
September 25, 2024
7:00 p.m.

City of Brooklyn Park – Conference Room A203
5200 85th Avenue North
Brooklyn Park, MN 55443

PLANNING COMMISSION WORK SESSION – AGENDA #14

For reasonable accommodations or alternative formats, please provide a 72-hour notice by calling 763-424-8000 or emailing chris.xiong@brooklynpark.org. Si usted necesita esta información en español, llame al 763-424-8000 y solicite un intérprete. Yog xav tau kev pab, hu 763-493-8059.

Commissioners: Chair Liam Cavin, Vice Chair Kathy Fraser, General Officer Teshite Wako, Christopher Udomah, Philip Gaye-Bai, Maggie Borer, Shereese Turner, Abdo Korosso, and Chukwunedu Arah.
City Councilmember Liaison Tony McGarvey.
Staff Liaison Planning Director Paul Mogush, Interim Planning Director Erin Perdu, Erin McDermott, Cara Donovan, and Matt Hayes-Regan.

I. CALL TO ORDER

II. GENERAL INFORMATION

III. DISCUSSION ITEMS/GENERAL ACTION ITEMS

1. Kwik Trip 1741 | 9400 West Broadway

Representatives of Kwik Trip will discuss a potential application for building a new Kwik Trip convenience store at 9400 West Broadway.

2. Accessory Dwelling Unit (ADU) Discussion

This work session will provide an opportunity for Planning Commissioners to learn more about ADUs and discuss next steps for allowing ADUs in Brooklyn Park.

IV. VERBAL REPORTS AND ANNOUNCEMENTS

1. COUNCILMEMBER LIAISON COMMENTS

2. PLANNING COMMISSION COMMENTS

3. STAFF LIAISON COMMENTS

V. ADJOURNMENT

September 17th, 2024

We are here today to request a variance for the design and overall build out of a new Kwik Trip store at the site of 9400 West Broadway, Brooklyn Park. The current site plan is attached as to what we would desire to build based on our prior experience with our neighboring communities and our own two stores in Brooklyn Park on Noble Ave / 610 and Zane Ave/ 610.

We are asking for multiple variances and feedback regarding our site. The supporting documentation is below, along with a site plan showing our concerns.

Our objective is present to you the challenges the current site faces, regarding the TOD-E (152.608) development standards and to show you the possibilities we would like to be considered to move the project forward.

We would like to further explain:

1. Why we meet the 3 main factors for considering a variance request
2. Address the specific site standards under TOD-E overlay district
3. Answer any questions regarding the site functionality, potential safety issues and overall aesthetic and environmental considerations.

Preliminary Review of Kwik Trip plan set:

Development Standards (152.605):

Below is a code analysis of this sections with concern to not meeting the various standards.

Parking:

- Site plan does not include required screening of parking from public streets and sidewalks. This includes the sidewalk on the eastern side of the site, and all parking areas proposed to the southern portion of the building.

We understand why it might be important to screen certain businesses based on the overall aesthetic or functionality of a building. The vitality of a convenience store is based on the visibility of a site and the access to the site. Patrons use a convenience store because of the specific location and it easy to locate when trying to find it. Screening hides our store from potential vehicle and walkable traffic that would not realize we are there until it is too late.

1. **Site Functionality:** It prohibits potential patrons, in a vehicle to make an immediate decision to stop and use our site.
2. **Safety Consideration:** It potentially creates a safety issue for a couple of reasons. Having a well lit and visible site deters potential crimes of theft, vandalism and assault because it is open from all angles. It also is important, so that patrons don't make a haste decision when trying to stop or turn into the site. If they do not see it visible until they are either right at the entrance, or already past our entrance.

3. **Aesthetic Considerations:** Screening covers up the high quality building materials that carefully choose use for our stores to create a top end brand and appearance for our site.
 - Access driveways are limited to 20ft.

We understand that the current requirement is for a single 20-foot wide access. However, our project necessitates two separate accesses, each at 40 feet wide, to ensure adequate traffic flow and safety for both vehicles and pedestrians.

Having two 40-foot wide accesses is crucial for the following reasons:

1. **Traffic Management:** Multiple wide accesses will help distribute traffic more evenly, reducing congestion and improving overall efficiency.
2. **Emergency Access:** Wider accesses are essential for emergency services to navigate the site quickly and effectively.
3. **Safety Considerations:** Two wide accesses allow for better visibility and maneuverability, which enhances safety for all users.

We respectfully request reconsideration of the requirement to accommodate these needs. We are open to discussing this further to find a solution that aligns with both city regulations and our project goals.

TOD-E (152.608):

Building setbacks:

- Front street – exceeds maximum setback (2 ft min – 16 ft max)

We believe that the maximum building setback of 16 feet is too restrictive for our project. Our design and operational needs require a greater setback for the following reasons:

1. **Site Functionality:** A larger setback is necessary to accommodate [specific operational needs, e.g., loading docks, parking requirements, landscaping, etc.], which are critical for the functionality and efficiency of the building.
 2. **Safety and Accessibility:** Increased distance from the property line will improve safety by allowing for better vehicle maneuverability and pedestrian access around the building.
 3. **Aesthetic and Environmental Considerations:** A larger setback will enable us to incorporate more green space and landscaping, enhancing the overall visual appeal and contributing positively to the environment.
- Side street – exceeds maximum setback (2 ft min – 16 ft max)

We currently have the building placed 16 feet from the West Broadway property line.

- Side property line - exceeds maximum setback (0 ft min – 6 ft max)

The maximum building setback of 6 feet poses a significant challenge for our project, as this area is designated for guest parking. A setback of 6 feet is insufficient to accommodate our parking needs effectively, which include:

1. **Parking Space Requirements:** Adequate space is needed to ensure that parking areas are functional and accessible for guests, while also complying with parking regulations.
 2. **Vehicle Maneuverability:** A larger setback would provide necessary space for vehicles to maneuver in and out of parking spots comfortably, which is crucial for both safety and convenience.
 3. **Guest Experience:** Ensuring sufficient space for parking will enhance the overall guest experience by reducing congestion and making the parking area more user-friendly.
- 152.604(F)(4) addresses façade types, and the placement of the awning at the entrance of the building

Minimum frontage buildout:

- Does not meet 70% minimum frontage buildout

Other neighboring properties currently do not comply with this standard, our site presents unique challenges that affect our ability to meet the 70% frontage buildout:

1. **Site Constraints:** Our property has specific constraints such as [describe any relevant constraints, e.g., irregular shape, topographical issues, existing structures, etc.] that make it challenging to achieve the full 70% buildout while maintaining functional and aesthetic integrity.
 2. **Design Considerations:** The proposed design for our project aims to enhance [e.g., pedestrian connectivity, green space, architectural character] in a manner that might not fully align with the 70% buildout but is beneficial to the overall vision for the area.
 3. **Contextual Compatibility:** We have reviewed neighboring properties and note that the buildout requirements have been applied with some flexibility based on context. We believe a similar approach could be applied to our project to accommodate these unique aspects.
- Does not meet side street buildout (40ft required)

The proposed store exceeds the 40 feet in width requirement. Unsure if it meets the standard needed to appease city staff due to other setback challenges.

- For clarification ,please see 152.604

Parking and Storage setbacks:

- Encroaches on 30ft minimum front setback

We have encountered a challenge with the current setback requirements: the 30-foot minimum parking setback exceeds the 16-foot maximum building setback. This discrepancy presents a few issues for our project:

1. **Design Feasibility:** Adhering to a 30-foot parking setback while being restricted to a 16-foot building setback significantly complicates the site design. It limits our ability to utilize the space efficiently and impacts the overall functionality of the site.
 2. **Operational Efficiency:** The larger parking setback would encroach upon areas needed for essential site operations, including [vehicle maneuvering space, access routes, landscaping]. Balancing both setbacks within the existing constraints is proving to be challenging.
 3. **Consistency and Practicality:** Aligning the parking and building setbacks in a manner that reflects the practical use of the site will help ensure that the development is both functional and compliant with city planning objectives.
- Encroaches on 12ft minimum side setback

We are facing considerable challenges with the 12-foot setback requirement as it impacts the burial and functionality of our underground storage tanks. Specifically:

1. **Operational Constraints:** The 12-foot parking setback substantially reduces the area available for the proper installation and operation of the underground storage tanks. Adequate space is necessary to ensure that the tanks can be buried safely and function optimally, in accordance with both safety and environmental regulations.
2. **Design Limitations:** This setback requirement imposes constraints on our site layout, making it challenging to position the tanks effectively. This could negatively impact the overall efficiency and functionality of the site.
3. **Compliance Issues:** Ensuring proper installation and access for maintenance of the underground storage tanks is crucial for compliance with regulatory standards. The 12-foot setback may compromise our ability to meet these requirements effectively.

Minimum glazing:

- Glazing percentages not included in plan set (60% at front street, and 30% at side street)

We are currently close to meeting the 60% glazing coverage on the front of the building and should be able to meet the remaining 30% at the side street per conversation with our architect.

Uses:

Fuel stations are conditional, conditional use permit is required for the development of a fuel station

Conditional Use Permit (152.035)

Provide a code analysis of this section with application

Lighting (152.111)

Minimum intensity of 10 foot candles on private sidewalks and other pedestrian walkways not met

Will be addressed by our lighting engineer with our future submittal.

Variance Request Future Kwik Trip Store

SEPT. 25TH, 2024
9400 WEST BROADWAY

KWIKTRIP™ | ***KWIKSTAR***

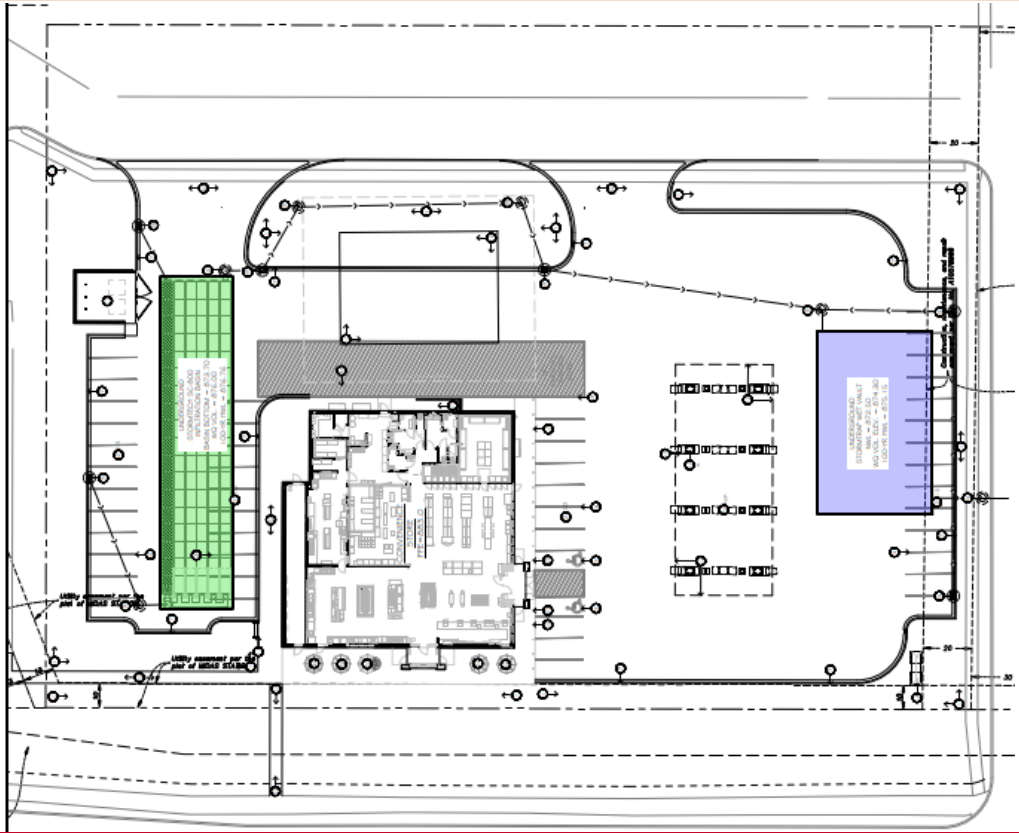
Agenda

- 1. Current State of the Union**
- 2. Address why the need for variance request**
- 3. Discuss variance factors to consider**
- 4. Address site specific concerns**
- 5. Answer questions relating to the project**

