



## INFORMATIONAL MEMORANDUM

TO: Community Development and Neighborhoods  
FROM: Jack Pace, DCD Director  
BY: Nora Gierloff, Deputy DCD Director  
CC: Mayor Ekberg  
DATE: August 22, 2017  
SUBJECT: Update to Accessory Dwelling Unit Regulations

### **ISSUE**

Should Tukwila modify its Accessory Dwelling Unit regulations to encourage development of this housing type?

### **BACKGROUND**

The City Council considered a variety of actions at their Housing Policy Work Session this March. One of the items that the Council prioritized for policy consideration was an update to Accessory Dwelling Unit (ADU) zoning standards to be followed by an amnesty program for existing units.

Seattle's experience with loosening restrictions on ADUs and Portland's dramatic increase in the number of ADUs built over the past few years have spurred a policy debate about this housing type. An MRSC article about revising city regulations to encourage accessory dwelling units from its Homelessness and Housing Toolkit is included as Attachment A. A study discussing the mismatch between existing housing stock and current demographic trends as well as the barriers to development of ADUs is included as Attachment B. Public feedback during the Community Conversations project showed support for well designed attached and detached ADUs, see Attachment C.

Tukwila's current standards for ADUs are:

- Minimum lot size of 7,200 square feet,
- The ADU is no more than 33% of the square footage of the primary residence and a maximum of 1,000 square feet, whichever is less,
- One of the residences is the primary residence of a person who owns at least 50% of the property,
- The unit is incorporated into the primary single-family residence, not a separate unit, so that both units appear to be of the same design as if constructed at the same time,
- Minimum of three parking spaces on the property with an ADU less than 600 square feet, and a minimum of four parking spaces for an ADU over 600 square feet, and
- The ADU is not sold as a condominium.

### **DISCUSSION**

Staff began public outreach and education about this issue in mid-July by developing a survey about possible changes to current ADU standards. The intent was to give the

Council a general sense of the public support for or opposition to the possible changes. The survey was publicized through the following actions:

- See You in the Park Events – 7/12, 7/26, 8/9
- Flyers at Valley View Sewer and Public Safety Plan Open Houses
- Included on the public safety flyers distributed in multiple neighborhoods by Communications
- Distributed to Planning Commission, City Council, Parks Commission, TIBAC, COPCAB, Arts Commission, and Block Watch Captains
- Mailed/emailed information to the 468 single family and duplex landlords with rental housing licenses
- Article in the July Tukwila Reporter
- Posted on the City's Facebook account
- Flyers at DCD, City Hall, TCC counters
- Emailed information to city residents who have expressed interest in neighborhood issues

We received 165 responses to the survey, see the results in Attachment D. Overall a majority supported making changes to all of Tukwila's current standards, though for some questions such as maintaining the owner occupancy requirement there was less than a 10% spread.

Based on the feedback from the survey should changes to any of these standards be removed from consideration? Should any new standards be added, such as limitations on short term rentals (Air B&B)? A table comparing Tukwila's current ADU standards to neighboring jurisdictions as well as Portland is included as Attachment E.

### Policy Options

1. Begin allowing detached ADUs
  - a. Only if lot meets minimum area required in the zone
  - b. Not allowed if there is an attached ADU on site
  - c. Unit may be up to 800 square feet (must still meet maximum footprint for all buildings of 2,275 sf and maximum impervious area of 4,875 sf for a 6,500 sf lot)
  - d. Limit height to 25 feet or the height of the main house, whichever is lower
2. Reduce lot area requirement from 7,200 SF
  - a. ADUs allowed on lots that meet the minimum area for the zone, even if the Low Density Residential standard were lowered from 6,500 SF to 6,000 SF in the future
  - b. Same lot area standard for attached or detached ADUs
3. Attached ADU size limit
  - a. Unit could be up to half of the total square footage of the main house up to 1,000 SF, **OR**
  - b. Retain limitation of 1/3 of total square footage
4. Owner occupancy
  - a. An owner must occupy one of the units for at least 9 months of the year, though this is very difficult to enforce, **OR**

- b. Remove owner occupancy requirement
- 5. Parking
  - a. Require 3 on-site parking spaces for lots with an ADU, **OR**
  - b. Continue to require 4 spaces if the ADU is over 600 sf
- 6. Short term rentals
  - a. Prohibit rentals of less than 30 days in LDR so that these units increase the housing supply, though this is very difficult to enforce. **OR**
  - b. Allow Air B&B type rentals of ADUs to provide flexibility and a potential income stream for property owners.

### **Next Steps**

If the Council would like to proceed with revisions to the ADU standards the next step is a Planning Commission hearing and recommendation. We would provide notice using the email list of survey respondents who signed up for further information as well as mailing a notice to all single family addresses. Based on the PC recommendation we would return to Committee with a draft ordinance for Council review.

### **FINANCIAL IMPACT**

In addition to modifying zoning code standards, much of the increase in ADU development in Portland is attributed to waivers or reductions in impact and utility hook-up fees for ADUs. Tukwila is served by multiple water, sewer and electricity providers with different fee structures and capacity charges that are not subject to Tukwila control. Tukwila also charges fire, traffic and parks impact fees and would need to decide if detached ADUs would be treated as new single family residences, charged the multi-family rate or not charged at all.

### **RECOMMENDATION**

The Council is being asked to forward their chosen policy options to the Planning Commission for a public hearing and recommendation, likely at their October meeting. The issue could then return to the November 13<sup>th</sup> Community Development and Neighborhoods meeting followed by a public hearing at the November 27<sup>th</sup> Committee of the Whole and then full Council on December 4<sup>th</sup>.

### **ATTACHMENTS**

- A. Revising city regulations to encourage accessory dwelling units – MRSC Homelessness and housing toolkit for cities
- B. Accessory Dwelling Units: A Flexible Free-Market Housing Solution
- C. Community Conversation Visual Preference Result – Accessory Units Poster
- D. ADU Survey Responses
- E. ADU Standards Comparison



# Homelessness & housing toolkit for cities

Tools and resources to address homelessness and affordable housing from real cases in cities across Washington.





# Revising city regulations to encourage accessory dwelling units

Accessory dwelling units (ADUs) have been around for decades. In many parts of Washington State, the concept is accepted and local governments have revised their regulations to accommodate such housing. Even so, the number of ADUs created in accordance with local standards has remained relatively low, due in part to the difficulty in meeting those regulations and the associated costs. In response, a few local governments are relooking at their standards and discussing how to make them easier to meet. The potential easing of existing ADU regulations, however, is causing neighborhood homeowners to take notice.

## What is an accessory dwelling unit (ADU)?

An accessory dwelling unit (ADU) is a small, self-contained residential unit located on the same lot as an existing single-family home. They are sometimes referred to as "mother-in-law apartments." An ADU has all the basic facilities needed for day-to-day living independent of the main home, such as a kitchen, sleeping area, and a bathroom.

There are two types of ADUs:

1. **Attached ADU**, which may be created as either:
  - a. A separate unit within an existing home (such as in an attic or basement); or
  - b. An addition to the home (such as a separate apartment unit with its own entrance).
2. **Detached ADU**, created in a separate structure on the lot (such as a converted garage or a new "backyard cottage").

## Reasons for allowing ADUs

State law (RCW 43.63A.215 and RCW 36.70A.400) requires that certain cities and counties adopt ordinances to encourage the development of ADUs in single-family zones, by incorporating the model ordinance recommendations prepared by the Washington Department of Commerce. In addition to just meeting a statutory mandate, however, ADUs have also helped local jurisdictions meet their Growth Management Act goals to encourage affordable housing and provide a variety of housing densities and types, while still preserving the character of single-family neighborhoods. From a planning perspective, it is considered by many to be a "kinder and gentler" method for accommodating population growth in a community, as compared to upzoning land to do so.

## Standard ADU regulations

Most local ADU regulations have standards to address the following issues:

- Maximum unit size
- Owner-occupancy
- Dedicated off-street parking
- Attached ADUs only
- Maximum number of dwelling units on one lot
- Separate entrances/Only one visible from the street
- Other design standards (especially for detached ADUs) for such items as roof pitch, window style, and exterior material
- Maximum number of occupants
- Minimum lot size
- Building code and other "life/safety" requirements



## Communities starting to reconsider ADU requirements

Some local governments in Washington State and elsewhere are reexamining their “standard” ADU requirements and questioning the rationale behind them, especially given the low production rate of new accessory dwelling units. As a result, some communities are considering changes to ADU regulations, such as:

- **Unit size:** Most current ADU standards set a maximum size (for example, 800 square feet), but some communities are considering an increase to their limit to provide more flexibility.
- **On-site parking:** Some local governments are looking at a reduction or elimination of standards requiring on-site parking spaces for the ADU’s occupants, especially in areas where there is adequate on-street parking. Such a change may face stronger opposition in neighborhood where street parking is at a premium.
- **Detached ADUs:** Most codes only allow attached ADUs, but more communities are expanding regulations to permit detached ADUs (which are usually required to be placed in the back half of a residential lot). Even if allowed, the high cost of constructing “backyard cottages” may limit the number that actually get built.

- **Owner-occupancy:** Most codes require that the property owner needs to occupy either the primary or accessory unit, but some communities (such as Seattle) are considering removing this requirement.
- **Allowing more than two dwelling units:** A “cutting edge” regulatory change is to increase the maximum number of dwelling units on a single family lot to three (by allowing one primary dwelling unit, one attached ADU, and one detached ADU). In Seattle, the City Council is currently considering proposed code revisions that would include an increase to three units on one lot.

Discussion about these types of changes has caused anxiety for some homeowners, who are concerned about the impacts on neighborhood character and property values. On the other side are affordable housing advocates who consider changing existing regulations as a way to effectively increase the number of legal ADUs.

Regardless of how local governments decide to regulate them, ADUs may be a viable approach to address a community’s growth and affordable housing policies in a manner that is acceptable to residents (especially if they

consider the alternatives). Just be sure regulations and development review process aren’t so burdensome that property owners end up not creating these dwelling units or building an ADU without obtaining the required permits.

### Resources

**Accessory Dwellings website**  
[www.accessorydwellings.org](http://www.accessorydwellings.org)

**MRSC’s Accessory Dwelling Units: Issues & Options publication**  
[www.mrsc.org](http://www.mrsc.org)

**MRSC’s Accessory Dwelling Units and Affordable Housing webpages**  
[www.mrsc.org](http://www.mrsc.org)

# R Street

Free markets. Real solutions.

R STREET POLICY STUDY NO. 89  
March 2017

## ACCESSORY DWELLING UNITS: A FLEXIBLE FREE-MARKET HOUSING SOLUTION

Jonathan Coppage

### INTRODUCTION

**M**uch of the American built environment was constructed in the post-World War II era, when government policy and planning fashion favored a highly dispersed development model centered on the primacy of the single-family detached home. Subsequent developments in zoning law tended to further privilege and protect the single-family detached home from any neighboring diversity of land use or building form.

