the board may decide to hold the public hearing sooner, for instance at the first meeting following receipt of application. In that case public notice will be made immediately.

Once the hearing date is set, the jurisdiction will make public notice of the application in time for concerned citizens to attend. Such notice will be mailed at least 5 days before the hearing to all owners of property abutting the applicant's lot. Notice will also be published in an official newspaper of the jurisdiction and posted on or near the applicant's property at least five days before the hearing.

Within 30 days after the hearing the zoning board will make its decision and mail a notice to the applicant. If the use permit is issued, the property owner is responsible for having a copy of it and the special conditions officially filed with the Recorder of Deeds. The permit is not valid until this is done. A filing fee is required.

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## ISSUE: OTHER

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### CONSIDERATIONS

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#### **Energy Efficiency**

Energy efficiency in ECHO homes is not a direct concern of zoning commissions, but it deserves mention because it might affect the commissions' decisions to allow ECHO units into communities. The units should be highly energy efficient for three reasons. The first is to help in the national commitment to conserve energy. The second is to protect elderly inhabitants who may be adversely affected by rapidly changing temperatures. The third is to protect the budgets of the elderly from high heating costs. Energy efficiency would be most appropriately addressed under national standards for ECHO housing.

#### **Ability to Withstand Repeated Moves**

Since ECHO housing is temporary, it must be able to withstand repeated moves. The useful lifetime of a unit may include numerous moves. It will not be in the interest of most communities to permit installation of units that cannot withstand such moves. Local authorities do not want to be in the position of allowing ECHO units that the owner cannot easily and economically remove. Structural ability to withstand moves should also be addressed under national standards for ECHO housing.

#### **Use of Garages and Other Permanent Accessory Structures as ECHO Homes**

Conversion of existing structures for use as ECHO homes should be treated under accessory apartment ordinances which are intended to handle development of permanent new units in single-family residential districts. Few, if any, of the existing structures that might be converted to ECHO units are likely to be removable. Where communities want to permit such conversions but do not have accessory apartment ordinances, they may want to include in an ECHO housing amendment some provision

for discretionary consideration of conversion of garages and other existing structures.

#### **Clusters of ECHO Housing**

Some developers have suggested that ECHO homes be installed in clusters or on the grounds of nursing homes or other long-term care facilities. The zoning problems of this use of ECHO housing are outside the scope of this review. "Cluster ECHO housing" can be dealt with appropriately under such sections of zoning ordinances as those covering planned unit development or housing for elderly persons.

#### **Taxes**

Some communities may tax ECHO homes as real property, and some as personal property, following the existing inconsistency with which tax law treats mobile homes. Where the two tax rates are different, the decision will have an impact on the cost of ECHO housing to consumers. It may also have an impact because of the difference in the nature of the two taxes. If taxed as real estate, ECHO house taxes initially will be lower since most states tax only on the basis of the materials that go into new homes, and exclude construction labor costs and retail sales effort. In contrast, those components of cost would be taxable if ECHO houses are considered personal property. A compensating advantage, however, is that personal property is generally depreciated rapidly so after a few years a personal property tax would be lower than a real estate tax.

Another possibility would be to treat ECHO units as temporary structures which are not taxed in most jurisdictions. This would be particularly appropriate where communities wanted to encourage ECHO housing development, and would be consistent with other tax abatements for elderly persons.

Local authorities must also consider another issue relating to tax policy. The ECHO home may often be owned by an elderly couple but placed on the land of someone else, usually an adult child. Or the ECHO unit may be owned by a third party, such as a non-profit corporation, and placed on land belonging to the principal homeowner. The fact that the ownership of the unit is separate from the ownership of the land will complicate the real estate tax.

Finally, some local authorities, in determining tax policy, will probably wonder whether permitting ECHO houses will attract an influx of elderly persons and result in an increased demand on public resources

to provide services for them. The answer would appear to be no. By facilitating provision of support by adult children for elderly parents already living in the community, ECHO housing will probably reduce demand for these services. The effect of aging parents moving in from other communities to live near their children will probably be less than this reduction in demand for services. This situation will vary, of course, and might be very different in recently developed areas where few elderly persons lived until ECHO housing became available. In any case, tax policy should not in principle become a basis for limiting the mobility of elderly persons.