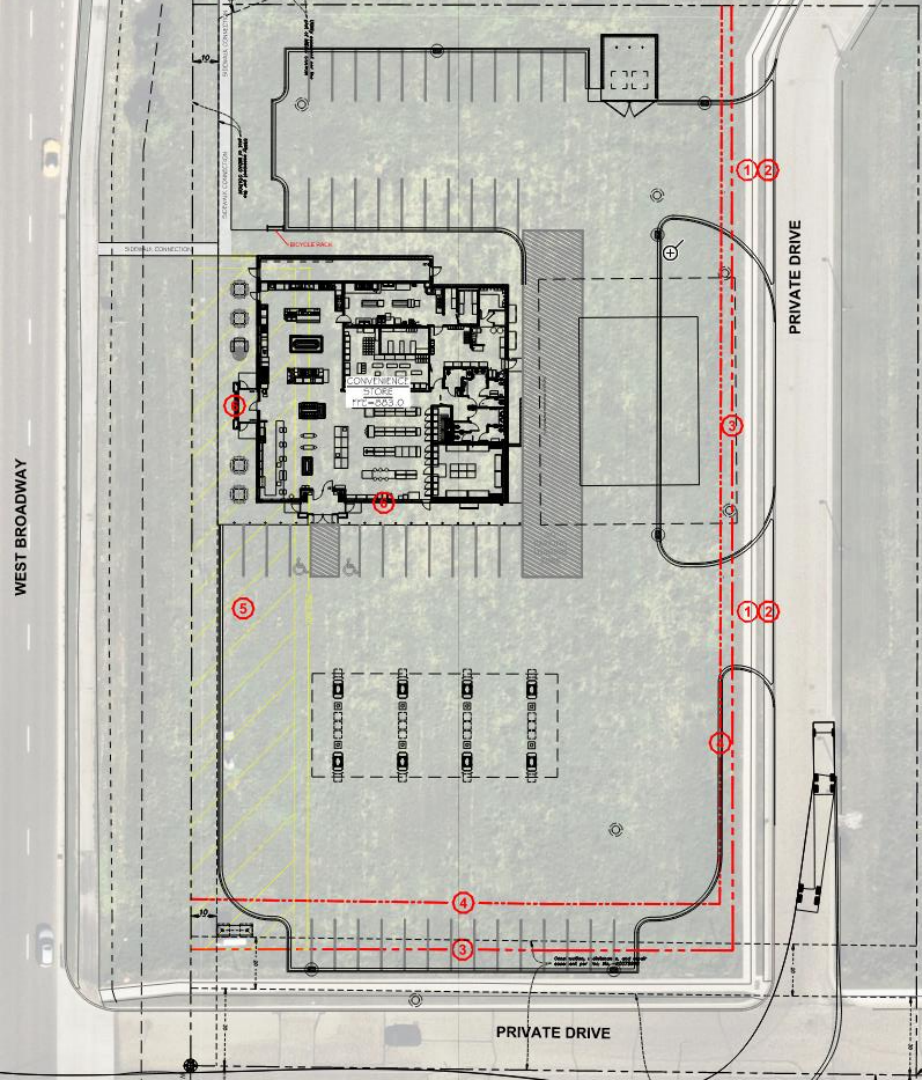
Neighborhood Overview Brooklyn Park, MN



Current Reality & Site Plan



Site Plan – Kwik Trip



1. Two site accesses shown where only one is permitted.
2. Exceeds maximum width of 20' for site access drives.
3. Does not meet front and side building setback standards per TOD-E Code (152.608)
 - a) Front yard setback per code: 2 feet min. - 16 feet max.
 - b) Side yard setback per code: 0 feet min. - 16 feet max.
4. Does not meet front and side parking setback standards per TOD-E Code (152.608)
 - a) Front yard setback per code: 30 feet min.
 - b) Side yard setback per code: 12 feet min
5. Does not meet required 70% minimum building frontage. Approximate size of required building size highlighted in yellow.
6. Does not meet the required amount of window glazing per code:
 - a) Front street glazing required: 60%
 - b) Side street glazing required: 30%

Preliminary Review Feedback

1. Parking- Screening of parking from public streets and sidewalks

- Specifically eastern side and southern portion of the building

2. Building Setbacks

- Front Street
- Side Street
- Side Property Lines
- 152.604(F)(4) Address façade types and placement of the awing at the entrance of the building

3. Minimum Frontage buildout

- Does not meet 70%
- Does not meet side street buildout(40 ft required)

4. Parking and Storage Setbacks

- Encroaches on 30ft minimum front setback
- Encroaches on 12ft minimum side setback

5. Glazing

- Required percentages of 60% front street and 30% side street

Variance Factors for Consideration

- 1. Test of Reasonableness**
- 2. Circumstances Unique to Property**
- 3. Would not alter character of the neighborhood**

Test of Reasonableness

- **Definition : Land owner would like to use the property in a practical way but cannot do so under the rules of the ordinance**

Build to and Set back Requirements are too restrictive and all surrounding businesses do not meet this criteria.

Site Functionality: A larger setback is necessary to accommodate [specific operational needs, loading docks for daily deliveries, parking requirements, landscaping requirements], which are critical for the functionality and efficiency of the building.

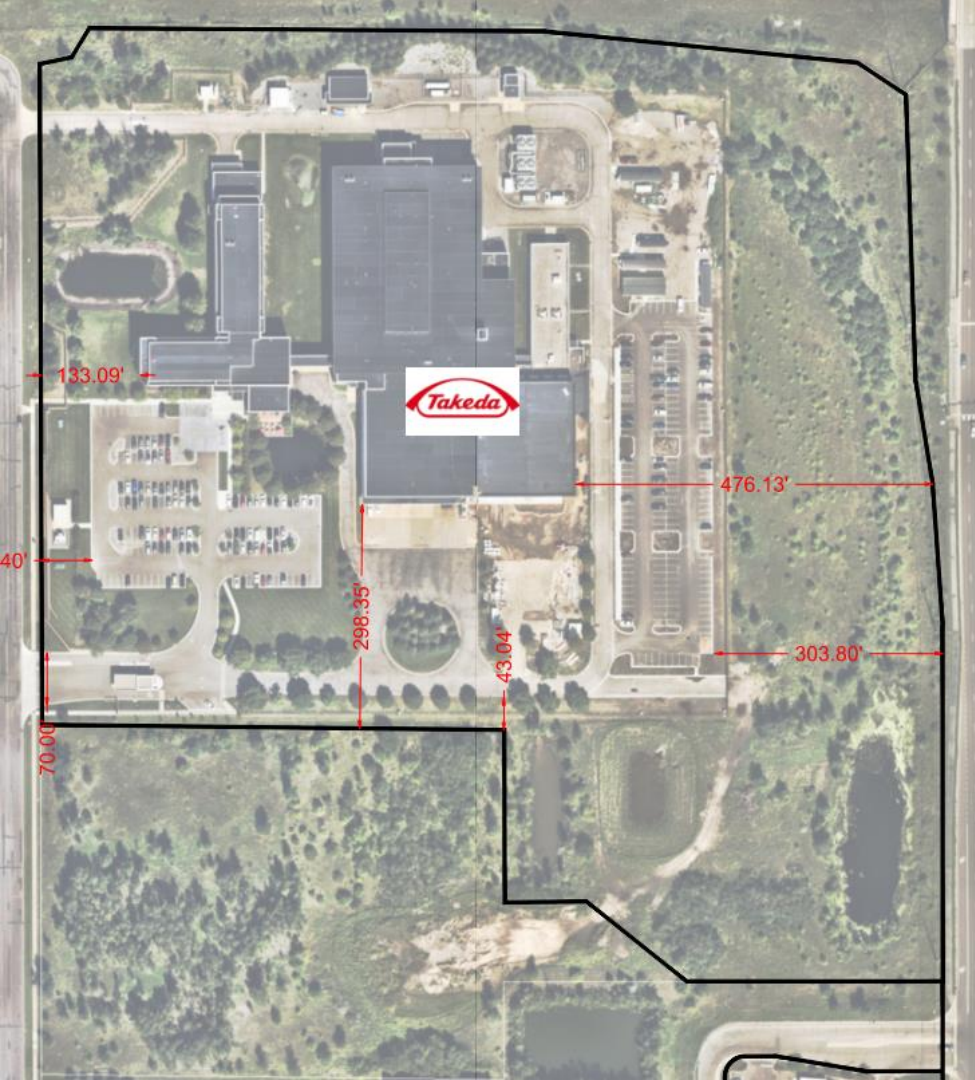
Safety and Accessibility: Increased distance from the property line will improve safety by allowing for better vehicle maneuverability and pedestrian access around the building.

Aesthetic and Environmental Considerations: A larger setback will enable us to incorporate more green space and landscaping, enhancing the overall visual appeal and contributing positively to the environment.

Existing Conditions – Takeda

Noncompliance Notations to Transit Oriented District Code

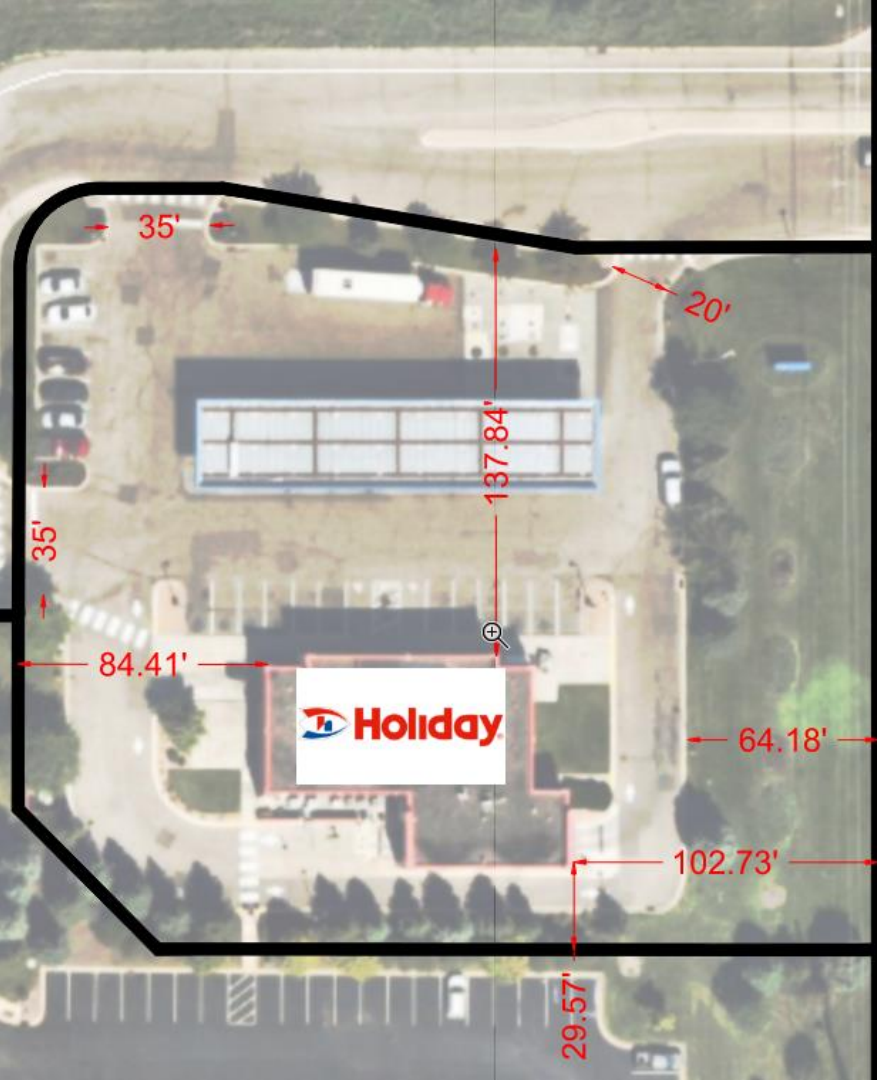
1. Building setbacks further than allowed
 1. Front
 2. Street Side
 3. Side
 4. Rear
2. Parking setbacks further than allowed
 1. Front
 2. Street Side
 3. Side
 4. Rear
3. 70% building frontage not met
4. Access width exceeds 20 feet maximum width
5. Multiple accesses
6. Required window glazing not meeting requirement