As a pattern popularized at the peak of American nuclear family formation, such models initially met consumer preferences and served the needs of many. As the 20<sup>th</sup> century progressed, however, American demographic patterns and housing needs dramatically changed. The built environment was, by this point, too calcified by accumulated land-use regulations to adapt to these changes, producing significant distortion in high-demand housing markets and unresponsive legal environments across the country.

### CONTENTS

|                              |   |
|------------------------------|---|
| Introduction                 | 1 |
| Accessory dwelling units     | 1 |
| Brief history of zoning      | 2 |
| Benefits of ADUs             | 3 |
| Rental income                | 3 |
| Multigenerational housing    | 4 |
| Flexibility                  | 4 |
| Obstacles to ADU development | 4 |
| Structural regulations       | 4 |
| Occupancy restrictions       | 5 |
| Short-term rentals           | 6 |
| Special challenges           | 7 |
| Conclusion                   | 7 |
| About the author             | 7 |

As housing supply constraints choke productivity in hot economic regions, and household structure and demographics continue to shift nationally, significant public-policy debates have been opened about the appropriate responses to these developments. These range from debates over national entitlement programs like Social Security and Medicare to battles over gentrification in urban centers. The political disputes often are characterized by high tempers and little perceptible progress.

While these important, high-intensity debates continue, there is opportunity simultaneously to pursue lower-profile solutions that could alleviate pressure on the market, even if they cannot provide complete resolution to all of its problems. One supplemental policy priority would be to ease significantly existing obstacles to the construction and permitting of accessory dwelling units in single-family residential zones.

### ACCESSORY DWELLING UNITS

An accessory dwelling unit (ADU) is defined as “a secondary dwelling unit with complete independent living facilities for one or more persons” on a single-family lot, whether attached to the primary structure, detached from it or contained within it.<sup>1</sup> ADUs commonly are referred to by a wide variety of less formal names, including “granny flat,” “mother-in-law suite,” “carriage house,” “secondary unit” and “backyard cottage.”

ADUs, then, are dependent apartments built onto otherwise typical single-family homes. They are often created by means of garage conversion, basement finishing, wing addition or even as free-standing construction behind a house. A fully independent ADU will contain its own entrance and full kitchen and bathroom facilities; it may even have separate

1. California Department Housing and Community Development, “Accessory Dwelling Unit Memorandum,” December 2016. <http://www.hcd.ca.gov/policy-research/docs/2016-12-12-ADU-TA-Memo.docx.pdf>



and independent utility metering. While there was significant scholarly interest in ADUs in the 1980s, it waned until recent years, leaving a relative shortage of studies of and data on the current state of secondary units. Filling the informational gap could prove especially difficult, given the large proportion of secondary units that exist as illegal conversions, without permits or official recognition in government databases. One 2001 study estimated that fully one in five San Francisco residential buildings included an illegal secondary unit<sup>2</sup> and that supply-constrained coastal cities could expect 2 to 10 percent of their housing stock to be illegal secondary units.

The ADU is starting to recover attention, as demographic shifts also lead many groups to revisit accessory dwelling units as an option for the increasing number of multigenerational households. There are any number of causes of this trend, including the aging of the baby boomer generation, a persistent “boomerang” young adult cohort, and growth in the Hispanic and Asian populations. Moreover, housing shortages in hot urban markets have raised interest in creative means to expand supply.

Before accessory dwelling units can be brought to bear on those challenges, however, there is a need to popularize and pass significant reforms to accommodate this flexible, free-market solution.

## BRIEF HISTORY OF ZONING

The basic tenets of American zoning were set by the mid-1930s, which is also when the federal government began to provide assistance to the detached single-family house as an ideal base for American life.<sup>3</sup> In the postwar period, the relatively simple and compact single-family zoning pattern—originally designed to protect residential neighborhoods from noxious industrial activity—was expanded and complicated, with explicit federal housing policies that reinforced single-family housing on ever larger lots with rapidly diminishing tolerance of diversity. Zoning shifted from prohibiting industrial and commercial development in residential zones to prescribing the shape and structure that residential housing could take within those already protected neighborhoods.

As University of Chicago’s Emily Talen wrote in her book *City Rules*: “The zoning changes of one small town in central Illinois, Urbana, home of the University of Illinois, illustrate

the traditional progression.”<sup>4</sup> As she recounts, Urbana’s first zoning ordinance was passed in 1936, but there were no minimum lot widths and no lot areas were required per unit until 1950. In 1950, six zones were introduced, two each for residential, commercial and industrial uses. By 1979, however, 16 districts and two overlay zones had been introduced, apartments in single-family areas were banned, and minimum lot sizes and floor-area ratio rules were brought into effect.

The introduction of a few zoning regulations metastasized into a narrowly prescriptive regime that, as Sonia Hirt described in *Zoned in the USA*, “has exceeded historic and international precedent to build what may well be the lowest-density settlements *in the history of the world* [emphasis original].”<sup>5</sup>

America’s hyperdispersed, land-use-segregated settlement pattern is functional for adults who drive cars but the carless are significantly inhibited from accessing any activities or areas other than the ones in their immediate neighborhood. Functionally, this prevents nondriving children from contributing to the household by running errands to a corner store, for instance, in addition to placing severe limits on the independence of elderly adults who no longer drive.<sup>6</sup>

The recently observed recovery of multigenerational households and parallel decline of intact nuclear families takes place, then, in a regulatory environment rigidly designed for a very different population. As Reihan Salam has written:

Since the initial rise of the suburbs, families have changed. Married couples with children have fallen from 42.9 percent of all households in 1940 to 20.2 percent of all households in 2010, while married couples without children have fallen from 33.4 to 28.2 percent of all households. Single-parent families have also increased, of course, from 4.3 percent to 9.6 percent. The most dramatic change has been the steep increase in one-person households, from 7.8 to 26.7 percent of the total. Families have also been transformed by rising female labor force participation, with women now serving as the sole or primary wage earner in four in 10 U.S. households with children. ...

Viewed through this lens, the problem we face is clear: Much of our built environment still bears the imprint of the postwar era, despite the fact that the families that were characteristic of that era are no longer dominant.<sup>7</sup>

2. George Williams, “Secondary Units: A Painless Way to Increase the Supply of Housing,” San Francisco Planning and Urban Research Association, August 2001. <https://sfpa.org/0110williams.html>

3. Sonia Hirt, *Zoned in the USA: The Origins and Implications of American Land-Use Regulation*, Cornell University Press, p. 32, 2014.

4. Emily Talen, *City Rules*, Island Press, pp. 120-2, 2012.

5. Hirt, p. 28.

6. Andres Duany, Elizabeth Plater-Zyberk, and Jeff Speck, *Suburban Nation: The Rise of sprawl and the Decline of the American Dream*, North Point Press, p. 115, 2000.

7. Reihan Salam, “How the Suburbs Got Poor,” *Slate*, Sept. 4, 2014. [http://www.slate.com/articles/news\\_and\\_politics/politics/2014/09/poverty\\_in\\_the\\_suburbs\\_places\\_that\\_thrived\\_in\\_the\\_era\\_of\\_two-parent\\_families.html](http://www.slate.com/articles/news_and_politics/politics/2014/09/poverty_in_the_suburbs_places_that_thrived_in_the_era_of_two-parent_families.html)

## BENEFITS OF ADUS

### Rental income

According a recent Oregon study of Portland ADUs, the largest primary motivation among ADU developers was additional income.<sup>8</sup> By converting part of a house, building an addition or constructing a free-standing unit, homeowners were able to create a supplementary stream of income for themselves, while adding housing to the constrained market.

The great majority of this additional income comes via long-term rentals: Atlanta architect Eric Kronberg estimates that, when he constructs ADUS for his market under current regulatory conditions, they can reasonably command rents of \$950 to \$1400 a month. By contrast, “you have an all in cost of \$550-\$715 a month. The two bedroom unit would range \$700-\$900 all-in,” both of which are estimated very conservatively assuming entirely home equity financed, no cash projects. This means Atlanta ADUs could pay for their own financing while providing a homeowner with hundreds of dollars in additional income per month. Most impressively, Kronberg’s projections are for detached ADU prototypes, which are much more expensive to produce than attached ADUs that come from conversions or additions on an existing building.<sup>9</sup>

In the Portland study, 80 percent of ADUs rented for market rates comparable to those in multifamily development. However, between 13 and 18 percent of Portland ADUs go for zero or very low rents. In a separate study, University of California researchers Jake Wegmann and Karen Chapple likewise found 17 percent of San Francisco Bay Area ADUs were occupied for zero rent.<sup>10</sup> As Martin J. Brown and Jordan Palmeri note in the Portland study, this pattern “suggests some unique phenomenon is occurring in ADU developments.” Indeed, in that same survey, “owners reported that 26 percent of ADU tenants were family or friends when they moved in.” This would indicate that a small but significant fraction of ADU development is, indeed, intended for personal relationships, as planners and advocates have traditionally assumed.

The Portland study also marked an interesting departure from earlier studies when it came to its findings on affordability. According to Brown and Palmeri, Portland ADU rents were market competitive with comparable rental apartments

only if zero-rent units were included; they actually rented for a premium if those outliers were excluded. Previous studies had indicated that ADUs were cheaper than comparable rentals. Brown and Palmieri tried to adjust market comparables by unit size via the number of bedrooms. In their report on the Bay Area, Wegman and Chapman did not attempt to adjust for unit sizes, but noted that the ADUs were smaller than their market comparables, as well as often being unpermitted.

Taken at face value, the Portland results could undermine the perception of ADUs as an inherently affordable housing solution. Although the results certainly indicate a need for further study, such reasoning should be tempered by a robust understanding of the ADU context. ADUs are more expensive to build per-square-foot, which could partially explain why owners would demand higher rents per-square-foot.

In general, due to their smaller unit sizes, ADUs should occupy the lower end of the rental spectrum. As an NYU Furman Center working paper noted: “Micro-units [ADUs and compact apartments] in many cities frequently rent at rather high rates per square foot, but at lower total monthly rent levels, than larger apartments.”<sup>11</sup> In this sense, ADUs remain a source of affordable housing. In supply-constrained housing markets, any production of additional dwelling space will help ease rental market pressure, and production of low total rent units is all the more welcome.

Further, as Brown and Palmieri note, the zero and below-market rents that are presumably charged to family members or friends should not be dismissed. Voluntarily discounting rent to those with whom the property owner has pre-existing relationships is still a provision of affordable housing. Where the housing is provided to elderly relations who might otherwise require costly personal care, it also represents a potentially large government savings. Rejoining multiple generations in close living arrangements allows for child care or eldercare to be provided by the family, instead of relying on expensive market services. Such arrangements can benefit the whole family by strengthening their relationships and shared experiences. Anecdotally, children can benefit from the experience of elders in quilting, crafting or carpentry. Elders, meanwhile, sometimes can benefit from younger generations’ greater familiarity with maintaining and navigating each new wave of domestic technology.