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## APPENDIX A

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### Background Materials

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## ISSUE: SIZE OF ECHO UNIT

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### State Enabling Legislation, California

#### Senate Bill No. 1160 CHAPTER 887

An act to add Section 65852.1 to the Government Code, relating to land use regulation.

[Approved by Governor September 27, 1981. Filed with Secretary of State September 28, 1981.]

LEGISLATIVE COUNSEL'S DIGEST  
SB 1160, Mello. City and county zoning: single-family residence: adults.

Under existing law a city or county may, by ordinance, designate various zones within the city or county and specify the uses which may be permitted on the land within those zones. Within such zones the city or county may condition certain uses or require special use permits or zoning variances for certain uses.

This bill would permit a city, including a charter city, a county, or city and county to issue a zoning variance, special use permit, or conditional use permit for a dwelling unit to be constructed, or attached to, a primary residence on land zoned for a single-family residence, if the dwelling is intended for the sole occupancy of an adult or adults who have reached age 60 and the area of floor space of the dwelling does not exceed 640 square feet.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares that:

- (1) Steps must be taken to encourage the creation of more residential units for persons over the age of 60.
- (2) There is a serious shortage of housing units for persons over the age of 60.
- (3) There is an important need to maintain senior citizens in independent living situations and also to encourage housing arrangements that prevent isolation of elderly persons and reunite families.

SEC. 2. Section 65852.1 is added to the Government Code, to read:

65852.1. Notwithstanding Section 65906, any city, including a charter city, county, or city and county may issue a zoning variance, special use permit, or conditional use permit for a dwelling unit to be constructed, or attached to, a primary residence on a parcel zoned for a single-family residence, if the dwelling unit is intended for the sole occupancy of one adult or two adult persons who are 60 years of age or over, and the area of floor space of the dwelling unit does not exceed 640 square feet.

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**ISSUE: SIZE OF LOT/COVERAGE**

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**Section 1.0311-4(e) from Arcata, California, Zoning Ordinance**

- (e) **Yards.** A supplemental living unit shall be subject to the minimum yard requirements of the zoning district in which it is included except as follows:
  - (1) A detached supplemental living unit may be permitted in the required rear yard so long as the building does not occupy more than thirty percent (30%) of the lot area between the rear most part of the main building and the rear property line. A detached supplemental living unit may not be constructed within five (5) feet of the rear property line.

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**ISSUE: OCCUPANCY**

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**Definition of Disability  
from Spring 1982 Proposed Zoning Amendment,  
Fairfax County Virginia**

- (2) Any person permanently and totally disabled. If the application is made in reference to a person because of permanent and total disability, the application shall be accompanied by a certification by the Social Security Administration, the Veterans Administration or the Railroad Retirement Board. If such person is not eligible for certification by any of these agencies, there shall be submitted a written declaration signed by two (2) medical doctors, licensed to practice medicine in the Commonwealth, to the effect that such person is permanently and totally disabled. The written statement of at least one of the doctors shall be based upon a physical examination of the person by the doctor. One of the doctors may submit a written statement based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards for determining permanent and total disability.

For purposes of this Section, a person shall be considered permanently and totally disabled if such person is certified as required by this Section as unable to engage in any substantial or gainful activity by reasons of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of the person's life; provided however that this provision shall not be deemed to exclude individuals who are able to seek or engage in employment.

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**ISSUE: PARKING**

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**Proposed Zoning Amendment, Hemet, California**

**DEPARTMENT OF  
COMMUNITY DEVELOPMENT  
STAFF REPORT**

**TO:** Planning Commission  
**FROM:** Mark Goldberg, Director,  
Community Development  
**DATE:** February 3, 1982  
**SUBJECT:** SENATE BILL 1160

**I. Request**

The Planning Commission has initiated a change in the Zoning Ordinance to allow secondary housing units on single family lots for persons over 60.

**II. Environmental Status**

A Negative Declaration is recommended.

**III. History**

Senate Bill 1160 was signed into law in 1981. The Planning Commission on January 6, 1982, instructed Staff to initiate a change in the Hemet Zoning Ordinance to carry out this bill.