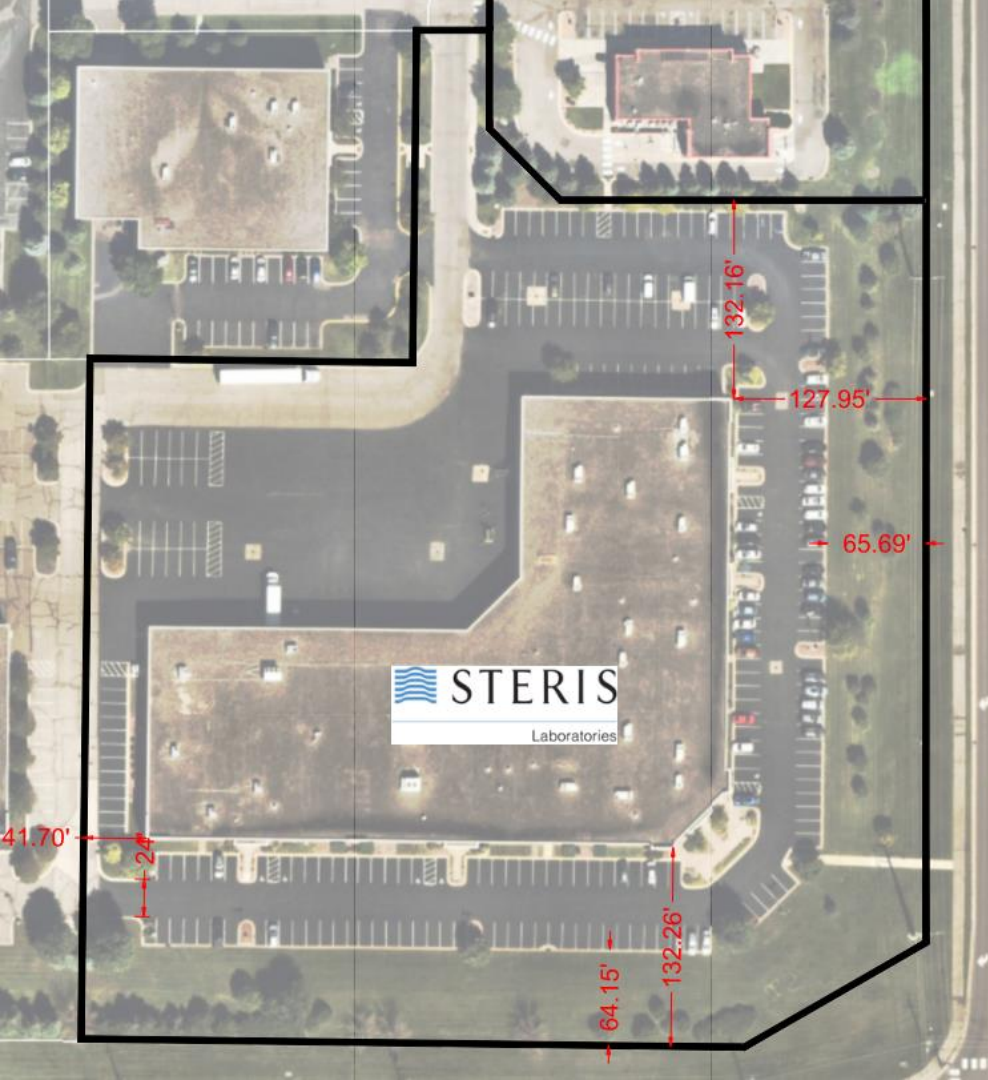


Existing Conditions – Holiday

Noncompliance Notations to Transit Oriented District Code

1. Building setbacks further than allowed
 1. Front
 2. Street Side
 3. Side
 4. Rear
2. Parking setbacks further than allowed
 1. Front
 2. Street Side
 3. Side
 4. Rear
3. 70% building frontage not met
4. Access width exceeds 20 feet maximum width
5. Multiple accesses
6. Carwash present on site
7. Required window glazing not meeting requirement



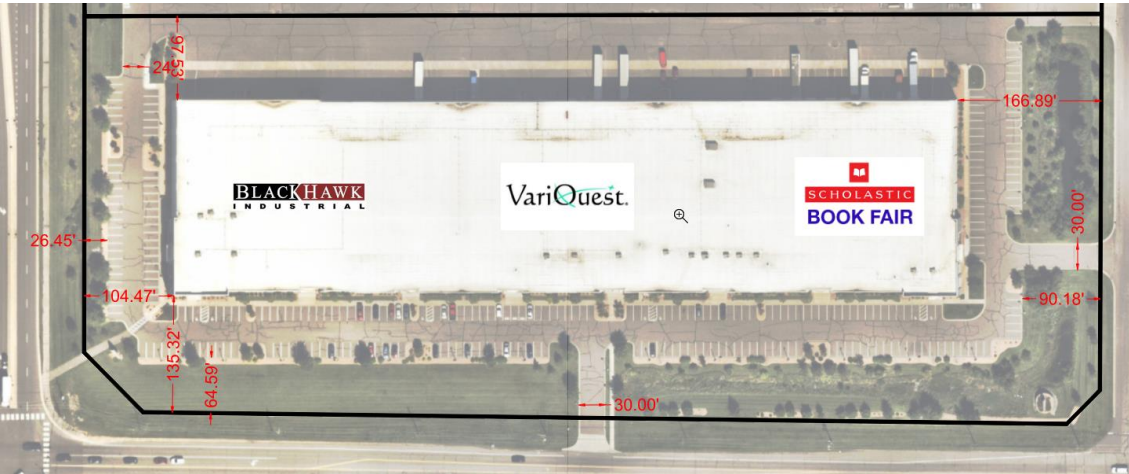


Existing Conditions – Steris

Noncompliance Notations to Transit Oriented District Code

1. Building setbacks further than allowed
 1. Front
 2. Street Side
 3. Side
 4. Rear
2. Parking setbacks further than allowed
 1. Front
 2. Street Side
 3. Side
 4. Rear
3. 70% building frontage not met
4. Required window glazing not meeting requirement

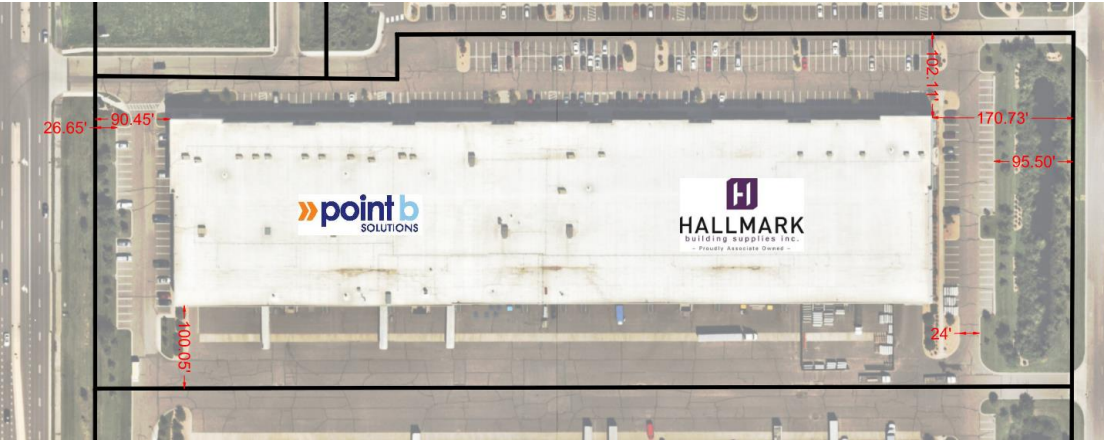
Existing Conditions – Mixed Use 1



Noncompliance Notations to Transit Oriented District Code

1. Building setbacks further than allowed
 1. Front
 2. Street Side
 3. Side
 4. Rear
2. Parking setbacks further than allowed
 1. Front
 2. Street Side
 3. Side
 4. Rear
3. 70% building frontage not met
4. Access width exceeds 20 feet maximum width
5. Multiple accesses
6. Required window glazing not meeting requirement

Existing Conditions – Mixed Use 2



Noncompliance Notations to Transit Oriented District Code

1. Building setbacks further than allowed
 1. Front
 2. Street Side
 3. Side
 4. Rear
2. Parking setbacks further than allowed
 1. Front
 2. Street Side
 3. Side
 4. Rear
3. 70% building frontage not met
4. Access width exceeds 20 feet maximum width
5. Multiple accesses
6. Required window glazing not meeting requirement

Circumstances Unique to Property

Definition : The uniqueness generally relates to the physical characteristics of the particular piece of property, and not the personal characteristics or preferences of the land owner

Site is currently not developable under the overlay TOD-E district due to the following constraints:

- **70 ft minimum frontage buildout**
 - The C store use is allowed per the zoning, however a CUP is required. The building size is excessive for this type of use.
- **Size of driveways are on the access road that only affect hotel patrons**

Would not alter character of neighborhood

Definition : Whether the resulting structure will be out of scale, out of place or otherwise inconsistent with the surrounding area.

As you will see, the existing buildings in the direct area:

2 Hotels, Another C- Store, Industrial Warehouse and Combined office space

Our property will have green space, visual interesting details that warehouses lack, provide outside amenities to surrounding patrons, provide safe walking access and bike racks , provide convenient groceries and food access for the hotel patrons

Our store provides a classic and modern look, which will help enhance the overall feel of the existing neighborhood.

Questions?

KWIK TRIP™ | ***KWIK STAR***®

Thank You!

KWIKTRIP™ | ***KWIKSTAR***

MEMORANDUM

Date: September 25, 2024
To: Planning Commission Members
From: Cara Donovan, Senior Planner; Erin McDermott, Senior Planner
Subject: Accessory Dwelling Unit Work Session

Accessory Dwelling Unit Work Session

At the August 14, 2024 Planning Commission Regular Meeting, staff presented the Community Long-Range Improvement Commission presentation as a discussion item. At that time the Planning Commission expressed interest in moving forward with this topic. This work session will provide an opportunity for Planning Commissioners to learn more about ADUs and discuss next steps for allowing ADUs in Brooklyn Park.

Attachment 2A – Community Long-Range Improvement Commission (CLIC) August 2024 Presentation

Attachment 2B – [The ABCs of ADUs, A guide to Accessory Dwelling Units and how they expand housing options for people of all ages \(AARP\)](#)

A.D.U.s

ACCESSORY DWELLING UNITS



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BACKGROUND



When presenting the Community Long-Range Improvement Commission (CLIC) plans to the Brooklyn Park City Council for 2024-2025, Mayor Hollis Winston made a request that we look into the pros and cons of ADU units.



DEFINITION



Accessory Dwelling Unit (ADU): A self-contained dwelling unit having its own kitchen and bathroom facilities, and which is designed as a second separate dwelling unit that is clearly incidental and subordinate to the principal use of a lot as a single-family detached residence. They are typically under 1,000 square feet.



HISTORY



1880s

Historic precedent for the modern day ADU is the “carriage house,” or “coach house.” Originally built for horse-drawn carriages, the structures associated with grander homes were frequently large enough to double as living quarters for workers and stable hands.

1920s

In response to housing shortages and economic needs, many surviving carriage houses were converted into rental homes. By becoming landlords, the owners gained income from their otherwise unused outbuildings.

1940s

With the rise of suburban single-family home developments following World War II, ADUs practically ceased to exist in U.S. Residential zoning codes typically allowed only one home per lot, regardless of lot size. Garages occupied yard space that might otherwise have been available for ADUs.

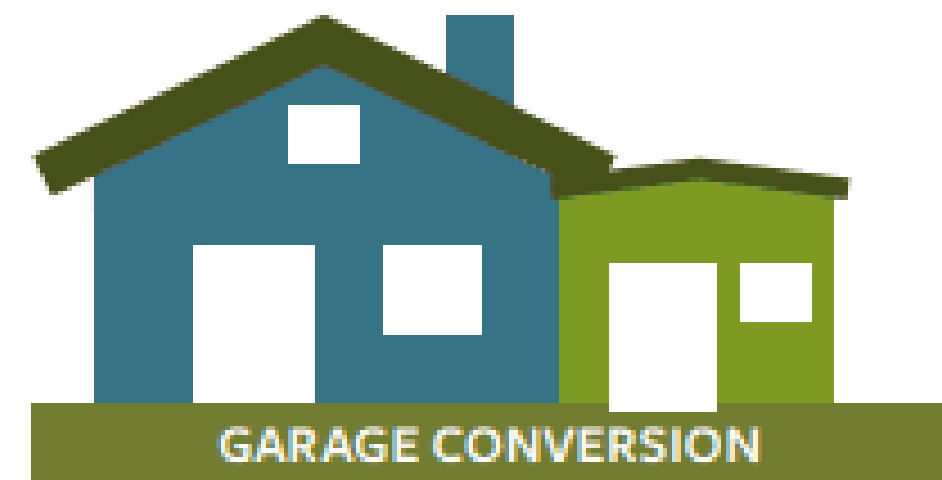
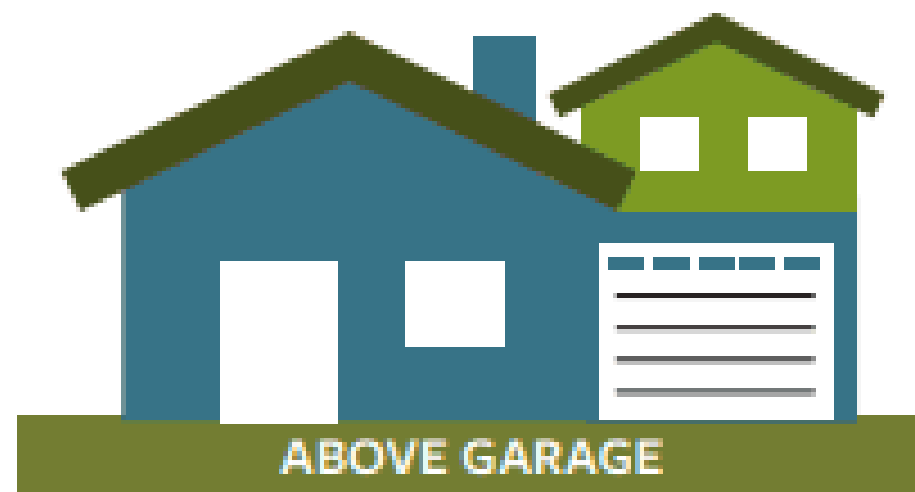
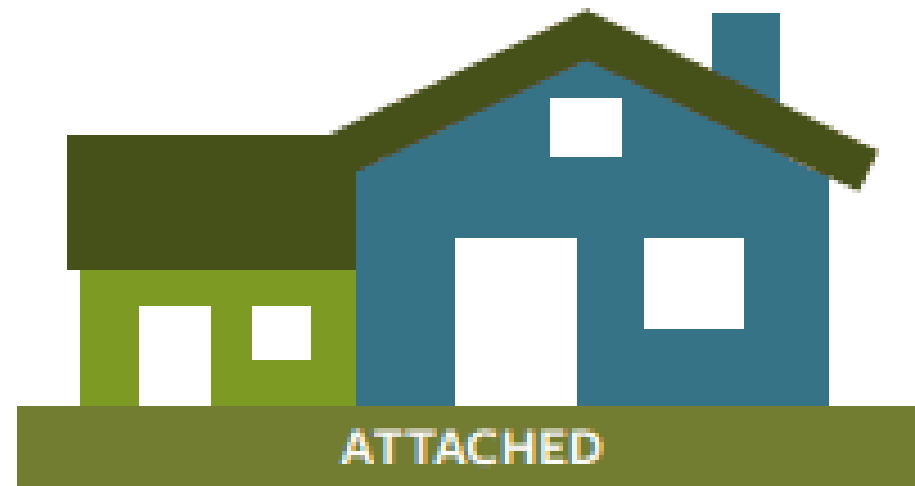
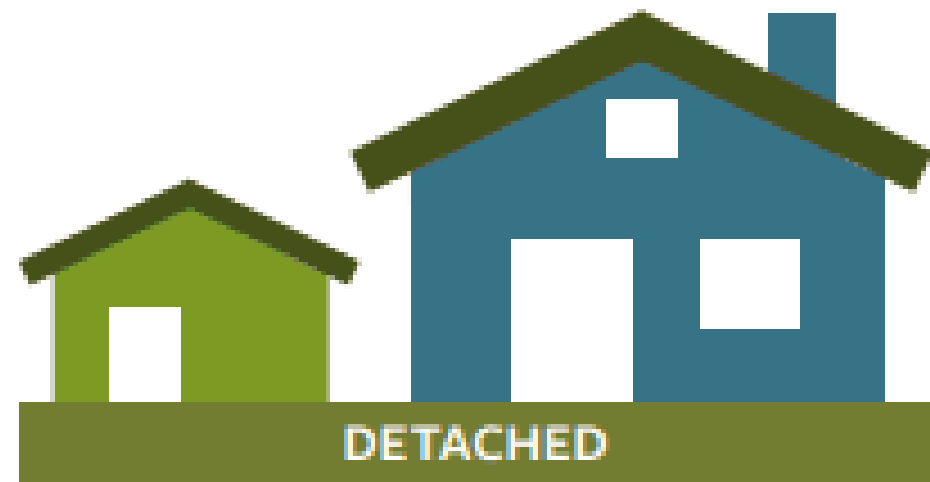
1980s