Further study of ADU rents would bring welcome clarity. For the great majority of homeowners who plan to rent their ADU at market-competitive rents, ADUs can provide a

8. Martin J. Brown and Jordan Palmeri, “Accessory Dwelling Units in Portland, Oregon: Evaluation and Interpretation of a Survey of ADU Owners,” Oregon Department of Environmental Quality, June 1, 2014. <https://accessorydwellingunits.files.wordpress.com/2014/06/adusurveyinterpret.pdf>

9. Eric Kronberg, “ADU Math,” Kronberg Wall, Feb. 24, 2017. <http://kronberwall.com/adu-math/>

10. Jake Wegmann and Karen Chapple, “Understanding the Market for Secondary Units in the East Bay,” IURD Working Paper Series, October 2012. <http://scholarship.org/uc/item/9932417c>

11. Vicki Been, Benjamin Gross, and John Infranca, “Responding to Changing Households: Regulatory Challenges for Micro-Units and Accessory Dwelling Units,” NYU Furman Center, January 2014. [http://furmancenter.org/files/NYUFurmanCenter\\_RespondingtoChangingHouseholds\\_2014\\_1.pdf](http://furmancenter.org/files/NYUFurmanCenter_RespondingtoChangingHouseholds_2014_1.pdf)

reliable stream of additional income which should, in most circumstances, pay for itself.

### Multigenerational housing

Almost one-in-five Americans now live in a multigenerational household, according to a recent Pew analysis of U.S. Census Bureau data.<sup>12</sup> That is a record absolute number and the highest proportion of the American population since 1950. Once a near-universal feature of the American lifecycle in the mid-19<sup>th</sup> century, the proportion of households living with multiple adult generations had been declining since 1860, with more than half the collapse in multigenerational living occurring between 1940 and 1980.<sup>13</sup>

ADUs are often preferred for multigenerational living arrangements because they allow family members to share a residence, assist each other in day-to-day tasks and share a life without erasing all boundaries between the primary household and the additional generation. When equipped with independent entrances and kitchen units, residents of ADUs are able to maintain a modicum of independence, coming and going as they please and entertaining their own guests, while still remaining tightly bound to their family.

The AARP has advocated for relaxation of rules around accessory dwelling units in order to accommodate a desire among its members (current and prospective) to “age in place” whenever possible. Expanded ADU capability allows older Americans either to move into their children’s homes or to construct a more modest apartment that suits their needs. Toward that end, the AARP in 2000 commissioned the American Planning Association to draft an ADU “model state act and local ordinance.”<sup>14</sup>

Older Americans are not, however, the largest consumer of multigenerational housing today. In 2014, more 18-to-34-year-olds lived with their parents than in other arrangements for the first time in 130 years,<sup>15</sup> and 31 percent of 25-to-29-year-olds lived in multigenerational households. The persistence of the millennial generation living at home, even as the economy emerged from the Great Recession, has been a topic of great concern and headlines. For the pur-

poses of this paper, it is enough to note simply that the trend exists and seems likely to continue, thus further adding to the number of multigenerational homes and potential demand for ADUs.

Finally, ethnic demographic patterns also suggest that multigenerational housing will continue to grow in the United States. As Pew found, Asian and Hispanic households both are significantly more likely to be multigenerational than non-Hispanic white households. Both of those subgroups are experiencing significant population growth.

### Flexibility

In Brown and Palmeri’s study, only about 80 percent of Portland ADUs were occupied as independent housing. The rest served as some combination of extra space, home offices or other nonresidential use: 11 percent of units were used as a work or living space, while 5 percent were used for short-term rentals.<sup>16</sup>

Short-term rentals are one of the most interesting alternative uses for ADUs going forward, as the recent explosion of room and homesharing services like Airbnb and VRBO make it easier for homeowners to find short-term tenants for their properties, and the independence of ADUs make them particularly well-suited for such service. The Portland study was conducted in 2013, relatively early in the growth of such services. It would be interesting to update the survey to see how short-term-rental use has grown.

## OBSTACLES TO ADU DEVELOPMENT

The single biggest obstacle to ADU development is their widespread illegality. Burdensome regulatory requirements often will depress ADU production, even where zoning codes theoretically allow them. In order to allow ADUs to serve as a flexible, free-market solution to ease pressures in supply-constrained housing markets, such regulatory burdens need to be lifted. Such regulations fall into two broad categories: structural and occupancy.

### Structural regulations

Structural regulations regulate the size, shape and facilities of an ADU, as well as its connection to the broader city utility networks.

As with many other forms of housing production, minimum parking requirements can be a significant obstacle to ADU production. While competition for on-street parking is one of the most frequently cited concerns and complaints about

12. D’Vera Cohn and Jeffrey S. Passel, “A Record 60.6 Americans Live in Multigenerational Households,” Pew Research Center, Aug. 11, 2016. <http://www.pewresearch.org/fact-tank/2016/08/11/a-record-60-6-million-americans-live-in-multigenerational-households/>

13. Steven Ruggles, “Multigenerational Families in Nineteenth Century America,” *Continuity and Change*, 18: 139-165, 2003. <http://users.hist.umn.edu/~ruggles/multi-generational.pdf>

14. Rodney L. Cobb and Scott Dvorak, “Accessory Dwelling Units: Model State Act and Local Ordinance,” AARP, April 2000. [http://www.aarp.org/home-garden/housing/info-2000/accessory\\_dwelling\\_units\\_model\\_state\\_act\\_and\\_local\\_ordinance.html](http://www.aarp.org/home-garden/housing/info-2000/accessory_dwelling_units_model_state_act_and_local_ordinance.html)

15. Richard Fry, “For First Time in Modern Era, Living With Parents Edges out Other Living Arrangements for 18- to 34-Year-Olds,” Pew Research Center, May 24, 2016. <http://www.pewsocialtrends.org/2016/05/24/for-first-time-in-modern-era-living-with-parents-edges-out-other-living-arrangements-for-18-to-34-year-olds/>

16. Brown and Palmeri, 2014.

ADUs, imposed off-street requirements are often excessive and counterproductive.

Until 2015, for instance, Austin, Texas combined onerous parking requirements (two spots each for both the main dwelling and the accessory unit) and an impervious surface cap. If the main dwelling was built before off-street parking requirements, the construction of an ADU would cost the property its grandfathered status, meaning four parking spots would have to be built for one accessory unit to be constructed. As the Furman Center noted, “built structures may not cover more than 40 percent of a lot, and the combination of structures and any other impervious surfaces may not exceed 45 percent of the lot.” Since any parking space is counted as impervious surface regardless of its construction material, Austin homeowners could easily have a hard time fitting everything onto their lots even if they were willing to comply.<sup>17</sup> Encouragingly, the Austin City Council adopted a much liberalized ADU system in November 2015, with very light parking requirements, a standard minimum lot size and nearly citywide applicability.<sup>18</sup>

Portland does not require any off-street parking for ADUs, so it should be most vulnerable to street parking overcrowding. Yet the city’s 2013 survey found that one in five ADUs had no cars associated with it whatsoever, and 63 percent had no cars parked on the street. The mean number of cars parked on the street associated with ADUs was a mere 0.46. These findings are similar to results of the Bay Area study in 2012. While these are necessarily limited results, they should encourage cities to loosen or relieve their own parking requirements in the service of ADU production.

ADUs are also subject to a variety of size regulations: minimum and maximum unit sizes; minimum and maximum ratio of unit-to-main-dwellings; minimum and maximum ratio of unit-to-lot-size. All of these can vary by whether the ADU is attached or detached. Attempts to build ADUs can be subject to regulations that bar the construction of kitchen facilities in secondary units, as well as restrictions on independent entrances. Some governments restrict where ADUs can be placed on a lot, whether it or its entrance can be visible from the street and whether the unit’s architectural design is required to match the main dwelling. While reasonable regulations can be inoffensive, cities should take care to set their minimum or maximum levels within the bounds of normal ADU production, and to give homeowners as much flexibility as possible.<sup>19</sup>

17. Been, Gross and Infranca, 2014.

18. Jennifer Curington, “Austin City Council lessens restrictions on accessory dwelling units,” *Community Impact*, Nov. 19, 2015. <https://communityimpact.com/austin/city-council/2015/11/19/city-council-lessens-restrictions-on-accessory-dwelling-units/>

19. California Department of Housing and Community Development, 2016.

Finally, city services fees and regulations can pose an overwhelming and unreasonable burden to the development of accessory units where they are not tailored appropriately. Portland chose to give financial relief to ADU construction by waiving the systems development charges (SDCs) usually imposed to pay for utility and other public-service impacts. Such charges average around \$8,000 for ADUs, which explains why the city’s reprieve began a significant ADU boom. Ultimately, the waiver was extended. Even without opting for a full waiver, cities can adjust their SDCs for the true impact of accessory units, which will be dramatically less than other new construction.

Under normal conditions, extending utility services like water, sewer, electricity and gas should be relatively painless for accessory unit construction, as most of the fixed costs have already been built for the main dwelling. Cities that require separate utility metering can quickly undermine this advantage and even make ADUs outright uneconomical. *Architects Newspaper* reports that, in Austin, separate water metering alone can cost a builder \$20,000.<sup>20</sup>

Local governments often discourage ADU production by prohibiting qualities that would make them attractive and usable as an independent dwelling unit. This can include restrictions on independent entrances and the visibility of those entrances from the street. Often, they will include prohibitions on kitchen facilities. In Atlanta, for instance, ADUs are permitted but they cannot possess a stove, oven or similar cooking appliance. The most cooking capability occupants can hope for under code is a hot plate they can plug in. These barriers are best removed whenever possible, as they give homeowners more flexibility in how they can use their ADU over its life span, and so will make their production more attractive.

### Occupancy restrictions

Occupancy regulations regulate who may stay in ADUs and what their relationship to the property’s owner may be.

A frequent and significant ADU regulation requires owner occupancy of the property. ADU construction is, in fact, usually undertaken by homeowners occupying the property, so this requirement often is presented as bearing limited negative consequences. According to the NYU Furman Center report, owner occupancy is seen by advocates as a shortcut to prevent more detailed and onerous restrictions and inspections from being imposed on ADU development. In this reasoning, an owner-occupant’s presence assures against ADU tenants inflicting nuisances on the surrounding neighborhood. Because the owner-occupant is a neighbor, he or she

20. Jack Murphy, “As housing costs and economic segregation increase, Austin’s granny flats proliferate,” *The Architects Newspaper*, Sept. 12, 2016. <https://archpaper.com/2016/09/austin-granny-flats-affordability/#gallery-0-slide-0>

would be more likely to supervise and head off any nuisances than an absentee landlord would. Those building ADUs in order to accommodate family or friends would seem to have even less reason to object to such laws.

