

# 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)