A wave of ADU laws were passed throughout the country. California banned localities from explicitly outlawing ADU development, but localities made the approval process difficult. Allowing them for the elderly was an easy way to get ADUs accepted, which led to concerns about fair housing.

2000

In response to a growing demand for ADU-supportive guidelines, AARP and the American Planning Association partnered to release an influential model state act and local code for ADUs.

TYPES OF ADUS



TYPES OF ADUS

Accessory dwelling units refer to a wide range of residences.

Think tiny house, granny pod, or backyard cottage. An ADU is built in the yard of an existing home and can be used as a rental mother-in-law suite, or guest house.

DETACHED

Depending on the structure of the home, this may be built as a one or two-story pop out from one side of the house, with it's own entrance

ATTACHED

Create an upper apartment in an existing home. This is commonly done by finishing attic space. They feature an exterior entrance separate from that for the main house. .

**INTERIOR
(UPPER)**

Create a basement apartment by finishing a basement or adding features (like a kitchen) to a finished basement. They feature an exterior entrance separate from that for the main house.

**INTERIOR
(LOWER)**

Above-garage ADUs take advantage of the existing garage structure and build above it while keeping the garage space below.

**ABOVE
GARAGE**

A garage conversion turns a preexisting structure into a full-blown living space, but has the disadvantage of eliminating garage space.

**GARAGE
CONVERSION**

BENEFITS TO RESIDENTS

Affordable Housing

Not only are ADUs smaller and therefore more affordable to build; oftentimes, they can also be built in existing spaces like a garage or basement. They also eliminate the need to pay for additional land. Plus, owners don't need to install utility infrastructure, since it's already in place and likely just needs to be extended from the main house.

Convenience & Flexibility

ADUs provide family members with independent living while still living near each other. It can be a good option for college students or young adults to save money, or for older relatives to age in place with family support nearby.

Small Environmental Footprint

ADUs are small, so both building and living in one puts out a much smaller environmental footprint. The construction of an ADU requires fewer materials, typically, and living in one often requires less energy to heat and cool the unit.



BENEFITS TO RESIDENTS

Increased Property Value

A newly-built granny flat adds instant appeal and resale value to your home when you decide to sell, as it will increase the value of your property. Rental income is attractive to buyers who may not otherwise be able to afford a property, or who have an extended family living with them. Homes with ADUs appraise higher than those that do not, due to the cost of improvements and many other features.

Rental Income for Property Owners

ADUs may be used as either short-term or long-term rentals. A short-term vacation rental may bring in higher rates, assuming the area is strong in tourism, but requires more maintenance and upkeep. A long-term rental allows for a steadier stream of income all year long.

Tax Benefits

Homeowners can accumulate tax depreciation deductions on ADUs, even accelerating the depreciation to take advantage of tax benefits sooner. This is especially beneficial in the case of rentals or small business offices, as you will likely be able to deduce the costs of construction and maintenance.



BENEFITS TO THE CITY



One significant advantage of ADUs for cities is the increase in property value – potentially increasing revenue from building permits and additional taxes. The city could also implement charges for applications or require permits for having ADUs.

INCREASED REVENUE



ADUs can provide a space for extended families to live together, encouraging multigenerational homes. This can be especially beneficial for families with aging parents or adult children who may not be able to afford a separate residence. By allowing ADUs, cities can support families in staying together and provide a more affordable housing option.

MULTIGENERATIONAL LIVING



Because ADUs are generally smaller than other homes and leverage the existing resources of an existing house, they can be much more affordable than other housing options. The city could encourage individual homeowners to build and rent out accessory dwelling units (ADUs) to low-income households by offering subsidies.

AFFORDABLE HOUSING

BENEFITS TO THE CITY



Because ADUs are often occupied by family or friends of the property owner, they can provide an additional layer of security for the neighborhood. This can be especially appealing for homeowners who are concerned about their safety or the safety of their property

INCREASED SECURITY



In many of our very established neighborhoods with unique single-family, duplex and triplex homes, an owner might consider a tear down to construct a new building with more units. Allowing that property owner to add an ADU might be more cost-effective and satisfy neighbors.

PRESERVATION OF OLDER HOUSING



ADUs are increasingly recognized as a viable solution to the housing crisis, offering affordable, flexible housing options. Success stories from various regions highlight their potential to alleviate housing shortages and provide income opportunities for homeowners.

EASE HOUSING SHORTAGES

CONSIDERATIONS

ADUs can positively impact local communities by increasing housing stock and offering different types of housing to meet diverse needs. However, they can also lead to increased urban density, which may bring about changes in neighborhood dynamics, infrastructure demands, and property values.

ADUs can have a notable impact on the infrastructure of cities and communities. Construction of ADUs often places greater demand on utilities, transportation, and public services such as water, sewer systems, schools, and emergency services.

Will the city allow short-term rentals? If so, what implications may that have?

City resources will be required to research, develop plans, create zoning restrictions, laws, and ordinance, as well as the implementation.

There will be more permits and inspections to manage.

Potential parking issues need to be considered.

Will the city allow shipping containers, pre-fab or manufactured homes?

There will likely be more rental units that require some oversight by the city.

A system will need to be developed for property addresses for ADUs.

Multiple addresses on one lot may create confusion for emergency services and package delivery.

The creation of an ADU generally does not create a separate tax parcel

NATIONAL TRENDS



- Market trends for ADUs vary significantly by region, influenced by factors such as housing demand, land availability, and local regulations. **High-demand urban areas are seeing a surge** in ADU developments, with designs tailored to fit diverse urban settings.
- The rise of **remote work** is influencing ADU design, with a **growing emphasis on multipurpose spaces** that accommodate home offices. This trend reflects the changing nature of work and home life in the digital age.
- **The ADU rental market is expanding**, offering property owners a source of passive income while providing renters with affordable housing options. Trends indicate a growing demand for ADU rentals, impacting local housing markets.
- The ADU rental market is expanding, offering property owners a source of passive income while providing renters with affordable housing options. **Trends indicate a growing demand for ADU rentals, impacting local housing markets.**
- **In California**, between 2019 and 2022, the **number of ADUs permitted grew 88%**. Constructed ADUs follow the same general trend, rising from 5,852 in 2019 to 17,460 by 2022 (an almost 200% increase).
- Fannie Mae and Freddie Mac recently updated **lending guidelines to expand ADU financing**, too.

LOCAL TRENDS

- 31 metro cities allow ADUs.
- ADUs are increasingly allowed in the Twin Cities, but infrequently built.
- Residents find cost and regulations to be prohibitive.
- Eagan legalized ADUs in 2014 and has 3.
- Richfield legalized ADUs in 2017 and has fewer than 10.
- Minneapolis has about 232 units, representing fewer than 1% of the eligible properties. There continues to be a decline with 13 being built in 2022.
- In St. Paul, 20 ADUs have been built, total.
- On average in the Twin Cities it costs about \$250,000 to build an ADU.



LOCAL TRENDS

- Burnsville has seen success with ADUs.
- Burnsville is one of the few cities without a short-term rental ban.
- They have a disproportionate share of detached ADUs used as short-term rentals near the city's larger lakes.



- Edina recently joined 24 suburban cities that already permit ADUs on single-family residential lots.
- The city gets multiple inquiries for ADUs every week.
- 72% of respondents of a city survey said they would support an ADU ordinance.

- ADU must be attached to a garage or to the primary residential structure. Standalone units are not allowed.
- A minimum of three off-street parking spaces are required to add an ADU.
- Richfield's interest-free Transformation Home Loan program added an ADU financing pilot last year. It offers eligible homeowners up to \$25,000 or 15% of total project costs.



MN METRO CITIES THAT ALLOW ADUS

Anoka County

Blaine
Fridley

Dakota County

Apple Valley
Burnsville
Eagan
Farmington
Hastings
Inver Grove Heights
Lakeville
Northfield

Hennepin County

Bloomington
Crystal
Edina
Golden Valley
Hopkins
Long lake
Minneapolis
Minnetonka
Orono
Plymouth
Richfield
St. Louis Park
Wayzata

Ramsey County

Blaine
Mounds View
Roseville
Shoreview
St. Paul
White Bear Lake

Washington Cty

Stillwater
White Bear Lake

NEARBY CITIES

Each city has the following:

- size restrictions based on the size of the primary house and yard (generally the ADU can't be larger than 35-50% of primary dwelling)
- only allow ADUs on lots that contain a detached SFH
- only allow ADUs in certain zoning districts
- allow 1 ADU per lot
- most require that owner must live on site

BLAINE

Legalized

2021

Number of ADUs

0

Parking

1/bedroom

CRYSTAL

Legalized

2017

Number of ADUs

XX

Parking

1+2 (home)

Address

Unit B

FRIDLEY

Legalized

2022

Number of ADUs

XX

Parking

XX

Min. size

250 sq ft

GOLDEN VALLEY

Legalized

2022

Number of ADUs:

XX

Parking

1 additional off-street

PLYMOUTH

Legalized

4/2024

Number of ADUs

0

Parking

1 spot

Conversion (JADU)

does not require

additional spot

CONCLUSION

ADUs have NOT gained widespread popularity due to numerous restrictions, requirements, and high costs. By making them easier and more affordable, they could become more widely accepted and appreciated.



NEXT STEPS

08
August

PRESENT
TO CLIC &
PLANNING
DEPARTMENT

28
August

PLANNING
DEPARTMENT
PRESENTS TO
PLANNING
COMMISSION



QUESTIONS?



The ABCs of ADUs

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



DETACHED ADU



BASEMENT ADU



GARAGE-CONVERSION ADU



ATTACHED ADU



SECOND-STORY ADU

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



Websites: AARP.org and AARP.org/Livable
Email: Livable@AARP.org
Facebook: /AARPLivableCommunities
Twitter: @AARPLivable
Free Newsletter: AARP.org/LivableSubscribe

AARP is the nation’s largest nonprofit, nonpartisan organization dedicated to empowering people 50 or older to choose how they live as they age. With nearly 38 million members and offices in every state, the District of Columbia, Puerto Rico and the U.S. Virgin Islands, AARP strengthens communities and advocates for what matters most to families: health security, financial stability and personal fulfillment. The AARP Livable Communities initiative works nationwide to support the efforts by neighborhoods, towns, cities, counties, rural areas and entire states to be livable for people of all ages.