But owner-occupancy restrictions have the potential to impede ADU financing and homeowner flexibility significantly. As the NYU Furman Center report notes: “Lenders may fear that, if they foreclose on the property, they will be unable to rent both the primary residence and the ADU,” resulting in less favorable financing or outright opposition. Homeowners may also face difficulty selling their own home, as the house and ADU bear restrictions lacked by competitive properties, such as duplexes. They would thus be unable to recoup the full value of their property should a nonresidential buyer be interested. This comes on top of what Brown and Watkins identify as an already significant gap in appraisal practices that often prevents ADUs from being measured appropriately in home valuation.<sup>21</sup>

Furthermore, while ADUs are usually constructed by owner-occupants with owner occupancy in mind, they are most attractive when they can accommodate a variety of contingencies. Young retirees who build an ADU intending to live with family or move into the smaller unit and rent out the bigger house may find themselves in need of more professionalized care than is available in most home settings. The family they were planning to live with may need to move. In any of these conditions, the house would shift from an asset to a liability, as the property owner would be precluded by the owner-occupancy restrictions from renting out both the main house and the accessory unit. They would be forced to either leave the house vacant and unattended, or to sell it.

Furthermore, as the NYU Furman Center roundtable participants noted, ADU owner-occupancy would, in many cases, introduce a unique restriction to properties. There generally are no such restrictions banning owners of a single-family home from renting it to others, and duplex units rarely come so bound either.<sup>22</sup> Portland, Oregon, has one of the strongest ADU development markets in the country, and notably lacks an owner-occupancy requirement. Such liberalization is fairly rare, however, as owner-occupant requirements are widespread.

In some cases, governments considering ADU legalization want to go even further, and restrict to whom the property can be rented, or whether it can be rented at all. Most often, these restrictions come in the form of requiring ADU occupants to be related to the homeowner for the unit to be used

21. Martin John Brown and Taylor Watkins, “Understanding and Appraising Properties with Accessory Dwelling Units,” *The Appraisal Journal*, Fall 2012. <https://accessorydwelling.files.wordpress.com/2012/12/appraisingpropertieswithadubrowwatkins-nov2012.pdf>

22. Been, Gross and Infranca, 2014.

as a residence. Total or near-total rental bans are likely to chill the construction of ADUs significantly and foreclose any of the benefits they provide.

## SHORT-TERM RENTALS

ADUs are interesting platforms to evaluate with regard to short-term rentals, both because of their natural suitability to the use and because even ADU advocates sometimes are made uncomfortable by the use. Because ADUs are independent dwelling units, they have the potential to be more appealing to some renters and homeowners who prefer not to live quite as intimately with visiting strangers. Because ADUs are dependent, they share any neighborhood attractiveness equally with their primary dwellings. ADUs equipped with kitchens allow renters to cook for themselves, which may be a particular advantage in the eyes of short-term renters, who are more likely than hotel guests to stay for multiple days.<sup>23</sup>

For advocates who see ADU growth as a provision of affordable housing and a relief valve on constrained regional supply, the seeming diversion of ADU stock into short-term rentals is feared to be a distraction, or even counterproductive. In tourism-heavy cities, some voice concerns about residential neighborhoods hollowing out in community and character as owner-occupied residences convert into short-term rental pads with a constantly rotating cast of characters.<sup>24</sup> Santa Cruz, California, which has been one of the most aggressive cities in liberalizing its ADU regulations and promoting ADU production recently revised its laws specifically to outlaw ADU short-term rentals going forward.<sup>25</sup> Austin’s new, more liberal ADU law restricts short-term rental of ADUs to 30 nights a year, and prohibits it on properties that aren’t occupied by the owners.<sup>26</sup>

Survey respondents have said that one of the central appeals of ADU construction is their flexibility.<sup>27</sup> Though the upfront costs are considerable for a homeowner, they can justify that investment by the ADU’s potential to bring in additional income; to use as a home office or extra living space for a growing family; or to be used by adult family members as needed. Short-term rental services can expand that flexibility further by not requiring homeowners to lock their ADU

23. Andrew Moylan, “Roomscore 2016: Short-term-rental regulation in U.S. cities,” R Street Institute, March 16, 2016. <http://www.rstreet.org/policy-study/roomscore-2016-short-term-rental-regulation-in-u-s-cities/>

24. Martin John Brown provides one of the best detailed considerations of these claims: <https://accessorydwelling.org/2016/04/04/adustr/>

25. City of Santa Cruz, Ordinance No. 2015-15, Nov. 10, 2015. <http://www.ci.vof.santa-cruz.com/home/showdocument?id=46552>

26. Jennifer Curington, 2015.

27. Brown and Palmeri, 2014.

into a long-term lease, but rather to use it for income purposes on an as-needed basis.

## SPECIAL CHALLENGES

In contrast to almost all other housing production and construction, ADUs are primarily built by homeowners, not professional developers. While professionals generally regard regulatory compliance costs to be expected, if often frustrating, homeowners trying to build accessory units are unlikely to have much familiarity with the permitting and compliance process. Cities looking to take advantage of accessory dwelling unit production will need to make their process as transparent and easily navigable as possible.

Toward this end, Santa Cruz, California produced an “ADU Manual” that offers step-by-step instructions to complete the ADU permitting and construction process successfully. Santa Cruz also maintains a set of draft architectural plans to get interested homeowners started, and even goes so far as to offer financing assistance for those willing to commit to renting the unit at affordable rates for 15 to 20 years.

Portland, Oregon, meanwhile, has maintained a relatively libertarian regulatory environment, relieving homeowners from having to forecast for and navigate parking requirements, owner occupancy rules, or many other often-imposed constraints. It allows widespread building of ADUs by right, so homeowners are not required to convene public hearings on the subject of planned construction on their property.

Local governments that desire to take advantage of accessory dwelling units should take care to write their codes and policies into as easily accessible a format as possible, and make that information widely available.

## CONCLUSION

At a time when many housing markets are experiencing severe supply constraints and housing affordability is under stress nationwide, accessory dwelling unit legalization represents a low-profile free-market solution that requires little from government actors beyond getting out of the way. Production is undertaken by private actors on their own property, and diversifies a local housing stock without introducing large potentially contentious or character-transforming multifamily buildings to a single family neighborhood. This incremental infill further empowers homeowners by allowing them to increase the value of their property and receive an additional income stream. It offers renters more neighborhood options and cheaper rents.

While there are federal-level financing reforms that could further ease ADU development, local governments usually have all the tools they need to take advantage of ADU con-

struction without asking permission or seeking assistance from any higher bureaucracy. Reforming outdated zoning systems to accommodate the changing needs of American households, including the return of multigenerational living arrangements, should be an urgent priority. Such reforms should take care not to introduce new and unnecessary regulations, such as owner-occupancy requirements and short-term rental bans. These could chill the market’s response to ADU legalization.

Accessory dwelling units will not solve housing affordability crises by themselves, nor will they be suited to widespread adoption in every market. But there is little reason for towns and cities to persist in outlawing a flexible housing form that was widespread in the first half of the 20<sup>th</sup> century, just because it fell afoul of trendy regulations in the second half. The American built environment was notably adaptable throughout the growing country’s many changes up until the postwar land use codes were imposed and accumulated. Given the significant national changes still unfolding, land-use and building regulations need to provide as much adaptability and flexibility as cities can provide. Legalizing accessory dwelling units should be a simple way to engage that process.

### ABOUT THE AUTHOR

Jonathan Coppage is a visiting senior fellow with the R Street Institute, focused on regulatory obstacles to the traditional, walkable development patterns that strengthen communities socially and fiscally.

Jonathan was a 2016 Publius Fellow at the Claremont Institute and a 2012 fellow in the Hertog Political Studies Program.

A graduate of North Carolina State University, Jonathan previously studied in the fundamentals program at University of Chicago. He is a contributing editor to *The American Conservative* and has also been published in *The Washington Post* and *First Things*.

# Accessory Units

A second housing unit attached or detached to a house.

Segunda casa o casa independiente.

Guri labaad oo ku dhagan ama aha fog guri.

ثانية وحدة سكنية  
أو غير منتهية إلى  
منزل

Unidades de Accesoría • الوحدات الملحقة



Like the most: **22%** (8)

Like the least: **78%** (28)



Like the most: **94%** (16)

Like the least: **6%** (1)



Like the most: **82%** (23)

Like the least: **18%** (5)



Like the most: **71%** (12)

Like the least: **29%** (5)



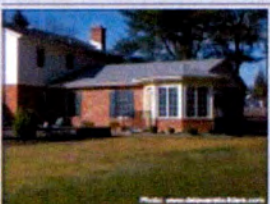
Like the most: **4%** (2)

Like the least: **96%** (52)



Like the most: **87%** (13)

Like the least: **13%** (2)



Like the most: **71%** (12)

Like the least: **29%** (5)



Like the most: **100%** (26)

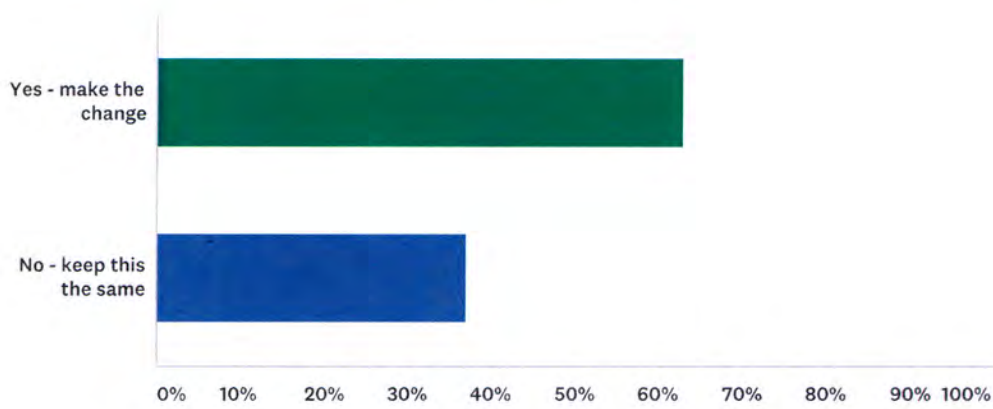
Like the least: **0%** (0)





### Q1 Should the City reduce the minimum lot size required to build an ADU from 7,200 square feet to the minimum lot size in the Low Density Residential Zone, 6,500 square feet?

