

ACCESSORY DWELLING UNIT ORDINANCE REVIEW

Proposed amendments for the R-2, R-3, and R-4 Residential Districts

Purpose: Give property owners greater flexibility to create modest additional housing while protecting safety, neighborhood compatibility, utilities, and adjoining properties.

Prepared for

Village of Pinckney Planning Commission

September 2026

Review status

This document is a policy and ordinance-review draft. It is intended to support Planning Commission discussion and is not the final adopting ordinance. Before introduction and public hearing, the Village planner and Village attorney should review the language, cross-references, notice procedure, and consistency with the Master Plan and Michigan law.

1. Executive Summary

Pinckney already permits accessory dwelling units (ADUs), but several current standards substantially limit their usefulness on established Village lots. The most significant barrier is the requirement that all district bulk and setback standards apply. Under the current dimensional table, the rear setback is 30 feet in R-2 and 20 feet in R-3 and R-4. A detached ADU may therefore be allowed in theory but impossible to place on many properties.

- Permit one attached, internal, or detached ADU by right in R-2, R-3, and R-4, with administrative approval by the Zoning Administrator.
- Increase the maximum floor area from 600 to 1,000 square feet, while requiring the ADU to remain smaller than the principal dwelling.
- Use a five-foot side and rear setback for detached ADUs instead of the principal-building setback.
- Allow ADUs on lawful nonconforming lots and allow conversions of legally established accessory buildings when building and fire-code requirements are met.
- Remove the owner-occupancy requirement, but retain common ownership and prohibit separate sale of the ADU.
- Reduce parking barriers, prohibit rentals shorter than 30 days, and require compliance with building, fire, utility, rental, and property-maintenance codes.

Why this approach fits a small village

ADUs can provide housing for aging parents, adult children, caregivers, smaller households, and long-term tenants. They can also help homeowners remain in their homes by providing rental income. Because the lot, street, utilities, and principal home already exist, ADUs add housing incrementally without requiring a large new development.

The attached MEDC Redevelopment Ready Communities material recommends allowing ADUs by right, using clear and objective standards, reducing burdensome parking requirements, and avoiding density rules that unintentionally prevent ADUs.

The recommended standards draw from Michigan examples. Ann Arbor permits ADUs in R-1 through R-4 districts and uses flexible setbacks for detached units. Grand Rapids permits attached and detached ADUs and increased its maximum size to 1,000 square feet in 2026.

2. Current and Recommended Standards

The proposed amendment changes the standards that most directly affect whether an ADU can actually be built on an established Village lot. Safety and code compliance remain mandatory.

Topic	Current § 152.269	Recommended
Approval	Zoning Administrator	Continue by-right administrative approval
Maximum size	40% of principal structure; maximum 600 sq. ft.	Maximum 1,000 sq. ft.; never larger than principal dwelling
Detached setback	Full district setbacks: rear 30 ft. in R-2; 20 ft. in R-3/R-4	5 ft. from side and rear lot lines
Location	Rear yard only	Side or rear; not forward of principal dwelling
Owner occupancy	Required	Remove requirement
Parking	One additional space	No additional space if two legal spaces already exist
Lot coverage	R-2: 30%; R-3/R-4: 40%	Allow up to 50% with code-compliant drainage
Short-term rental	Not expressly addressed	Prohibit rentals under 30 consecutive days
Separate conveyance	Prohibited by deed restriction	Retain this restriction only

Practical effect of the amendment

The proposed ordinance would not guarantee approval of every ADU. Each application would still need a land use permit and all required construction and trade permits. Building separation, emergency access, fire protection, drainage, utility capacity, and rental requirements would continue to apply. The change would make zoning approval predictable when an applicant meets clear, measurable standards.

The principal policy choice is whether Pinckney wants ADUs to function as a realistic housing option on ordinary Village lots. A five-foot setback, flexible parking rule, and administrative review would remove the largest zoning barriers while preserving the Village's ability to enforce health, safety, and property-maintenance standards.

3. Proposed Replacement - § 152.269

ACCESSORY DWELLING UNITS (ADU)

(A) Purpose.

The purpose of this section is to expand housing choices, support aging in place, provide opportunities for extended-family living, make efficient use of existing Village infrastructure, and allow property owners to add modest residential units while maintaining the general residential character of established neighborhoods.

(B) Permitted districts and approval.

- (1) One accessory dwelling unit is permitted by right on a lot in the R-2, R-3, or R-4 District containing a lawful single-family or two-family dwelling.
- (2) An ADU may be located within, attached to, or detached from the principal dwelling.
- (3) Approval shall be administrative through issuance of a land use permit by the Zoning Administrator. Planning Commission or special land use approval shall not be required when the standards of this section are met.
- (4) An ADU shall be permitted on a lawful nonconforming lot or a lot containing a lawful nonconforming principal dwelling.