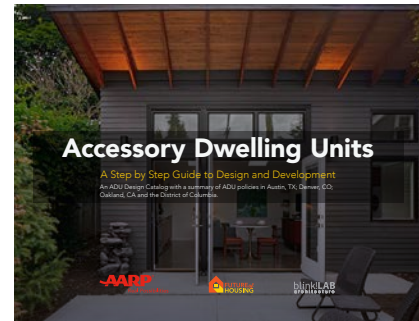
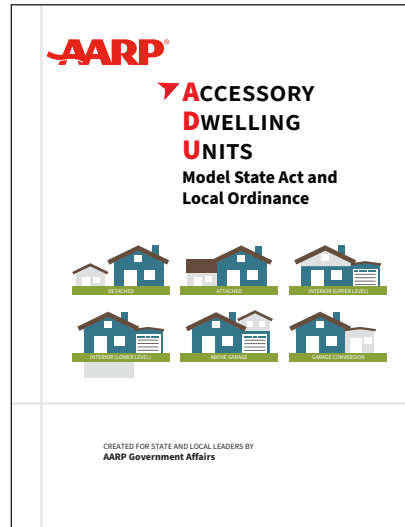
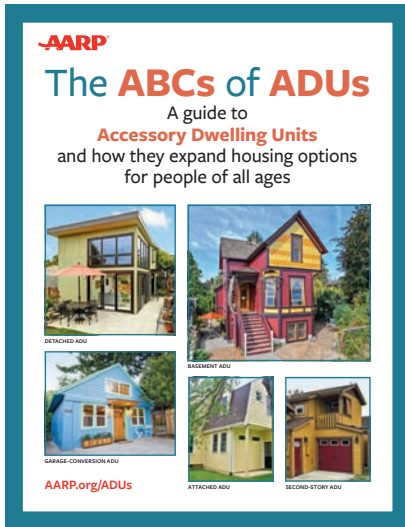
Orange Splot LLC

Website: OrangeSplot.net
Email: eli@OrangeSplot.net

Orange Splot LLC is a development, general contracting and consulting company with a mission to pioneer new models of community-oriented, affordable green housing developments. Orange Splot projects have been featured in the *New York Times*, *Sunset magazine* and on NBC’s *Today* show. (The detached ADUs on page 3 and the back cover are by Orange Splot.) Company founder Eli Spevak has managed the financing and construction of more than 300 units of affordable housing, was awarded a Loeb Fellowship by the Harvard University Graduate School of Design, cofounded the website AccessoryDwellings.org and serves as chair of Portland, Oregon’s Planning and Sustainability Commission.

AARP and Accessory Dwelling Units

Visit AARP.org/ADU to order or download our free publications and find more resources about ADUs.



AARP’s ADU Publications
 (from left): This introductory guide; guidance about creating an ADU model state act or local ordinance; a detailed guide to design and development.

Welcome! Come On In

Accessory dwelling units are a needed housing option for people of all ages

We know from surveys by AARP and others that a majority of Americans prefer to live in walkable neighborhoods that offer a mix of housing and transportation options and are close to jobs, schools, shopping, entertainment and parks.

These preferences — coupled with the rapid aging of the United States' population overall, the decrease in households with children and the national housing shortage — will continue to boost the demand for smaller homes and affordable, quality rental housing.

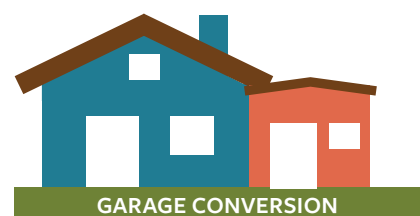
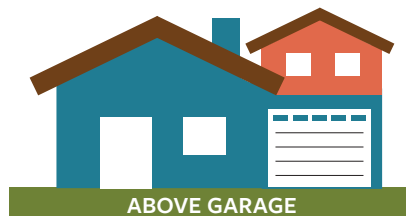
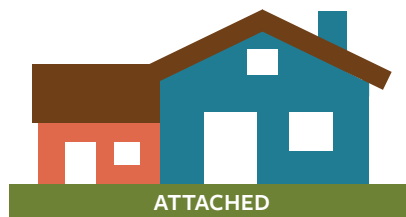
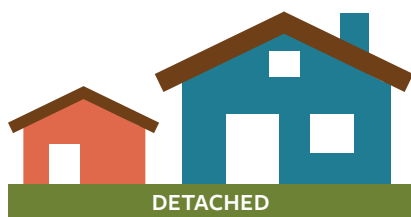
As small houses or apartments that exist on the same property lot as a single-family residence, accessory dwelling units — or ADUs — play a major role in serving a national housing need.

This traditional home type is reemerging as an affordable and flexible housing option that meets the needs of older adults and young families alike.

In fact, in the 2021 AARP Home and Community Preferences Survey, adults age 18 or older who would consider creating an ADU said they'd do so in order to:

- provide a home for a loved one in need of care (86%)
- provide housing for relatives or friends (86%)
- have a space for guests (82%)
- create a place for a caregiver to stay (74%)
- increase the value of their home (69%)
- feel safer by having someone living nearby (67%)
- earn extra income from renting to a tenant (63%)

Since ADUs make use of the existing infrastructure and housing stock, they're also environmentally friendly and respectful of a neighborhood's pace and style. An increasing number of towns, cities, counties and entire states have been adapting their zoning or housing laws to make it easier for homeowners to create ADUs. ■



▲ Accessory dwelling units (or ADUs) come in many shapes and styles.

The ABCs of ADUs is a primer for elected officials, policymakers, local leaders, homeowners, consumers and others to learn what accessory dwelling units are and how and why they are built. The guide also suggests best practices for how towns, cities, counties and states can support the creation of ADUs as a way to expand and diversify housing options.

What ADUs Are — And What They Can Do

ADUs are a family-friendly, community-creating type of housing the nation needs more of

Although many people have never heard the term, accessory dwelling units have been around for centuries (see page 6) and are identified by many different names. To be clear about what’s being discussed:

- An ADU is a small residence that shares a single-family lot with a larger, primary dwelling
- As an independent living space, an ADU is self-contained, with its own kitchen or kitchenette, bathroom and sleeping area
- An ADU can be located within, attached to or detached from the main residence
- An ADU can be converted from an existing structure (such as a garage) or built anew
- ADUs are found in cities, in suburbs and in rural areas, yet are often invisible from view because they’re positioned behind or are tucked within a larger home
- Because ADUs are built on single-family lots as a secondary dwelling, they typically cannot be partitioned off to be sold separately
- An ADU can enable family members (including family caregivers) to reside on the same property while having their own living spaces
- An ADU can provide housing for a hired caregiver
- An ADU can provide rental income to homeowners
- ADUs are a practical option for tenants seeking small, affordably priced rental housing
- For homeowners looking to downsize, an ADU can be a more appealing option than moving into an apartment or, if they’re older, an age-restricted community
- ADUs can help older residents remain independent and “age in place”
- As an adaptable form of housing, ADUs provide flexible solutions for changing needs. ■



▲ Accessory dwelling units show up in neighborhoods throughout the country — and even in pop culture. One example: In the sitcom *Happy Days*, Fonzie (right) rents an above-garage ADU from the Cunningham family in 1950s-era Milwaukee, Wisconsin.

CREATIVE COMMONS

ADUs Are Also Known As ...

Although most local governments, zoning codes and planners in the United States use the term *accessory dwelling unit* or *ADU*, these small homes and apartments are known by dozens of other names. The different terms conjure



▲ Renting out this 350-square-foot garage-conversion ADU in Portland, Oregon, helps the property owner, who lives in the lot’s primary residence, pay her home mortgage.

up different images. (Who wouldn’t rather live in a “carriage house” than in an accessory or “ancillary” unit?) Even if you’ve never heard of accessory dwelling units or ADUs, you have likely heard of — and perhaps know the locations of — some of the home types noted in the list at right. ■

- accessory apartment
- backyard bungalow
- basement apartment
- casita
- carriage house
- coach house
- English basement
- garage apartment
- granny flat
- guest cottage
- guest house
- in-law suite
- laneway house
- multi-generational house
- ohana unit
- secondary dwelling unit

PHOTO AND LIST FROM ACCESSORYDWELLINGS.ORG

ADUs Come in Many Shapes and Styles

Since ADUs are custom designed and created, they're able to fit discreetly into all sorts of locations, including suburban subdivisions, walkable towns, urban neighborhoods — and, of course, large lots and rural regions.



◀ A **DETACHED ADU** (aka DADU) is a stand-alone home on the same lot as a larger, primary dwelling. Examples include backyard bungalows and converted outbuildings.

Location: Portland, Oregon
Photo by David Todd



▲ An **ATTACHED ADU** connects to an existing house, typically through the construction of an addition along the home's side or rear. Such units can have a separate or shared entrance. In this example, the owners built a connection between the house and what was a detached garage. The addition and the space above the garage contain the ADU, which has its own entrance (pictured at right).



Location: Anne Arundel County, Maryland
Photo by Melissa Stanton, AARP



▲ A **GARAGE ADU** converts all or part of an attached or detached garage into a residence. Other options: adding an ADU above a garage or building a new unit for both people and cars.

Location: Cape May, New Jersey
Photo by Melissa Stanton, AARP

▶ Access to an **UPPER-LEVEL ADU** can be provided through a stairway inside the main home or directly from an exterior staircase. This 500-square-foot ADU is part of a 1,900-square-foot primary dwelling.



Location: Portland, Oregon
Photo by Eli Spevak,
Orange Splot LLC



▲ A **LOWER-LEVEL ADU** is typically created through the conversion of a home's existing basement (provided that height and safety conditions can be met) during construction of the house or (above and on page 7) as part of a foundation replacement and house lift.

Location: Portland, Oregon | Photo by Chris Nascimento

ADUs Are Good for People and Places

Communities that understand the benefits of ADUs allow homeowners to create them

ADUs are an economical housing option

- ADUs can generate rental income to help homeowners cover mortgage payments or simply make ends meet. The income provided by an ADU tenant can be especially important for older people on fixed incomes.
- Since the land on which an ADU is built already belongs to the homeowner, the expense to build a secondary residence is for the new structure only.
- Many ADUs are created for family members or friends to reside in for free or at a discounted rate. In fact, when a loved one is in need of care or can't live alone, an ADU can be a viable alternative to a costly assisted-living facility.
- Although market rate rents for ADUs tend to be slightly more than for similarly sized apartments, they often represent the *only* affordable rental choices in single-family neighborhoods, which typically contain few or no small or rental housing options at all.
- The state of California and some municipalities are boosting ADUs by providing grants and other incentives as part of affordable housing and anti-displacement strategies to help lower-income households build ADUs or reside in them at reliable rents.

ADUs are community-compatible

- ADUs offer a way to include smaller, relatively affordable homes in established neighborhoods with minimal visual impact and without adding to an area's sprawl.
- ADUs provide a more dispersed and incremental way of adding homes to a community than other options, such as multistory apartment buildings.
- ADUs are typically managed by homeowners who live on the premises. Such landlords are less likely to tolerate a destructive tenant.

ADUs are good for the environment

- ADUs require fewer resources to build and maintain than full-sized homes.
- ADUs use significantly less energy for heating and cooling. (Of all the ADU types, internal ones tend to have the lowest building and operating costs.)

ADUs are just the right size

- Generally measuring between 600 and 1,000 square feet, ADUs work well for the one- and two-bedroom homes needed by today's smaller, childless households, which now account for nearly two-thirds of all households in the United States.

ADUs are able to house people of all ages

- ADUs offer young people entry-level housing choices.
- ADUs enable families to expand beyond their primary home.
- ADUs provide empty nesters and others with the option of moving into a smaller space while renting out their larger house or letting an adult child and his or her family reside in it.
- An ADU's use can be adapted for different household types, income levels, employment situations and stages of life. ■

Big houses are being built, small houses are needed

Do we really need more than three times as much living space per person as we did in 1950? Can we afford to buy or rent, heat, cool and care for such large homes?

YEAR	1950	2020
Median square footage of new single-family homes	983	2,261
Number of people per household	3.8	2.5
Square feet of living space per person	292	904

FACT: ADUs house more people per square foot of living area than single-family homes do.

HOME VISIT #1

Attached ADU Addition

Santa Cruz, California

Size: 500 square feet



AARP



▲ The area with the darker roof shingles is the ADU that was added onto the home of Carrie and Sterling Whitley.

◀ ▼ The Whitleys' ADU (that's Carrie showing off the front yard's new paths and plantings) has its own entrance on the side of the home and is being rented to the couple's daughter so she can help her elderly parents when needed.

When Carrie and Sterling Whitley bought their house in 1971, they paid less than \$15,000. Nearly 50 years later, similar homes on their street have sold for more than \$1 million.

THE PROBLEM: The Whitleys, who are in their 80s, own the house outright and don't want to move. But the financial and physical demands involved in maintaining the house are a challenge.

A SOLUTION: To help low-income homeowners age 62 or older live independently and keep their homes, the Monterey Bay affiliate of Habitat for Humanity and the City of Santa Cruz launched My House My Home: A Partnership for Aging-in-Place. The pilot program builds accessory dwelling units so older homeowners can downsize into a new, aging-friendlier home and earn rental income from their original house. Or such homeowners can remain in their house and rent out the new, smaller residence. Participating homeowners are required to charge an affordable rental rate.

REALITY CHECK: When the Whitleys' project broke ground in April 2017, they were the first homeowners to receive an ADU through the program, which worked with them to design the ADU as an addition to their existing home. Since the dwelling was built with accessibility features, Carrie and Sterling know they can downsize into it if they ever need to. Until then, their daughter, Brenda, resides in the addition.