Answered: 165 Skipped: 0

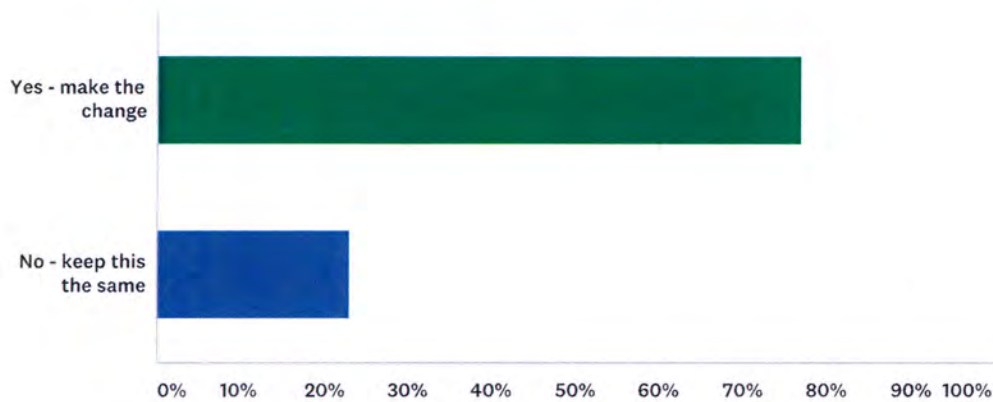


| ANSWER CHOICES          | RESPONSES |            |
|-------------------------|-----------|------------|
| Yes - make the change   | 63.03%    | 104        |
| No - keep this the same | 36.97%    | 61         |
| <b>TOTAL</b>            |           | <b>165</b> |

| # | OTHER (PLEASE SPECIFY)   | DATE               |
|---|--|--------------------|
| 1 | Make the change to include SMALLER properties!!  | 7/23/2017 9:37 PM  |
| 2 | What percentage of Tukwila lots would be effected?   | 7/22/2017 3:15 PM  |
| 3 | Who cares what a person decides to build on their property as long as it doesn't create a health hazard to their neighbors?  | 7/21/2017 4:07 PM  |
| 4 | Why allow two houses on one LDR lot when present PRD is 5525SF. Poor choice for housing infil.   | 7/20/2017 6:10 PM  |
| 5 | By changing the lot size and allowing an ADU Low Density Residential zoning in Tukwila would virtually cease to exist. Two homes on 6,500 square feet is what I would consider High Density for a single family home neighborhood. | 7/18/2017 5:46 PM  |
| 6 | If is quality and number of residents is regulated and distance from neighbors property  | 7/18/2017 4:26 PM  |
| 7 | Tukwila should also reduce all residential lots sizes to 6,000 square feet from 6,500.   | 7/18/2017 2:06 PM  |
| 8 | Minimum lot size should be dependent on if ADU is attached or detached. 6500 for attached. 7200 for detached.  | 7/17/2017 11:05 PM |
| 9 | If the ADU is attached to the house, or above a detached garage, 6500 sq ft would be ok. Keep the same if detached (backyard cottages) are allowed (although I would not like backyard cottages).                                  | 7/17/2017 11:44 AM |

## Q2 Should the City allow detached ADUs, like backyard cottages, that are not part of the main house?

Answered: 161 Skipped: 4

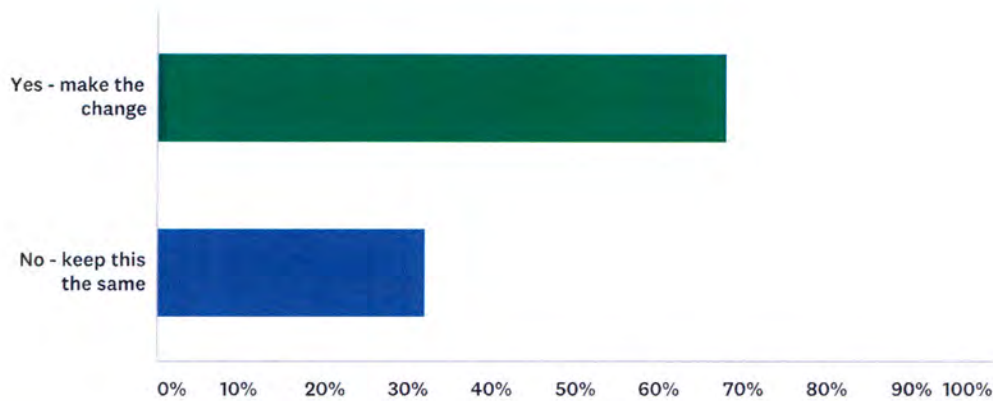


| ANSWER CHOICES          | RESPONSES |            |
|-------------------------|-----------|------------|
| Yes - make the change   | 77.02%    | 124        |
| No - keep this the same | 22.98%    | 37         |
| <b>TOTAL</b>            |           | <b>161</b> |

| #  | OTHER (PLEASE SPECIFY)   | DATE               |
|----|--|--------------------|
| 1  | It should depend on the size of the lot  | 7/31/2017 8:40 PM  |
| 2  | Yes if lot coverage remains the same as it is now.   | 7/25/2017 6:22 PM  |
| 3  | Please, allow this! Housing is SUCH a struggle for this county. We need more options!!   | 7/23/2017 9:37 PM  |
| 4  | Shouldn't a person be allowed to house their mother-in-law without having her live in their house?   | 7/21/2017 4:07 PM  |
| 5  | Owner s choice , can be either backyard cottages or detached AUD   | 7/20/2017 7:42 PM  |
| 6  | City council should have their heads examined for spending money on a suspicious idea. Instead of one rental property their will be two. Where is the benefit for the community. | 7/20/2017 6:10 PM  |
| 7  | This could be useful for certain people, but not appropriate for all....overall this may be a good solution to certain circumstances., bad for others.                           | 7/19/2017 8:15 AM  |
| 8  | This is the most important change.   | 7/18/2017 7:25 PM  |
| 9  | One house pure lot.  | 7/18/2017 5:46 PM  |
| 10 | No rehab or halfway houses, etc.   | 7/18/2017 4:26 PM  |
| 11 | Much additional affordable housing is needed.  | 7/18/2017 2:06 PM  |
| 12 | Design should reflect design of original/main home and/or neighborhood.  | 7/17/2017 11:05 PM |
| 13 | Yes, but lot square footage should be more compared to ADUs.   | 7/17/2017 3:01 PM  |
| 14 | Would not mind if an ADU was above the garage even if the garage is not attached to the house. Would not like to see 2 homes on 1 lot.   | 7/17/2017 11:44 AM |

### Q3 Should the City allow detached ADUs to be up to 800 square feet no matter the size of the main house?

Answered: 159 Skipped: 6

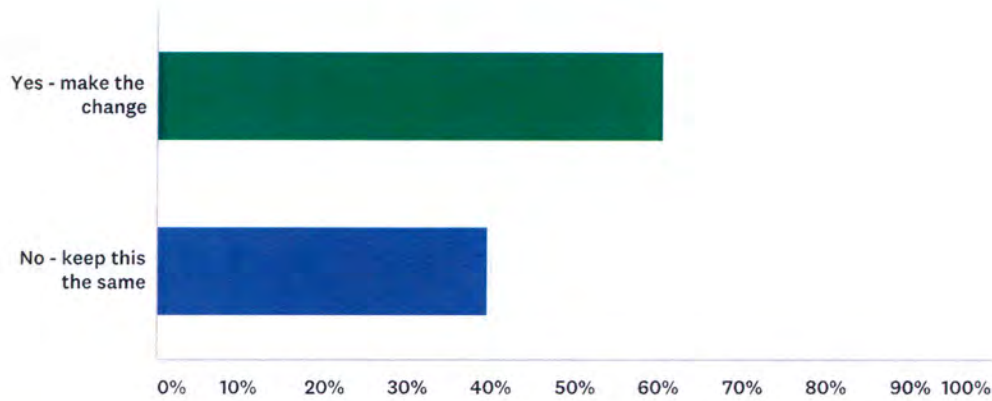


| ANSWER CHOICES          | RESPONSES |            |
|-------------------------|-----------|------------|
| Yes - make the change   | 67.92%    | 108        |
| No - keep this the same | 32.08%    | 51         |
| <b>TOTAL</b>            |           | <b>159</b> |

| #  | OTHER (PLEASE SPECIFY)   | DATE               |
|----|--|--------------------|
| 1  | 900 sf   | 8/1/2017 4:11 PM   |
| 2  | Could even be bigger than 800 sf   | 8/1/2017 4:04 PM   |
| 3  | I'm not aware of the current square footage.   | 7/31/2017 4:09 PM  |
| 4  | I would want to know why 800?  | 7/26/2017 7:49 AM  |
| 5  | No. Maximum lot coverage established should remain the same. See above.  | 7/25/2017 6:22 PM  |
| 6  | 650 sft  | 7/23/2017 1:02 PM  |
| 7  | 800 square feet is enough to provide a nice living space for a relative.   | 7/21/2017 4:07 PM  |
| 8  | 8 x 10 is not very big...  | 7/19/2017 8:15 AM  |
| 9  | Would I be happy if an 800 sq ft building went up in my neighbor's backyard. No! Would he be happy if one went up in my backyard? No. Why create all that unhappiness? | 7/18/2017 5:46 PM  |
| 10 | For scale and blending, it should be a percentage of the existing structure and some ratio of the lot size. Maybe up to 1000 sqft.                                     | 7/17/2017 4:00 PM  |
| 11 | Unless it's above a garage and the garage is 800 sq ft, then ADU would be ok at 800 sq ft.   | 7/17/2017 11:44 AM |
| 12 | I would suggest approximately the size of a generous studio, I am not sure what that would equate to but I am thinking maybe 500 -600 sq feet?                         | 7/14/2017 6:10 PM  |
| 13 | And also 800 Sqf should not include the parking space.   | 7/14/2017 11:24 AM |
| 14 | Detached should be smaller.  | 7/13/2017 9:10 AM  |

### Q4 Should the City allow attached ADUs to be up to half the square footage of the house rather than the current limit of one third?

Answered: 159 Skipped: 6

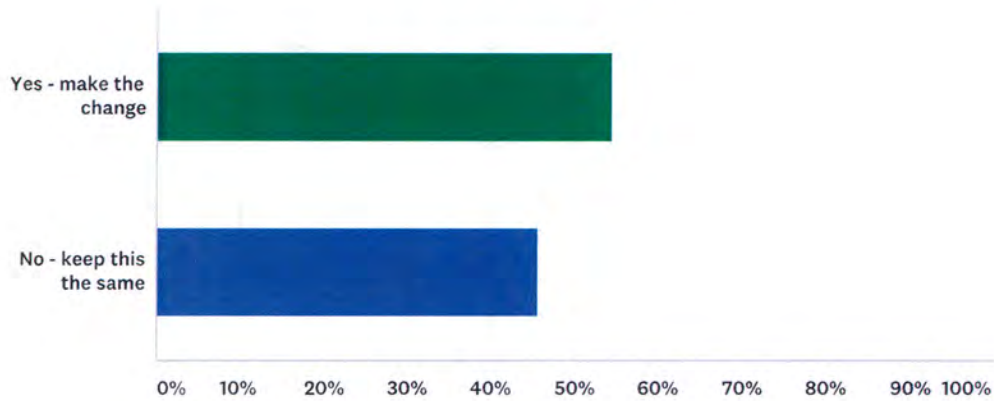


| ANSWER CHOICES          | RESPONSES |            |
|-------------------------|-----------|------------|
| Yes - make the change   | 60.38%    | 96         |
| No - keep this the same | 39.62%    | 63         |
| <b>TOTAL</b>            |           | <b>159</b> |

| #  | OTHER (PLEASE SPECIFY)  | DATE               |
|----|---|--------------------|
| 1  | Pay extra costs   | 8/1/2017 4:08 PM   |
| 2  | If it meets other lot dimension requirements  | 7/26/2017 7:49 AM  |
| 3  | Depends on how big the house and lot is.  | 7/25/2017 6:22 PM  |
| 4  | Not sure - maybe up to half with a cap on the total sq. ft.   | 7/22/2017 12:11 PM |
| 5  | Is the City worried about over crowding when it is building a monstrosity of a low income housing unit near the SouthCenter Mall? | 7/21/2017 4:07 PM  |
| 6  | AUDs should be allowed up half the sq footage of the main house   | 7/20/2017 7:42 PM  |
| 7  | Only If the ADU is on a 7200SF lot, then and only then could ADU be 1000SF.   | 7/20/2017 6:10 PM  |
| 8  | Yes, up to 800 sf max   | 7/18/2017 9:34 PM  |
| 9  | This creates a duplex.  | 7/18/2017 5:46 PM  |
| 10 | a single amount seems better, so an adu could be the limit of 800 square feet   | 7/17/2017 4:30 PM  |
| 11 | Lot size should be a factor making sure the structure does not cover the entire lot. Scale scale a consideration.                 | 7/17/2017 4:00 PM  |
| 12 | Most homes would not allow up to half of the square footage, but for those that can, we feel it should be allowed.                | 7/13/2017 11:41 AM |

### Q5 Should the City only require 1 additional parking space per ADU, rather than the 2 that are now required for units over 600 square feet?