(C) Number and ownership.

- (1) No more than one ADU shall be permitted per lot.
- (2) The principal dwelling and ADU shall remain under common ownership and shall not be divided or conveyed separately.
- (3) Owner occupancy of either dwelling shall not be required.
- (4) Before occupancy, the owner shall record a deed restriction stating that the ADU may not be conveyed separately from the principal dwelling.

(D) Floor area and occupancy.

- (1) An ADU shall not exceed 1,000 square feet of gross floor area.
- (2) An ADU shall not exceed the gross floor area of the principal dwelling.
- (3) An ADU may contain no more than two bedrooms.
- (4) Occupancy shall comply with applicable building, housing, fire, and property-maintenance codes.

(E) Placement and setbacks.

- (1) An attached ADU shall comply with the dimensional requirements applicable to the principal dwelling.
- (2) A detached ADU may be located in a side or rear yard but shall not be located closer to the street than the front wall of the principal dwelling.
- (3) A detached ADU shall be set back at least five feet from a side or rear property line.
- (4) The Zoning Administrator may approve conversion of a legally established accessory building that does not meet the five-foot setback, provided it complies with applicable building and fire-code requirements.
- (5) A detached ADU shall be separated from the principal dwelling as required by applicable building and fire codes.
- (6) A detached ADU shall not exceed 25 feet or two stories in height.
- (7) An ADU may increase total lot coverage to a maximum of 50%, provided applicable stormwater, drainage, and building-code requirements are satisfied.

(F) Parking and access.

- (1) No additional off-street parking space shall be required when the property already contains at least two legal off-street parking spaces.
- (2) When adequate parking is not available, the Zoning Administrator may require one additional parking space.
- (3) A new or separate driveway shall not be required.
- (4) Parking for an ADU may be arranged in tandem with parking for the principal dwelling.

(G) Design.

- (1) An ADU shall be constructed with durable exterior materials appropriate for residential use.
- (2) Exterior entrances may be located on the front, side, or rear of the building.
- (3) Windows, balconies, and elevated decks should be arranged, where reasonably practical, to reduce direct views into neighboring residential properties.
- (4) An ADU shall not be required to duplicate the architectural style, roof pitch, or exterior materials of the principal dwelling.

(H) Utilities and addressing.

- (1) Water, sewer, and other utilities may be shared with the principal dwelling or separately connected, subject to Village utility requirements and applicable codes.
- (2) The Village may assign a separate unit designation or address when necessary for emergency services, utilities, or rental registration.
- (3) The ADU shall comply with all applicable building, plumbing, mechanical, electrical, fire, and property-maintenance codes.

(I) Rental restrictions.

- (1) An ADU may be rented independently from the principal dwelling.
- (2) An ADU shall not be rented for a period of fewer than 30 consecutive days.
- (3) A rented ADU shall comply with any applicable Village rental-registration and inspection requirements.

(J) Prohibited structures.

An ADU shall not consist of a recreational vehicle, mobile home, travel trailer, shipping container, or other structure designed for regular movement. A code-compliant manufactured or modular dwelling placed on a permanent foundation may be permitted.

4. Planning Commission Discussion Items

- Should ADUs be permitted on lots containing a two-family dwelling, or only on lots containing a single-family dwelling?
- Is a 1,000-square-foot maximum appropriate, or should the maximum be 800 square feet on smaller lots?
- Should the detached setback be five feet, or should three feet be allowed when fire-rated construction is provided?
- Should total lot coverage be allowed up to 50%, and should an engineered drainage plan be required above the district maximum?
- Does the Commission support eliminating owner occupancy while retaining the prohibition against separate sale?
- Should an existing lawful garage or accessory building be convertible when it does not meet the new five-foot setback?
- Should the Village require rental registration and periodic inspection of a rented ADU?

Recommended review path

1	Planning Commission work session and direction
2	Planner and Village Attorney review
3	Prepare formal zoning amendment and required notice
4	Planning Commission public hearing and recommendation
5	Village Council consideration and adoption
6	Publication, effective date, application form, and public guidance

Sources reviewed

Village of Pinckney Code of Ordinances, § 152.269, Accessory Dwelling Units; § 152.044, Table of Dimensions. Michigan Economic Development Corporation, Redevelopment Ready Communities Zoning Quick Sheet, Best Practice 2.4 - Housing Diversity. City of Ann Arbor, Accessory Dwelling Unit Guidebook. City of Grand Rapids, Accessory Dwelling Unit guidance and zoning standards.

Note: Online municipal codes may not reflect the most recently adopted legislation. The official Village ordinance book and current state requirements should be confirmed before formal action.