REAL LIFE: "I'm right next door to my parents in case they need me or need any help," Brenda says.

Design: Historic Sheds | Builder: Historic Sheds | Cost to build: \$158,000 in 2017 (not including volunteer labor) | Photos by Michael Daniel | Article adapted from Where We Live: Communities for All Ages (AARP 2018)



ADU ADVICE: With an attached ADU, privacy between the two residences can be achieved by locating the ADU bedroom(s) and bathroom(s) as far as possible from the main house. Providing the ADU with its own yard or outdoor space is helpful too.

ADUs Are an American Tradition

While today's interest in ADUs may be new, the housing type is centuries old

Early settlers often built a small home to live in while constructing their larger, primary house nearby.

When farming was a source of survival for most of the nation's households, families routinely constructed additional homes on their land when needed.

People with wealth and acreage regularly populated their lands with secondary mansions and ancillary buildings independent of the main estate house.

In fact, until the 20th century, people who owned land built as many homes as they wished, often for extended family or workers. There were few or no zoning rules, municipal services or infrastructure needs (utilities, roads, schools, trash collection, first-responders) to consider.

A historic precedent for the modern day accessory dwelling unit is the “carriage house,” or “coach house.” Originally built for horse-drawn carriages, the structures associated with grander homes were frequently large enough to double as living quarters for workers such as stable hands.

Decades later, in response to housing shortages and economic needs, many surviving carriage houses were

▼ **This carriage house containing a one-bedroom, one-bath ADU above a two-car garage sits behind a six-level, Gilded Age, Hoboken, New Jersey, townhome that was built in 1883. The dual residence property was on the market in 2018 for \$5 million.**



converted into rental homes. By becoming landlords, the owners gained income from their often unused outbuildings.

Automobile garages have a similar history. Some were originally built with a housing unit upstairs. Over time, many garages were converted (often illegally or under zoning codes no longer applicable today) into small homes when the spaces became more valuable for housing people than vehicles.

With the rise of suburban single-family home developments following World War II, ADUs practically ceased to be built legally in the United States. Then as now, residential zoning codes typically allowed only one home per lot, regardless of the acreage and with no exceptions. Attached and detached garages occupied yard space that might otherwise have been available for ADUs.

Some cities, including Chicago, grandfathered in pre-existing “coach house” ADUs — but only if they remained consistently occupied. In Houston's historic and trendy Heights neighborhood, old and new garage apartments are common and desired.

Many communities don't allow new ADUs, even if they did in the past. Even in rural areas with ample land, property owners are often prohibited from creating secondary dwellings or continuing to live in preexisting ones. Countless units in single-family homes or yards are technically illegal simply because they date from when such units were not allowed.

ADUs began making a comeback in the 1980s as cities explored ways to support smaller and more affordable housing options within single-dwelling neighborhoods. In 2000, in response to a growing demand for ADU-supportive guidelines, AARP and the American Planning Association partnered to release a model state act and local code for ADUs. An updated resource was published by AARP in 2021. (See an image of it on the inside front cover of this guide.)

Many state and local governments are legalizing and encouraging the creation of ADUs (see page 8), driven by high housing costs and, in some cases, the belief that homeowners with suitable space shouldn't be so restricted in the use of their property. ■

HOME VISIT #2

Garage Apartment ADU

Denver, Colorado

Size: 360 square feet



▲ The apartment above the garage can be reached from inside the garage or from an exterior side entrance accessed from the yard it shares with the primary residence.

“I see our ADU as something very similar to a student loan,” says Mara Owen. “It’s something you invest in the future with. It was cheaper than buying a house for Mom, and it lets her have independence. It’s great knowing we can check in on her whenever.”

AH-HA MOMENT: Owen, her partner, Andrew, and their three dogs were sharing a one-bedroom, one-bath house with her mother, Diane. When Owen learned that ADUs were allowed in the city, she decided the best way to get more space for her small home’s many residents would be to remove their “leaky and defunct” garage and build a new two-car garage with an apartment above it.

WISE ADVICE: “Get a really great builder and architect,” says Owen. “Interviewing architects was similar to a first date. It’s not just who you feel connected with. That’s important, but get to the values. It’s a niche market, so see if you can find someone who has built ADUs before, because ADUs are a little different.”

FUTURE PLANS: The stairs to Diane’s apartment are wide enough for a stair lift, if it’s ever needed. The roof was built at the correct slope for the eventual installation of solar panels.

Design: Hive Architecture | Builder: Hive Architecture | Cost to build: \$167,000 in 2016 | Photo by Mara Owen | Article adapted from “ADU Case Studies” by Lina Menard on AccessoryDwellings.org. Visit the website to read about and see photographs of more ADU projects.

HOME VISIT #3

Basement ADU

Portland, Oregon

Size: 796 square feet

The transformation of this colorful Victorian was both a preservation and expansion project.

TEACHING MOMENT: “Here’s a very welcome breath of fresh air, especially in the face of so much gentrification that is going on in Portland!” declared Mark Lakeman, principal of Communitecture, an architectural, planning and design firm, about the pictured remodel. Writing on his company’s website, he says the project provides a lesson in how to “adapt and reuse our precious historic houses so they can accommodate more people while also providing more income to support the existing home.”

HOW’D THEY DO IT? To add a basement rental unit, engineers lifted the house. The resulting ADU is roughly four feet underground and four feet above.



▲ By lifting the house and digging beneath it, designers, engineers and builders turned a two-story, single-family home into a three-story, multifamily residence. (The ADU’s entrance is pictured on page 3.)

THE ACHIEVEMENT: Adds Lakeman: “Unlike the seemingly pervasive method of simply tearing down existing buildings so that new, giant ones can be built, this approach achieves upgrades in energy efficient living places and adds density while retaining the continuity of our beloved historical urban environment.”

*Design: Communitecture | Home Lift: Emmert International
Builder: Tom Champion | Cost to build: \$125,000 in 2015 | Photos by
Communitecture (before) and Chris Nascimento (after)*

The Time Is Now

Rules for ADUs continue to evolve and frequently differ from one town to the next

Some communities allow almost any home to be set up with an ADU — so long as size limits, property line setbacks and placement caveats in relation to the primary dwelling are met. Others start with those basic standards and then layer on extra requirements that can make it challenging to create an ADU. (Learn more on pages 14 and 15.)

Municipalities nationwide have been relaxing their restrictions against ADUs, and several states now require communities to allow them. Some examples:

- New Hampshire and Vermont allow ADUs nearly everywhere single-family housing is permitted. New Hampshire’s 2017 legislation stemmed in large part from the frustration of builders who couldn’t construct the backyard cottages and garage apartments their clients desired.
- In 2020, the California legislature declared that “allowing accessory dwelling units in zones that allow single-family and multifamily uses provides additional rental housing, and is an essential component in addressing California’s housing needs.” The state allows up to one ADU *and* one JADU per lot. (What’s a JADU? See page 14.)
- Oregon requires cities and counties of certain sizes to allow ADUs in all single-family areas within urban growth boundaries. In 2021, the state extended ADU rights to rural residential areas.
- Other states allowing ADUs include Connecticut, Rhode Island and Utah. Many cities now allow ADUs, including Anchorage, Alaska; Atlanta, Georgia; Annapolis, Maryland; Asheville, North Carolina; Austin, Texas; Denver, Colorado; Honolulu, Hawaii; Houston, Texas; Louisville, Kentucky; Philadelphia, Pennsylvania; Phoenix and Tucson, Arizona; Seattle, Washington; and Washington, D.C. ■

▶ Located on the lowest floor of a town house, an English basement is a partially belowground apartment that has its own exterior entrance. They are typically found in older cities such as New York or (pictured) Washington, D.C. In the past, property owners used the space as servant quarters. Today, these essentially built-in ADUs are often used as rental apartments.

To Encourage ADUs

LOCAL OFFICIALS can ...

- allow all ADU types (detached, attached, interior)
- simplify the building permit process for ADUs
- waive or reduce permit and impact fees
- establish funding programs to help homeowners create ADUs
- let garages be converted into ADUs without requiring replacement off-street parking
- allow for the creation of a second ADU, subject to a combined size cap

COMMUNITY PLANNERS can ...

- adopt simple, flexible but nondiscretionary ADU rules about setbacks, square footage and design compatibility with the primary dwelling

LENDERS can ...

- work with homeowners to finance the construction of ADUs by using renovation loans

ADVOCATES can ...

- organize tours of completed ADUs in order to inform and inspire the community
- educate homeowners, real estate agents, architects and builders about local zoning regulations and the permit process

REAL ESTATE AGENTS can ...

- educate themselves and their clients about rules for the construction of ADUs

LOCAL MEDIA can ...

- report on how and why homeowners build ADUs



PHOTO: SARAH DALE FOR AARP

HOME VISIT #4

Internal ADU (Main Level)

Portland, Oregon

Size: 220 square feet

Even small homes can have enough space for an ADU. An underused main floor bedroom in this 1.5-story, 1,500-square-foot bungalow was transformed into a studio apartment.

AH-HA MOMENT: According to Joan Grimm, who owns the home with Rita Haberman: “What we were looking for in terms of a community and aging in place was right under our noses. Remove a fence and create a shared open space. Build a wall and create a second dwelling unit. It doesn’t have to be complicated.”

REAL LIFE: “Creatively carving out an ADU from the main floor of our house saved on design and construction costs,” Grimm adds. “It provides an opportunity for rental income, with no significant compromise to the livability of our home.”



▲ The steps and side entrance lead to the studio apartment ADU, which was crafted out of an existing space. The covered porch to the right leads to the primary residence. The ADU contains a kitchen, small dining and living area, sleeping area, bathroom and laundry area. (See two interior photos on pages 19 and 20.)

*Design: Rita Haberman | Builder: RS Wallace Construction
Cost to build: \$55,000 in 2015 (with some work done by the homeowners)
Photos courtesy Billy Ulmer | Article adapted from “ADU Case Studies” by Lina Menard on AccessoryDwellings.org*

HOME VISIT #5

Internal ADU (Lower Level)

Portland, Oregon

Size: 795 square feet

“We were looking for a way to live in our house for the rest of our lives and to generate at least some income in the process,” Robert Mercer and Jim Heuer wrote for the program guide of the annual Portland ADU Tour when their home was part of the lineup. “An ADU offers the possibility of caregiver lodging in the future or even a place for us to live while we rent out the main house if we get to the point where we can’t handle the stairs any longer.”

THE SOUND OF SILENCE: Internal ADUs often require that soundproofing insulation be installed between the primary dwelling and the accessory unit that’s below, above or beside it. In Portland, the building code for duplex residences requires a sound insulation rating of at least STCC45. To property owners thinking about a similar ADU setup, the duo advise: “Think about how you live in your home and how having downstairs neighbors will change what

▼ The door to the right of the garage leads to a ground-floor ADU with windows along the back and side walls. The upper-level windows are part of the main residence.



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

AN ADDED BONUS: “We are pleased that we have been able to provide more housing density on our property and still be in keeping with the historic character of our home.”

*Design: DMS Architects | Builder: Weitzer Company | Cost to build: \$261,000 in 2016 | Photo by Melissa Stanton, AARP
Article adapted from the 2017 ADU Tour project profiles on AccessoryDwellings.org*

Bringing Back ADUs

The reasons for creating or living in an ADU are as varied as the potential uses

ADUs are flexible. Over time, a single ADU might be used in many ways as an owner's needs and life circumstances change. Following are just a few reasons why ADUs are created and by whom:

EMPTY NESTERS can build an ADU and move into it, then rent out the main house for supplemental income or make it available to their adult children.

FAMILIES WITH YOUNG CHILDREN can use an ADU as housing for a nanny or au pair or even a grandparent or two, who can then help raise their grandkids and be assisted themselves as they age.

INDIVIDUALS IN NEED OF CARE can reside in an ADU to be near family members, or they can use the ADU to house a live-in aide. (In fact, ADUs can be an affordable and more comforting alternative to an assisted-living facility or nursing home.)

HOME BUYERS can look forward to the rental income from an ADU to help pay their mortgage or finance home improvements, especially in expensive housing markets.

HOME-BASED WORKERS can use an ADU as their office or workshop.

HOMEOWNERS can use an ADU for guests or as housing for friends or loved ones who:

- aren't yet financially independent, such as new high school or college graduates
- need temporary housing due to an emergency or while renovating their own home
- have disabilities but can live independently if family reside nearby ■



▲ The zoning code in Evanston, Illinois, permits accessory dwelling units, creating an opportunity for the owners of this 1911 home with an outbuilding in the backyard.

Planning and Paying for ADUs

Most new homes are built by developers, entire subdivisions at a time. Apartments are also built by pros.

But ADUs are different.

Although ADUs are occasionally designed into new residential developments, the vast majority are created by individual homeowners after they move in. In other words, ADUs are usually created by enthusiastic and motivated *amateurs*.

An ADU may present the ultimate chance for a do-it-yourselfer to build his or her small dream home. More often, homeowners bring in a combination of architects, designers and construction contractors to do the work, much as they would for a home addition or major kitchen remodeling. The local municipality's planning department can provide guidance on the rules for ADUs and information about what permits, utility connections and fees are involved.