Answered: 162 Skipped: 3

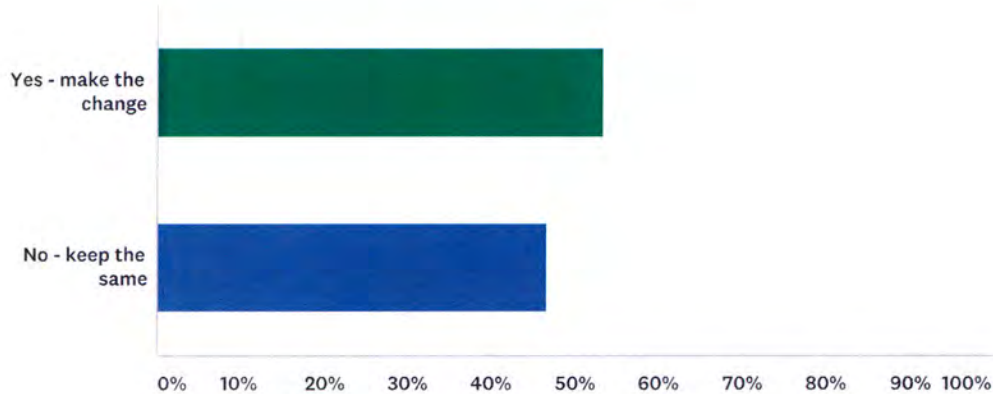


| ANSWER CHOICES          | RESPONSES |            |
|-------------------------|-----------|------------|
| Yes - make the change   | 54.32%    | 88         |
| No - keep this the same | 45.68%    | 74         |
| <b>TOTAL</b>            |           | <b>162</b> |

| # | OTHER (PLEASE SPECIFY)  | DATE               |
|---|---|--------------------|
| 1 | Who cares? There are cars parked all over the place. Just keep the cars parked off of the streets.  | 7/21/2017 4:07 PM  |
| 2 | if the MIL is for one person why two cars? somehow, the parking spaces should match the number of cars that belong to the residents of the MIL  | 7/19/2017 8:15 AM  |
| 3 | Its important that ADUs not effect street parking   | 7/18/2017 7:25 PM  |
| 4 | Parking is already a HUGE issue in Tukwila. Off street parking is essential if we are going to have passable roads.   | 7/18/2017 5:46 PM  |
| 5 | City should LIMIT additional parking to one space   | 7/17/2017 11:05 PM |
| 6 | Parking is generally a problem in the city, let's not exacerbate the parking problem.   | 7/17/2017 4:00 PM  |
| 7 | Is a parking space considered a place in the driveway, in front of the garage?  | 7/16/2017 4:51 PM  |
| 8 | The density of this area is increasing. Many people will ride public tranist and only have a max of one car. The current 2 additional spots seems to not take into account the current culture of the area. | 7/13/2017 11:11 AM |
| 9 | Encourage less car use.   | 7/13/2017 9:10 AM  |

## Q6 Should the property owner be allowed to rent out both the house and ADU instead of living on site?

Answered: 163 Skipped: 2

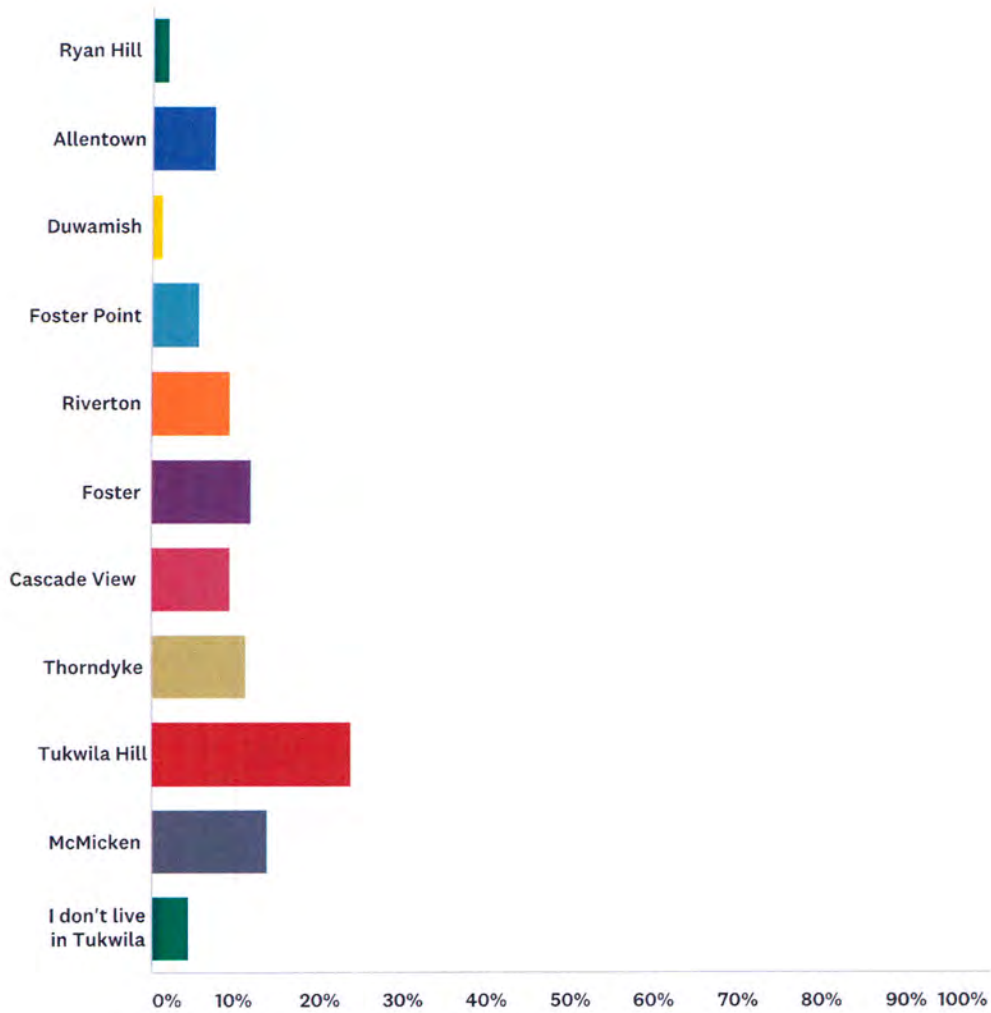


| ANSWER CHOICES        | RESPONSES |            |
|-----------------------|-----------|------------|
| Yes - make the change | 53.37%    | 87         |
| No - keep the same    | 46.63%    | 76         |
| <b>TOTAL</b>          |           | <b>163</b> |

| #  | OTHER (PLEASE SPECIFY)  | DATE               |
|----|---|--------------------|
| 1  | This is the main problem. As a past Tukwila Building Inspector I found developers buying properties to convert the property into a duplex with no intention of living there. I brought this to the attention of the Planning Director and was told that requiring the owner live at the residence was not enforceable. A study was done a while ago about the percent of rental units in the city. There must have been some concern. | 8/5/2017 8:46 AM   |
| 2  | Again, this is a MUCH needed change to support this crowded, growing region!! Affordable options are shrinking!!  | 7/23/2017 9:37 PM  |
| 3  | Okay as long as a professional property manager is Managing property!!!   | 7/23/2017 1:02 PM  |
| 4  | No, these changes should be for housing family and friends not for converting the LDR lots into high density, money making lots which would destroy the charm of LDR neighborhoods.   | 7/21/2017 4:07 PM  |
| 5  | Allow rent out both the house and AUD if the owner lives in the premise or not  | 7/20/2017 7:42 PM  |
| 6  | But only on 7200SF lots otherwise there is no benefit to the community.   | 7/20/2017 6:10 PM  |
| 7  | Its important to for Tukwila to remain an owner occupied city.  | 7/18/2017 7:25 PM  |
| 8  | If both units are rentals more multi-family buildings which are unregulated will be created. Do we really need more multi-family dwellings in Tukwila? We already have more per capita than any other city in the state.  | 7/18/2017 5:46 PM  |
| 9  | no! owner occupation is a must  | 7/18/2017 12:33 PM |
| 10 | Lets not encourage absentee landlords who are mostly profit and not community oriented.   | 7/17/2017 4:00 PM  |
| 11 | People own these buildings and should be able to do what they want with them. There are so many existing codes and rental requirements it is the least we can do for people who have to abide by all of those regulations and business license.   | 7/13/2017 11:11 AM |
| 12 | No slum lords please  | 7/13/2017 9:10 AM  |

### Q7 In what neighborhood do you live?

Answered: 160 Skipped: 5



| ANSWER CHOICES | RESPONSES |    |
|----------------|-----------|----|
| Ryan Hill      | 1.88%     | 3  |
| Allentown      | 7.50%     | 12 |
| Duwamish       | 1.25%     | 2  |
| Foster Point   | 5.63%     | 9  |
| Riverton       | 9.38%     | 15 |
| Foster         | 11.88%    | 19 |
| Cascade View   | 9.38%     | 15 |
| Thorndyke      | 11.25%    | 18 |
| Tukwila Hill   | 23.75%    | 38 |
| McMicken       | 13.75%    | 22 |