**IV. Staff Analysis**

In enacting the bill, the State Legislature found that "there is an important need to maintain senior citizens in independent living situations and also to encourage housing arrangements that re-unite elderly persons and their families."

The statute allows cities to issue a planning permit for a second dwelling unit to be constructed or attached to the primary residence on land zoned for single family residences. The dwelling must be for occupancy of one or two adults over 60 years of age, and cannot be larger than 640 square feet in size.

**A. A new definition:**

**Dwelling, Accessory**—Shall mean living quarters detached or attached to the primary residence on a lot zoned for Single Family Use. Said dwelling shall not exceed a maximum of 640 square feet of floor area and shall be occupied by not more than two persons each of whom are over the age of 60.

**B. An addition to the R-A Section 301.3 (Uses permitted by Conditional Use Permit — which is referenced in the other residential zones.)**

n. **Dwelling, Accessory**

o. Any other use which is determined by the Commission as provided in Section 1000 (Determination as to Uses Not Listed).

**C. An addition to Section 802.2 Schedule of Off-Street Parking**

Insert below Single Family Dwelling Schedule:

**Dwelling, Accessory**

1 space                      on site

In recommending the approval of this amendment to the City Council, the Planning Commission should find that it is consistent with the objectives of the Zoning Ordinance; and that it helps to fulfill the purpose of the State Legislature to help alleviate the shortage of housing units for persons over 60 and to help provide independent, but not isolated housing arrangements for elderly persons.

Respectfully submitted,

Elizabeth J. Graff  
Associate Planner

Mark Goldberg, Director,  
Community Development  
EJG/MG/lr

**ISSUE: APPLICATION PROCEDURE**

**Affidavit and Permit Procedures, Butte County, California**

**AFFIDAVIT OF COMPLIANCE  
WITH COUNTY ORDINANCE 2277  
(ADDITIONAL DWELLING IN  
SINGLE FAMILY RESIDENTIAL ZONES)**

Applicant \_\_\_\_\_ Date \_\_\_\_\_

Zone \_\_\_\_\_ AP # \_\_\_\_\_ Bldg. Permit # \_\_\_\_\_

I, \_\_\_\_\_, do declare, that the dwelling

(Building Permit # \_\_\_\_\_) at address (present) \_\_\_\_\_

\_\_\_\_\_ on AP # \_\_\_\_\_ is intended

for the sole occupancy of one adult or two adult persons who are 60 years of age or over, and  
the area of floor space of the dwelling unit does not exceed 640 square feet.

I also understand that violations of these provisions are subject to the penalties provided in  
Section 24-63.1 of the Butte County Code.

Signed \_\_\_\_\_

Dated \_\_\_\_\_

**Butte County, California, Inter-Departmental Memorandum**

TO: Building Department Staff  
FROM: Department of Public Works  
SUBJECT: Second Living Unit  
DATE: April 27, 1982

In zones where only one living unit per parcel is permitted, there are three methods or exceptions to allow an additional living unit as follows:

- (1) Ag worker affidavit system—may be used for additional living units in ag zones, provided Health Department can work out each additional sewage disposal system. Ag worker affidavit must be submitted with each permit application.
- (2) Aunt Minnie—may be used for one additional living unit in zones permitting mobile homes, for elderly or sick relatives. Requires approval of Board of Supervisors and Health Department must process application and work out sewage disposal system.
- (3) Age 60 and 640 sq. ft. size—may be used for one additional living unit of 640 sq. ft. area (maximum living area) and provided Health Department can work out sewage disposal.

Intended for a maximum of two people, 60 years of age or older and can be a separate building or an addition to existing dwelling unit. Affidavit must be submitted with permit application. (This procedure goes into effect on April 30, 1982).

In each of these systems, when the Health Department clears sanitation they will state on clearance forms whether living unit is (1) Ag worker (2) Aunt Minnie or (3) 60-640. If Health Department receives the affidavit with their permit application, it will be forwarded to the Building Department. (The department first contacted will furnish affidavit to applicant).

Building Department will not issue a permit for any of the above until the affidavit is on file or the Board of Supervisors approves Aunt Minnie.

Yours very truly,

Clay Castleberry  
Director of Public Works

J.F. Glander  
Chief Building Inspector