ADUs aren't cheap, and they are often the most significant home improvement project a homeowner will undertake.

Although internal ADUs can sometimes be built for about \$50,000, new detached ADUs often exceed \$150,000. Most ADUs are financed through some combination of savings, second mortgages, home equity lines of credit and/or funds from family members (sometimes a relative who ends up living in it).

In some areas, the cost of building an ADU can be recouped after a few years of renting it. If that's the plan, it's worth estimating the expenses versus the potential income before undertaking an ADU project.

A few cities, nonprofits and start-ups are experimenting with creative financing options that could put ADUs within reach for more homeowners and their families, as well as prospective renters.



▲ Walt Drake’s southern-style, one-bedroom ADU has an outdoor, wraparound porch that can be accessed without using steps. The design is in keeping with other buildings in the neighborhood.

HOME VISIT #6 Detached ADU (One-Story)

Decatur, Georgia
Size: 800 square feet

When Walt Drake decided to downsize, his son Scott purchased his dad’s house for himself and his family and built a detached ADU (or DADU) for Walt.

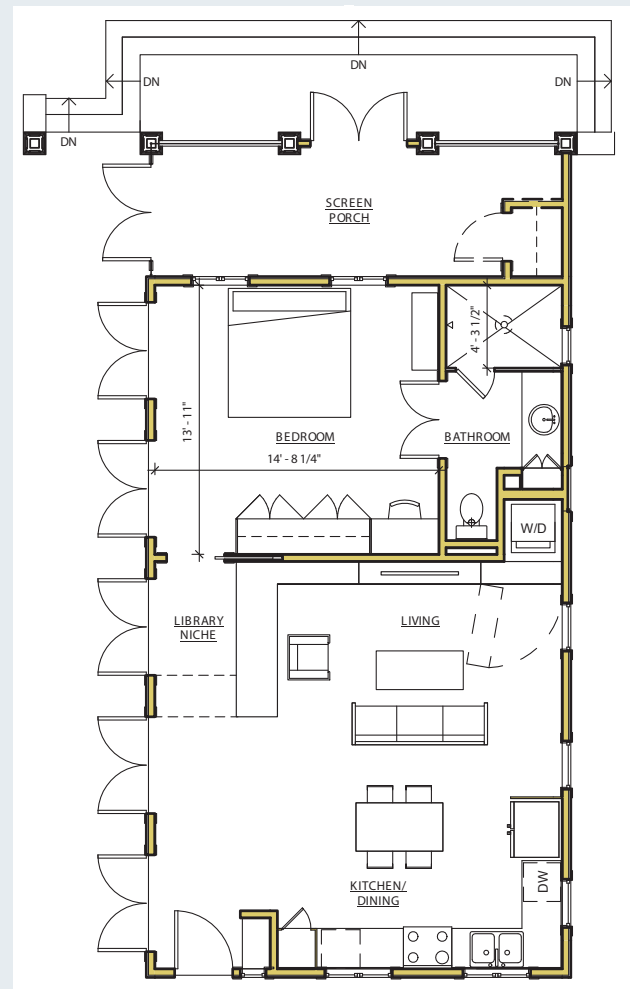
“From not finding what we wanted for Dad, we decided to create it,” says Scott. “Neighborhoods built in the 1920s have carriage houses. Building an ADU was a modern day version of something people have been doing on their property in this area for a hundred years.”

NEAR AND FAR: “We wanted the houses to be separate and to feel like we’re each on our own property, but we’re there for each other,” says Scott.

AGING-FRIENDLY: Building the ADU meant Walt didn’t have to leave his home and neighborhood. “He was able to keep his own stuff and turn over what he didn’t need to us,” says Scott. “It kept my dad in place, which I think was important.”

FUTURE PLANS: Scott says the ADU is “serving its intended purpose” but that someday down the road it could be used as a long- or short-term rental. “The ADU could turn into lots of different things over the course of its lifetime.”

Design: Adam Wall, Kronberg Wall | Builder: Rob Morrell | Cost to build: \$350,000 in 2014 | Photo by Fredrik Brauer | Floor plan by Kronberg Wall Architects | Article adapted from “ADU Case Studies” by Lina Menard on AccessoryDwellings.org



ADUs Are Age-Friendly Housing

New-construction ADUs can be created with “universal design” features

An “age-friendly” home has a zero-step entrance and includes doorways, hallways and bathrooms that are accessible for people with mobility differences. Converted garages (such as the one pictured on page 2) are among the easiest and least expensive ADU solutions for aging in place since they’re preexisting structures and generally have no-step entries. To learn more about making a home aging-friendly, download or order the *AARP HomeFit Guide* at AARP.org/HomeFit.

HOME VISIT #7

Detached ADU (Two-Story)

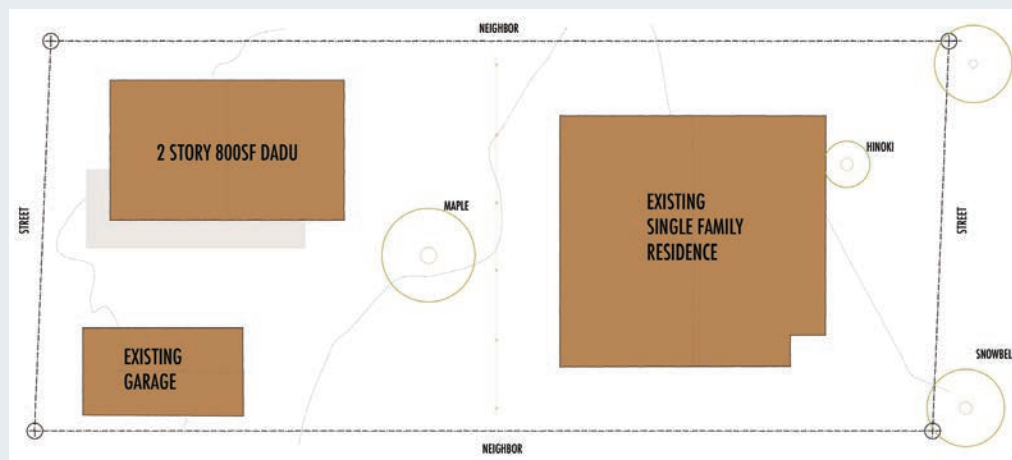
Seattle, Washington

Size: 800 square feet

Evelyn Brom’s plan was to build a backyard cottage and rent it out. She would keep living in her two-bedroom home.

AH-HA MOMENT: As the design developed, Brom realized that *she* wanted to live in the stunning wood-and-glass ADU. It was a good decision. A week before moving in, Brom was laid off from her job.

REAL LIFE: The \$3,000 a month Brom receives in rent for the main house (which is occupied by a three-generation family) provides a needed income. “Being laid off has made this arrangement a lifesaver,” Brom says. If the stairs in the cottage ever become too hard to navigate, she can move back into her original one-story house and rent out the cottage instead. “Now I have options,” she says.



▲ There’s a powder room, open kitchen and living room on the first floor, with a bedroom and bathroom upstairs.

◀ Although Brom’s property is only 0.13 acres, it’s large enough to accommodate two homes, a patio, a lawn and a garage. A slatted wood fence with a gate divides the space between the two houses and provides privacy.

Design: *Christine Kim, NEST Architecture & Design* | Builder: *Ian Jones, Treebird Construction* | Photo by *Alex Hayden*
Cost to build: \$250,000 in 2014 | Article adapted from *Where We Live: Communities for All Ages* (AARP 2018)

HOME VISIT #8

Detached Bedroom

St. Petersburg, Florida

Size: 240 square feet

Bertha and her son John talked about someday buying a house with a mother-in-law suite. “Then one day someone came along and wanted my house, so I up and sold it,” she explains. “But that left me homeless. I asked John if I could build a small house in his backyard and he agreed.”

CREATIVE THINKING: A detached bedroom is a permanent, accessory structure that, unlike ADUs, lacks a kitchen. But that’s what makes these cabin-like homes more affordable to build than many ADUs and even tiny houses.

WHAT’S INSIDE: Bertha’s home contains a sleeping and living area and a full bathroom. “I paid for the little house and it’s on my son’s property. So I figured, if I’m cooking I can do it at my son’s house,” she says. (Her laundry is also done at his house.)



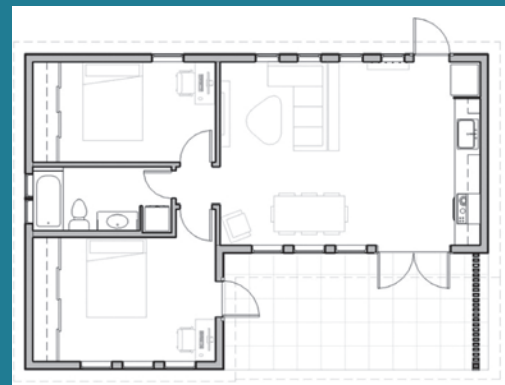
▲ A detached bedroom, which contains a bathroom but no kitchen, can provide housing for a loved one or serve as a home office or guest cottage.

REAL LIFE: “Having access to my son’s house makes it livable. Otherwise, I personally would not be happy. It’s very comforting to know that John is close by. Hopefully this will be my home forever.”

Design: Historic Sheds | Builder: Historic Sheds | Cost to Build: \$50,000 in 2017 | Photo by Historic Sheds | Article adapted from “ADU Case Studies” by Lina Menard on AccessoryDwellings.org

Trading Spaces

An ADU is always the smaller of two dwellings on a property, but it’s possible for an existing home to become the ADU when a larger house is built and becomes the primary dwelling. Or the opposite can happen! Tired of living in an older house that didn’t get a lot of natural light, the home’s owners built and moved into the bright, airy, modern and very accessible ADU they created in their yard. The original, larger home has become a rental.



▲ Although this ADU has only 721 square feet of living space, there is room enough for two bedrooms.

*Design: Propel Studio | Builder: JLTB Construction | Photo by Josh Partee | Cost to build: \$185,000 in 2017
Adapted from “ADU Case Studies” by Lina Menard on AccessoryDwellings.org*

Practical Solutions for ADUs

Local laws can both allow and appropriately control the creation of accessory dwellings

There are more than 19,000 cities, 16,000 towns and 3,000 counties in the United States. ADU regulations are typically adopted at the local level, although several state legislatures have required cities to allow them.

Where it's legal to build ADUs, homeowners still need to follow rules about where it can be done, how many square feet they can contain, how they can be used. These rules can be found in the local zoning code.

There is a balance to strike between prudent ADU laws and encouraging their construction. For instance, after Portland, Oregon, relaxed its ADU rules in 2010 and waived impact fees (a savings of up to \$12,000), the number of ADUs built rose from about 30 per year between 2000 and 2009 to nearly one a day in 2015.

Changes in California's ADU rules saw Los Angeles go from 80 applications in 2016 to nearly 2,000 in 2017. Allowing Sonoma County homeowners to add both an ADU and a JADU (see the green box below) were among the policies adopted in the wake of the area's many devastating fires.

Well-intentioned but burdensome rules can stymie the creation of ADUs. ADU-related zoning codes should be restrictive enough to prevent undesirable development but flexible enough that ADUs get built.

When a community is worried about a potentially undesirable outcome, it can — and many do — craft regulations to prevent particular building types, locations or uses. A city concerned about the environmental impact of new structures might prohibit placing detached ADUs in precarious locations, such as on steeply sloping lots. Communities wary of ADUs becoming, for instance, off-campus student housing can establish occupancy rules.

Every community has its own priorities and concerns, and there's a wide enough range of regulatory controls that communities can write appropriate ADU rules.

This inherent flexibility in the form and function of ADUs allows them to pass political muster and get adopted in a wide range of places. (See page 16 for more about uses and rules.) ■

Rules that discourage ADUs

- ADU-specific regulations that don't also apply to primary dwellings (e.g., owner-occupancy requirements)
- complex design compatibility criteria and approval steps
- off-street parking requirements beyond those required for the primary dwelling
- restrictions that limit ADUs to certain areas, particular zoning categories or to large lots
- caps on square footage relative to the primary house that make it easy to add an ADU to a large home but hard or impossible to add one to a small home

Are ADUs allowed?

Find out by calling your town, city or county office in charge of land use and permits — or stop by in person. You can also search for and read the zoning code through the local government's website.

- If ADUs are allowed, ask what conditions, permit needs and impact fees apply.
- If ADUs are not allowed and you want them to be, ask an elected official or your community's department of zoning and planning how the codes can be updated.
- Then get organized and start advocating!

JUNIOR ACCESSORY DWELLING UNITS (or JADUs) are smaller than 500 square feet and have a separate entrance but are created within the existing dwelling. A JADU can share a bathroom with the main house and contain a basic kitchen equipped with small plug-in appliances.

Creating (or Understanding) an ADU Zoning Code

The ADU section of a community’s zoning code needn’t be overly complicated. It just needs to establish clear, objective and fair rules for the following:

1. A Definition: A good zoning code clearly defines its terminology. Here, for example, is a useful outline for what, in the real world, is a very fluid term: “An ADU is a smaller, secondary home on the same lot as a primary dwelling. ADUs are independently habitable and provide the basic requirements of shelter, heat, cooking and sanitation.”