ADU Changes

SurveyMonkey

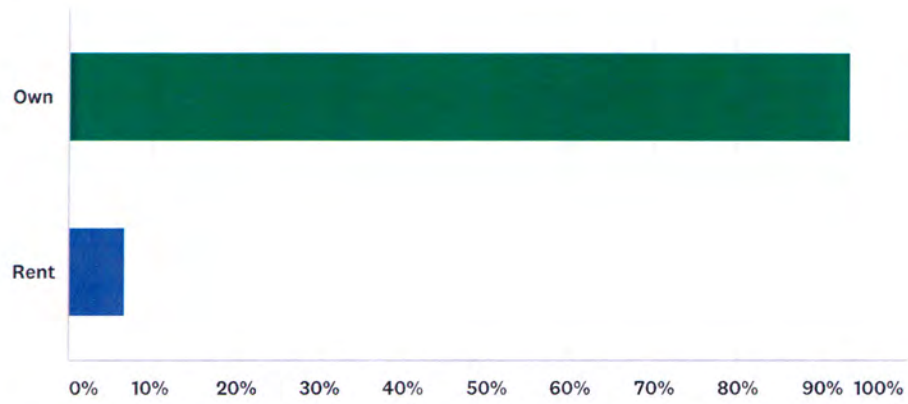
---

|                         |       |     |
|-------------------------|-------|-----|
| I don't live in Tukwila | 4.38% | 7   |
| TOTAL                   |       | 160 |



### Q8 Do you own or rent your house?

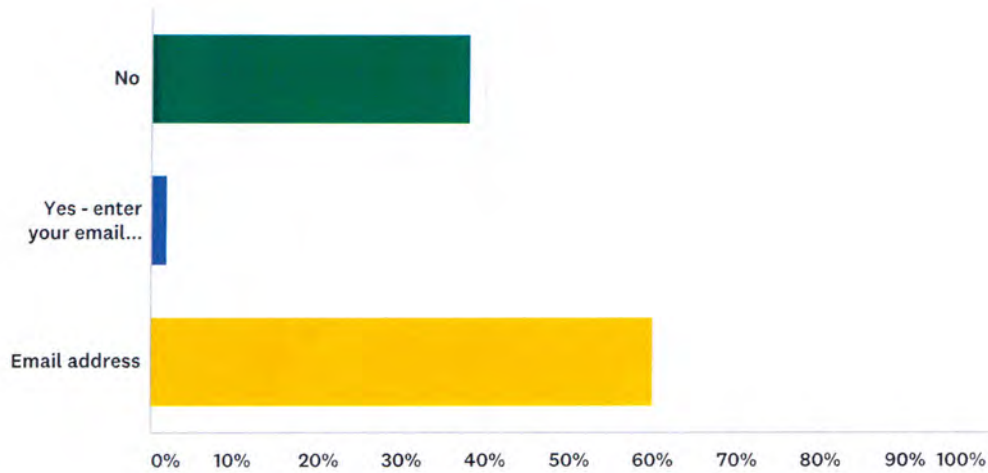
Answered: 162 Skipped: 3



| ANSWER CHOICES | RESPONSES |     |
|----------------|-----------|-----|
| Own            | 93.21%    | 151 |
| Rent           | 6.79%     | 11  |
| TOTAL          |           | 162 |

### Q9 Would you like to be added to a mailing list about this issue?

Answered: 158 Skipped: 7



| ANSWER CHOICES                       | RESPONSES |            |
|--------------------------------------|-----------|------------|
| No                                   | 37.97%    | 60         |
| Yes - enter your email address below | 1.90%     | 3          |
| Email address                        | 60.13%    | 95         |
| <b>TOTAL</b>                         |           | <b>158</b> |

| #  | EMAIL ADDRESS | DATE              |
|----|---------------|-------------------|
| 1  | [REDACTED]    | 8/16/2017 3:17 PM |
| 2  | [REDACTED]    | 8/16/2017 1:05 PM |
| 3  | [REDACTED]    | 8/16/2017 1:03 PM |
| 4  | [REDACTED]    | 8/16/2017 1:01 PM |
| 5  | [REDACTED]    | 8/16/2017 1:00 PM |
| 6  | [REDACTED]    | 8/13/2017 9:55 AM |
| 7  | [REDACTED]    | 8/9/2017 9:54 AM  |
| 8  | [REDACTED]    | 8/8/2017 1:14 PM  |
| 9  | [REDACTED]    | 8/7/2017 1:02 PM  |
| 10 | [REDACTED]    | 8/3/2017 5:20 PM  |
| 11 | [REDACTED]    | 8/2/2017 10:34 AM |
| 12 | [REDACTED]    | 8/1/2017 4:12 PM  |
| 13 | [REDACTED]    | 8/1/2017 4:09 PM  |
| 14 | [REDACTED]    | 8/1/2017 4:07 PM  |
| 15 | [REDACTED]    | 8/1/2017 4:06 PM  |
| 16 | [REDACTED]    | 8/1/2017 4:04 PM  |
| 17 | [REDACTED]    | 8/1/2017 12:11 PM |
| 18 | [REDACTED]    | 8/1/2017 7:46 AM  |

ADU Changes

SurveyMonkey

|    |  |                    |
|----|--|--------------------|
| 19 |  | 8/1/2017 7:35 AM   |
| 20 |  | 7/31/2017 7:12 PM  |
| 21 |  | 7/31/2017 6:21 PM  |
| 22 |  | 7/31/2017 4:10 PM  |
| 23 |  | 7/30/2017 9:39 PM  |
| 24 |  | 7/30/2017 3:17 PM  |
| 25 |  | 7/28/2017 3:44 PM  |
| 26 |  | 7/26/2017 6:16 PM  |
| 27 |  | 7/26/2017 7:52 AM  |
| 28 |  | 7/25/2017 6:24 AM  |
| 29 |  | 7/24/2017 11:36 PM |
| 30 |  | 7/23/2017 9:41 PM  |
| 31 |  | 7/23/2017 4:32 PM  |
| 32 |  | 7/23/2017 1:56 PM  |
| 33 |  | 7/23/2017 1:08 PM  |
| 34 |  | 7/22/2017 9:34 PM  |
| 35 |  | 7/22/2017 3:16 PM  |
| 36 |  | 7/22/2017 12:13 PM |
| 37 |  | 7/21/2017 12:36 PM |
| 38 |  | 7/20/2017 11:16 PM |
| 39 |  | 7/20/2017 9:16 PM  |
| 40 |  | 7/20/2017 7:43 PM  |
| 41 |  | 7/20/2017 6:13 PM  |
| 42 |  | 7/20/2017 4:41 PM  |
| 43 |  | 7/20/2017 8:13 AM  |
| 44 |  | 7/19/2017 12:44 PM |
| 45 |  | 7/19/2017 9:57 AM  |
| 46 |  | 7/19/2017 9:21 AM  |
| 47 |  | 7/19/2017 8:16 AM  |
| 48 |  | 7/19/2017 6:20 AM  |
| 49 |  | 7/19/2017 4:50 AM  |
| 50 |  | 7/18/2017 9:35 PM  |
| 51 |  | 7/18/2017 9:13 PM  |
| 52 |  | 7/18/2017 7:27 PM  |
| 53 |  | 7/18/2017 7:05 PM  |
| 54 |  | 7/18/2017 5:48 PM  |
| 55 |  | 7/18/2017 5:40 PM  |
| 56 |  | 7/18/2017 5:08 PM  |
| 57 |  | 7/18/2017 4:48 PM  |
| 58 |  | 7/18/2017 4:41 PM  |
| 59 |  | 7/18/2017 4:29 PM  |

ADU Changes

SurveyMonkey

|    |  |                    |
|----|--|--------------------|
| 60 |  | 7/18/2017 12:36 PM |
| 61 |  | 7/18/2017 8:02 AM  |
| 62 |  | 7/17/2017 11:06 PM |
| 63 |  | 7/17/2017 10:03 PM |
| 64 |  | 7/17/2017 9:44 PM  |
| 65 |  | 7/17/2017 6:14 PM  |
| 66 |  | 7/17/2017 4:07 PM  |
| 67 |  | 7/17/2017 3:13 PM  |
| 68 |  | 7/17/2017 2:56 PM  |
| 69 |  | 7/17/2017 2:55 PM  |
| 70 |  | 7/17/2017 11:45 AM |
| 71 |  | 7/17/2017 8:49 AM  |
| 72 |  | 7/16/2017 8:29 PM  |
| 73 |  | 7/16/2017 4:53 PM  |
| 74 |  | 7/15/2017 11:23 PM |
| 75 |  | 7/14/2017 8:44 PM  |
| 76 |  | 7/14/2017 7:44 PM  |
| 77 |  | 7/14/2017 11:25 AM |
| 78 |  | 7/14/2017 10:54 AM |
| 79 |  | 7/14/2017 6:09 AM  |
| 80 |  | 7/13/2017 8:38 PM  |
| 81 |  | 7/13/2017 3:29 PM  |
| 82 |  | 7/13/2017 1:50 PM  |
| 83 |  | 7/13/2017 1:17 PM  |
| 84 |  | 7/13/2017 12:29 PM |
| 85 |  | 7/13/2017 12:06 PM |
| 86 |  | 7/13/2017 11:42 AM |
| 87 |  | 7/13/2017 11:32 AM |
| 88 |  | 7/13/2017 11:29 AM |
| 89 |  | 7/13/2017 11:25 AM |
| 90 |  | 7/13/2017 11:19 AM |
| 91 |  | 7/13/2017 11:15 AM |
| 92 |  | 7/13/2017 11:12 AM |
| 93 |  | 7/13/2017 11:10 AM |
| 94 |  | 7/13/2017 9:52 AM  |
| 95 |  | 7/13/2017 9:11 AM  |

## Q10 Thank you for taking the time to give us your opinion. Let us know if you have other thoughts on this issue.

Answered: 54 Skipped: 111

| #  | RESPONSES  | DATE               |
|----|--|--------------------|
| 1  | ADUs are a great tool for improving the inventory of affordable housing in our community (and for providing a little income boost to home owners, as well!) Win-Win!   | 8/16/2017 3:17 PM  |
| 2  | Hardcopy response from 8/9 See You in the Park   | 8/16/2017 1:06 PM  |
| 3  | Hardcopy response from 8/9 See You in the Park   | 8/16/2017 1:05 PM  |
| 4  | Hardcopy response from 8/9 See You in the Park   | 8/16/2017 1:05 PM  |
| 5  | Hardcopy response from 8/9 See You in the Park   | 8/16/2017 1:03 PM  |
| 6  | Hardcopy response from 8/9 See You in the Park   | 8/16/2017 1:01 PM  |
| 7  | Hardcopy response from 8/9 See You in the Park   | 8/16/2017 1:00 PM  |
| 8  | I would like the changes be made in steps--I'm not totally opposed to detached ADU's but I have concerns, given the foreign environment of our citizens as to how they would be kept and what they would look like. We have a boarding house at the end of our street and it was not unusual to have 14-18 cars parked there until we complained. the owner says he lives there but we neighbors seriously doubt it. Having a nonowner occupancy allowance leaves room for the excuse of "not knowing" what is going on and depending on neighbors to police activity. | 8/7/2017 1:02 PM   |
| 9  | Allowing detached ADU's will certainly increase the appeal for developers and landlords to purchase properties to profit from multiple tenant properties. It is happening now. In many cases the property owners do not live at the residence. The council should not adopt unenforceable regulation. This will certainly change the character of Tukwila. Attached ADU's have already changed Tukwila's character. I believe this will increase Tukwila's problem with irresponsible landlords.   | 8/5/2017 9:06 AM   |
| 10 | Thank you for making the survey. There are already several of these type units, have some good guidelines/boundaries is a great idea.  | 8/2/2017 10:34 AM  |
| 11 | Hardcopy response from 7/26 See You in the Park  | 8/1/2017 4:13 PM   |
| 12 | Hardcopy response from 7/26 See You in the Park  | 8/1/2017 4:12 PM   |
| 13 | Hardcopy response from 7/26 See You in the Park  | 8/1/2017 4:10 PM   |
| 14 | Hardcopy response from 7/26 See You in the Park  | 8/1/2017 4:09 PM   |
| 15 | Hardcopy response from 7/26 See You in the Park  | 8/1/2017 4:07 PM   |
| 16 | Hardcopy response from 7/26 See You in the Park  | 8/1/2017 4:06 PM   |
| 17 | Hardcopy response from 7/26 See You in the Park  | 8/1/2017 4:04 PM   |
| 18 | Hardcopy response from 7/26 See You in the Park  | 8/1/2017 4:01 PM   |
| 19 | Vintage laws do not apply well to modern times.  | 8/1/2017 7:46 AM   |
| 20 | It would be helpful to have more specific information on these issues in order to provide more informed responses.   | 7/26/2017 7:52 AM  |
| 21 | I know if one of my relatives needed to stay with us, it would be great to have an ADU (well built and with curb appeal). I don't see any reason not to allow these in Tukwila, provided they are not eye sores and well maintained.   | 7/24/2017 11:36 PM |
| 22 | Feel strongly that increased opportunities for ADU on private properties can only increase the options for housing and the prosperity of the region!   | 7/23/2017 9:41 PM  |
| 23 | Keep Tukwila a single family/single home community.....And NO MORE high-rises, despite the bribes  | 7/23/2017 4:32 PM  |

|    |  |                    |
|----|--|--------------------|
| 24 | Property managers need to be involved if both units are rented, especially if owner is out of state! otherwise you can quickly lose the upkeep that comes from pride in ownership. Square foot of detachable dwelling could be larger if lot size is larger but capped at 800 square feet  | 7/23/2017 1:08 PM  |
| 25 | More and more people moving into Tukwila and low density zoning should be changed to full fill the needs of housing.   | 7/22/2017 9:34 PM  |
| 26 | City should also look at results of sticky dot exercise (@ Showalter MS and Tukwila CC) several years ago, prior to Comp Plan update.  | 7/22/2017 12:13 PM |
| 27 | Nobody likes a busybody. We do not need a "nanny state". We can make our own decisions - as long as they do not, negatively, affect others.  | 7/21/2017 4:11 PM  |
| 28 | More parking, not less, it seems that the Asus are capable of two or more adults, most will have cars, street parking is getting scarce  | 7/20/2017 11:16 PM |
| 29 | Which Council persons plan to recuse themselves because they own lots 7200SF or are considering ADU on their property?   | 7/20/2017 6:13 PM  |
| 30 | Why are the new lot sizes in Georgetown as low as 2500' LDR lots?  | 7/20/2017 4:41 PM  |
| 31 | yes fir cottage and tiny homes!  | 7/20/2017 8:13 AM  |
| 32 | Thank you for requesting input, and for considering this shift in policy.  | 7/19/2017 9:21 AM  |
| 33 | These ADU's will be an increase to the population of Tukwila. I hope that the City ensures we are able to provide the necessary services to current citizens and provide for growth.   | 7/19/2017 12:45 AM |
| 34 | I wouldn't mind allowing a current garage on the property to be converted to an ADU if an additional parking space was required and all of the other current ADU requirements weremet.   | 7/18/2017 10:38 PM |
| 35 | Stop making Tukwila a slum.  | 7/18/2017 9:13 PM  |
| 36 | While there are some valid, compelling reasons for ADUs let's not destroy the single family neighborhoods that we have....there just aren't that many of them.   | 7/18/2017 5:48 PM  |
| 37 | Constituents get tired of their local governments trying to control every aspect of their personal decisions concerning their properties and lifestyles.   | 7/18/2017 5:40 PM  |
| 38 | This is a positive and needed way to address the affordable housing issues we face.  | 7/18/2017 5:08 PM  |
| 39 | Please do not sneak anymore halfway, sexoffender, rehab houses into our neighborhood   | 7/18/2017 4:29 PM  |
| 40 | Thank you.   | 7/18/2017 2:07 PM  |
| 41 | I see these units as a place for seniors or a disabled family member that needs help. They should not be built solely as a revenue stream for the home owner   | 7/18/2017 12:36 PM |
| 42 | Let's try to accommodate more affordable housing, without destroying the appearance , integrity, aesthetics and scale of our neighborhoods. If we had wanted ghetto style, appearance and culture, we would have looked elsewhere outside the city of Tukwila.   | 7/17/2017 4:07 PM  |
| 43 | It is great that the city is moving in a positive way to create affordable housing. This will help build a stronger and secure neighborhoods.  | 7/17/2017 8:49 AM  |
| 44 | this is one of the solution to resolve the housing crisis in urban area.   | 7/16/2017 8:29 PM  |
| 45 | We appreciate your work on options for affordability. I am also eager to hear if and when cottage developments (with parking on the periphery of a cluster) will be allowed again on larger lots as historically.  | 7/14/2017 7:44 PM  |
| 46 | To clarify I am a property owner in Tukwila but not a resident   | 7/14/2017 6:10 PM  |
| 47 | Trees! City should have an official arborist on staff to promote care and preservation of mature trees, and incorporation of existing trees into new project designs. All building permits should require arborist's sign-off. Codes against cutting down mature trees should be enacted and enforced. Public needs to be educated about the value of trees and alternatives to removal. | 7/14/2017 10:54 AM |
| 48 | The easiest way to increase affordable housing is with ADU's.  | 7/13/2017 8:38 PM  |
| 49 | I own a house across from the Duawamish in Tukwila. I think increasing density is a good idea.   | 7/13/2017 1:17 PM  |
| 50 | The ADU should not have to be of like style to the main house. Keeping this requirement will stop the building of more efficient and practical housing alternatives.   | 7/13/2017 12:29 PM |

|    |  |                    |
|----|--|--------------------|
| 51 | I believe that amending the code to encourage ADU's will help homeowners battle the ever increasing housing costs in our area, as well as provide affordable housing for tenants. Additionally, because many ADU's are already in existence, I would encourage the city to offer a program to grandfather in existing ADU's (I have no idea how that would work, but I have heard of other municipalities doing that very thing) | 7/13/2017 12:06 PM |
| 52 | We like this idea to help with housing needs!  | 7/13/2017 11:42 AM |
| 53 | What would the rules be for utilities: water sewer and electricity?  | 7/13/2017 11:10 AM |
| 54 | Glad you are working on this.  | 7/13/2017 9:11 AM  |





## Accessory Dwelling Unit Standards

| City                        | Min. Lot Size   | Max. Unit Size   | Height  | Parking Requirement  | Owner Occupancy   | Other Regulations  |
|-----------------------------|---|--|---|--|---|--|
| <b>Tukwila</b>              |   |  |   |  |   |  |
| Attached                    | 7,200 sf  | smaller of 1/3 sf of main house or 1,000 sf  | NA  | 2 for main house, 1 for ADU up to 600 sf, 2 for ADU over 600 sf                                | Required  | Incorporated into the primary single-family residence so that both units appear to be of the same design as if constructed at the same time, Not sold as a condo, Detached not permitted |
| <b>Renton</b>               |   |  |   |  |   |  |
| Attached and Detached       | Same as zone  | smaller of 3/4 sf of main house or 800 sf  | 30', but no taller than main house  | 2 for main house, 1 for ADU  | Required, signed affidavit, notice on title   | Conditional Use Permit, match main house, 50 total per year in City, meet impervious surface and building coverage   |
| <b>Kent</b>                 |   |  |   |  |   |  |
| Attached and Detached       | same as Zone  | Specific zoning requirements of each zone. ADU in new development limited to 800 sf or 33% of the principal home | 23' but not to exceed the height of the principal building  | 2 for main house, 1 for ADU  | 1 unit must be owner occupied for 6 months of the year, Must have recorded covenant with the County | Immediate neighbors of an ADU applicant will be notified of the pending ADU permit within 15 days of the application being deemed complete.  |
| <b>SeaTac</b>               |   |  |   |  |   |  |
| Attached                    | Same as Zone. 1 ADU per lot   | NEW: 800 SF EXISTING: 45% of the principal home  | 20'   | Parking for main house by zone, 1 for ADU up to 600 sf, 2 for ADU over 600 sf                  | Required to occupy for at least 9 months  | ADU must be registered with the City of SeaTac. Waiver for additional parking requirements can be granted if adequate street parking is available.                                       |
| Detached                    | Same as Zone. 1 ADU per lot   | 800 SF   | 20'   | Parking for main house by zone, 1 for ADU up to 600 sf, 2 for ADU over 600 sf                  | Required to occupy for at least 9 months  | ADU must be registered with the City of SeaTac. Waiver for additional parking requirements can be granted if adequate street parking is available.                                       |
| <b>Burien</b>               |   |  |   |  |   |  |
| Attached and Detached       | Same as Zone. ADU footprint no more than 15% of the total lot area or 80% of the main residence | Attached 1000 SF Detached 800 SF   | May not exceed 10ft above the height of the primary existing structure or the max allowed in the zone | 1 additional parking space is required. Parking should be on the side or rear of the building. | Required  | Non-conforming ADU's can apply to become legal ADU's if they meet all requirements set fourth in the BMC   |
| <b>Seattle (in SF Zone)</b> |   |  |   |  |   |  |
| Attached                    | Same as zone  | 1,000 sf   | NA  | 1 for main house, 1 for ADU, waiver is possible  | Required, signed covenant   | Max 8 residents on site unless all related Duplex building standards for sound and fire separation if new construction, Only 1 visible entrance per street                               |
| Detached                    | 4,000   | 800 sf   |   | 1 for main house, 1 for ADU, waiver is possible  | Required, signed covenant   | Entrance can't face nearest side yard or rear unless on an alley   |

| City     | Min. Lot Size | Max. Unit Size                            | Height     | Parking Requirement   | Owner Occupancy | Other Regulations   |
|----------|---------------|---|------------|-----------------------|-----------------|---|
| Portland |               |   |            |                       |                 | 1 or more related persons plus up to 5 additional persons, Some utility hook up and impact fees reduced or waived   |
| Attached | Same as zone  | smaller of 3/4 sf of main house or 800 sf | NA         | No additional for ADU | No              | Only 1 entrance on street façade  |
| Detached | Same as zone  | smaller of 3/4 sf of main house or 800 sf | 20' height | No additional for ADU | No              | Smaller footprint than main house, 40' setback from front lot line or behind the house, design to match main house, Duplex building standards if new construction |