2. The Purpose: This is where the code describes key reasons a community allows ADUs. They should:

- increase the number of housing units while respecting the style and scale of the residential neighborhood
- bolster the efficient use of existing housing stock and infrastructure
- provide housing that’s affordable and responds to the needs of smaller, changing households
- serve as accessible housing for older adults and people with disabilities

3. Eligibility: Who can build an ADU and on what type of lot? A statement in this part of the code clarifies that an ADU can be placed only on a “residentially zoned lot.” (Some communities provide lot size standards.)

4. Creation: The code sets out how an ADU can be built. For instance: “An ADU may be created through new construction, the conversion of an existing structure, as an addition to an existing structure or as a conversion of a qualifying existing house during the construction of a new primary dwelling on the site.”

5. Quantity: Most municipalities that permit ADUs allow one per lot. Those allowing two typically permit one internal and one external. Some allow duplexes or townhomes to have an ADU, either in the backyard or on the ground floor.

6. Occupancy and Use: A code should state that the use-and-safety standards for ADUs match those used for the main dwelling on the property. (See page 17 for more.)

Visit [AARP.org/ADU](https://www.aarp.org/ADU) to download **Accessory Dwelling Units: Model State Act and Local Ordinance**, a free publication that can be used by state and local officials to develop ADU policies.

7. Design Standards:

- **Size and height:** A zoning code might specify exactly how large and tall an ADU is allowed to be. For instance: “An ADU may not exceed 1,000 square feet or the size of the primary dwelling, whichever is smaller.” Codes often limit detached ADUs to 1.5 or 2 stories in height. An example of that language: “The maximum height allowed for a detached ADU is the lesser of 25 feet at the peak of the roof or the height of the primary dwelling.”
- **Parking:** Most zoning codes address the amount and placement of parking. Some don’t require additional parking for ADUs, some do, and others find a middle ground — e.g., allowing tandem parking in the driveway and/or on-street parking. (See page 16 for more about parking.)
- **Appearance:** Standards can specify how an ADU’s roof shape, siding type and other features need to match the primary dwelling or neighborhood norms. Some codes exempt one-story and internal ADUs from such requirements. (See page 16 for more.)

8. Additional Design Standards for Detached ADUs:

- **Building setbacks:** Many communities require detached ADUs to either be located behind the primary dwelling or far enough from the street to be discreet. (A code might exempt preexisting detached units that don’t meet that standard.) Although such a rule can work well for neighborhoods of large properties with large rear yards, communities with smaller lot sizes may need to employ a more flexible setback-and-placement standard.
- **Building coverage:** A code will likely cap the combined lot coverage of a detached ADU and the primary dwelling to a specific percentage.
- **Yard setbacks:** Most communities have rules about minimum distances to property lines and between buildings on the same lot. ADUs are typically required to follow the same rules. ■

ADU “Hot Topics”

As communities allow ADUs or update existing zoning codes and rules to be more ADU-friendly, they inevitably wrestle with some or all of the following issues:

Adding ADUs to neighborhoods

Recognizing that ADUs may represent a new housing type for existing neighborhoods, communities often write special rules to ensure they'll fit in well. These guidelines typically address visual compatibility with the primary dwelling, appearance from the street (if the ADU can be seen) and privacy for neighbors.

Rules that help achieve these goals include:

- height and size caps mandating that ADUs be shorter and smaller than the primary dwelling
- requirements that detached ADUs be behind the main house or a minimum distance from the street
- mandates that the design and location of detached ADUs be managed the same way as other detached structures (e.g., garages) on the lot
- design standards for larger or two-story ADUs so they architecturally match the primary dwelling or reflect and complement neighborhood aesthetics
- encouragement for the creation of internal ADUs, which are often unnoticeable from the street

Each community can strike its own unique balance between strict rules to ensure that ADUs have a minimal impact on neighborhoods and more flexible rules that make them easier to build.



▲ Providence, Rhode Island, has many homes that were built as or long-ago converted into multidwelling units. (Notice the two front doors.) A homeowner can live in one apartment while renting out the other.

Providing places to park

ADU regulations often include off-street-parking minimums on top of what's already required for the primary dwelling. Such rules can prevent homeowners from building ADUs if there's insufficient space for added parking. However, the extra parking often isn't needed.

Studies of Portland, Oregon, and the San Francisco Bay area found that ADU households own an average of 0.9 cars. That's half the national average of 1.8 cars per household. With just over 2 percent of Portland homes having an ADU (the highest percentage of any large city in the country), there's roughly one extra car parked on the street every six blocks. This suggests that, even in booming ADU cities, any impact on street parking from ADUs is likely to be very small and dispersed. More-realistic parking rules might:

- require the creation of new parking only if the ADU displaces the primary dwelling's existing parking
- waive off-street-parking requirements at locations within walking distance of transit
- allow parking requirements for the house and ADU to be met by using a combination of off-street parking, curb parking and tandem (one car in front of the other) parking in a driveway

Dealing with unpermitted ADUs

It's not uncommon for homeowners to convert a portion of their residence into an ADU in violation (knowingly or not) of zoning laws or without permits.

Such illegal ADUs are common in cities with tight housing markets and a history of ADU bans. One example is New York City, which gained 114,000 apartments between 1990 and 2000 that aren't reflected in certificates of occupancy or by safety inspections. Sadly, in 2021, several city residents living in unsafe basement apartments drowned in their homes due to flooding caused by Hurricane Ida.

Some cities have found that legalizing ADUs, simplifying ADU rules and/or waiving fees can be effective at getting the owners of illegal housing units to “go legit” — and address safety problems in the process. ■

Allowing and Restricting Uses

Communities get to decide whether to let ADUs be used just like any other housing type or to create special rules for them. Some municipalities prefer the simple approach: regulating ADUs like other homes. So if a home-based child-care service is allowed to operate in the primary dwelling, it is also allowed in an ADU. Conversely, communities sometimes adopt ADU-specific regulations in order to avoid undesirable impacts on neighbors. Examples of those regulations include:

Limiting short-term rentals

ADUs tend to work well as short-term rentals. They're small and the owner usually lives on-site, making it convenient to serve as host. However, if ADUs primarily serve as short-term rentals, such as for Airbnb and similar services, it undermines the objective of adding small homes to the local housing supply and creating housing that's affordable.

In popular markets, short-term rentals can be more profitable than long-term ones, allowing homeowners to recoup their ADU expenses more quickly. In addition, short-term rentals can provide owners with enough income that they can afford to occasionally use the ADU for friends and family.

A survey of ADU owners in three Pacific Northwest cities with mature ADU and short-term rental markets found that 60 percent of ADUs are used for long-term housing as compared with 12 percent for short-term rentals.

Respondents shared that they “greatly value the ability to use an

ADU flexibly.” For instance, an ADU can be rented nightly to tourists, then someday rented to a long-term tenant, then used to house an aging parent. ADUs intended primarily for visiting family are sometimes used as short-term rentals between visits.

Cities concerned about short-term rentals can regulate them across all housing types. Doing so might mean that special rules are not needed. An approach employed in Portland, Oregon, is to treat ADUs the same as other residences except that any financial incentives (such as fee waivers) to create them are available only if the property owner agrees not to use the ADU as a short-term rental for at least 10 years.

Requiring owner occupancy

Some jurisdictions require the property owner to live on-site, either in the primary house or its ADU. This is a common way of addressing concerns that absentee landlords and their tenants will allow homes and ADUs to fall into disrepair and negatively impact the neighborhood.

Owner-occupancy rules are usually implemented through a deed restriction and/or by requiring that an annual statement confirming residency be filed. Some cities go further, saying ADUs can be occupied only by family members, child- or adult-care providers, or other employees in service of the family.

Owner-occupancy requirements make the financing of ADUs more difficult, just as they would if applied to single-family homes. But as ADUs have become more common, owner-occupancy restrictions have become less so, which is good. Such requirements limit the appraised value of properties with ADUs and reduce options for lenders should they need to foreclose.

Enforcing owner-occupancy laws can be tricky, and the rules have been challenged in courts, sometimes successfully. However, according to a study by the Oregon Department of Environmental Quality, more than two-thirds of properties with ADUs are owner-occupied even without an owner-occupancy mandate. ■



◀ The zoning code of Brevard, North Carolina, a city of fewer than 10,000 residents, allows ADUs, which are referred to as “secondary dwelling units” and are allowed “within residentially-zoned, single-family and duplex lots.” The code states that such homes “shall be encouraged and designed to meet housing needs,” adding that “[s]econdary dwelling units shall be accessory and subordinate to the primary living quarters.” In the image at left, the one-story cottage is the primary dwelling. The apartment above the detached garage is the secondary dwelling.

Inside Spaces

ADUs vary from studio apartment-like spaces to multi-bedroom, multi-story structures. Regardless of size, the result is a needed residence



▲ A top floor ADU can be a suitable rental for a student or someone who travels a lot for work. ADU expert Kol Peterson grew up in a home with an attic ADU that was usually rented to law school students. “They had to walk up the primary house’s interior stairs in order to access the affordable attic unit,” he writes in *Backdoor Revolution: The Definitive Guide to ADU Development*. “Over the years that each of them lived there, the tenants became part of our family.”



▲ The alcoves in the ADU area above a garage provide a light-filled work space in one, and a reading nook in the other. (See the attached ADU’s exterior on page 3.)



▲ This studio apartment internal ADU uses a wardrobe cabinet to separate the bedroom from the living area and kitchen (seen on page 19).



▲ As an independent living space, an ADU has its own bathroom and kitchen. Depending on the available square footage — and sometimes on the local zoning code or the property’s plumbing and utility connections — an ADU might have a full kitchen with full-sized appliances and a dining area (top) or a smaller but functional kitchenette. This interior is from the detached ADU pictured below right and on the back cover. Fun fact: A coat closet and extra kitchen shelving are built into the base of the circular staircase. In a small home, every bit of space counts!



▲ The kitchen of this internal ADU (also seen at the top of page 9 and in the bedroom image at left) has a full-sized range but a mini-refrigerator. Some ADU owners install a one- or two-burner electric cooktop and a convection microwave in lieu of an oven.



▲ The second story of this detached ADU is accessed by the spiral staircase shown in the image at top. The space features a bedroom and a sitting area that could be used as a nursery, office or den. A full-sized, stacked washer-dryer is hidden behind a closet door.

Just One More

While not technically ADUs, tiny houses can serve a similar purpose

Because tiny houses are typically built on a trailer with wheels rather than a fixed foundation, they are usually treated by zoning as recreational vehicles (RVs) or manufactured (aka mobile) homes. In Portland, Oregon, and a growing number of smaller cities, tiny houses can be legally occupied on any residentially-zoned lot. Since they're small — typically under 400 square feet — tiny houses can fit in a space too small for an ADU. Many include a kitchen and bathroom. Some function more like a detached bedroom. A unique plus: Unlike ADUs, tiny houses can move to a new location as needed.



◀ ▲ “The Lucky Penny” tiny house measures 8 feet wide by 14 feet, 6 inches long and provides 100 square feet of living space. The home, which is located in the backyard of a single-family residence, features a pullout bed, a kitchenette, a shower, built-in storage, and three large windows plus a skylight to provide lots of nature light.



◀ ▼ ADUs are sometimes used as short-term rental units for travelers. The “Kangablue,” is one of several units at Caravan, the “world’s first tiny house hotel.” At 170 square feet, the home is the largest tiny house on the lot, located in the Cully neighborhood of Portland, Oregon. The tiny space includes a kitchen, living area, bathroom (with a shower and toilet) and a sleep loft.



Top: Design and Builder: Lina Menard, Niche Consulting | Photos by Guillaume Dutilh, PhotoXplorer
Bottom: Design and Builder: Benn Kovco | Photos by Jeff Freeman Photography

The ABCs of ADUs

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

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A NOTE TO READERS: Many of the photographs and project examples in this publication are from Portland, Oregon, which was one of the first municipalities in the nation to allow and encourage the creation of accessory dwelling units.

To learn more about ADUs — and to order or download this guide — visit [AARP.org/Livable](https://www.aarp.org/livable).

Other useful resources include:

- *AccessoryDwellings.org*
- *BuildingAnADU.com*
- *Planning.org* (the website of the American Planning Association)
- And the websites of the states, cities and towns mentioned in this guide as allowing and encouraging the creation of accessory dwelling units.



ABOVE-GARAGE ADU



DETACHED-BEDROOM ADU



DETACHED ADU

- An accessory dwelling unit is a small residence that shares a single-family lot with a larger primary dwelling.
- As an independent living space, an ADU is self-contained, with its own kitchen or kitchenette, bathroom and living/sleeping area. (Garage apartments and backyard cottages are each a type of ADU.)
- ADUs can enable homeowners to provide needed housing for their parents, adult children, grandchildren or other loved ones.
- An ADU can provide older adults a way to downsize on their own property while a tenant or family member resides in the larger house.
- Since homeowners can legally rent out an ADU house or apartment, ADUs are an often-essential income source.
- ADUs help to improve housing affordability and diversify a community's housing stock without changing the physical character of a neighborhood.
- ADUs are a beneficial — and needed — housing option for people of all ages.

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