

AGENDA BILL

December 7, 2020

SUBJECT: HB 1923 – Accessory Dwelling Units (ADUs)

Old Business

PRESENTED BY: Chris Larson
Senior Planner

FISCAL IMPACT: Grant Funded

PROJECT: Residential Building Capacity

APPROVED BY: Other

REVENUE SOURCE: State of Washington

ESTIMATED AMOUNT:

SUMMARY/BACKGROUND:

SUMMARY: This item was introduced at your June meeting and discussed in depth at your August meeting, at which time the Commission provided guidance for regulating Accessory Dwelling Units (ADUs).

The DRAFT Code amendments (attachment 1) represents the input heard from the Planning Commission through these previous meetings.

In summary:

1. Detached ADU's will now be allowed on lots larger than 4,356 square feet.
2. There is still an owner occupancy requirement. ADU's are allowed to be rented but not sold separately from the single family home.
3. ADU will be required to accommodate parking on site.
4. Impact fees will be assessed at 50% the rate of a single family home.
5. Certain design criteria have been added.
6. The ADU will be required to be metered jointly with the principle residence.

Since the last time this was presented to the Planning Commission, staff has amended our grant agreement with the Department of Commerce. The new criteria to obtain the grant funding for ADU code amendments now states as follows:

Permit both attached and detached accessory dwelling units on all parcels contain single-family homes, provided lots are at least four thousand three hundred fifty-six square feet, AND adopt new square footage requirements related to accessory dwelling units that are less restrictive than existing square footage requirements related to accessory dwelling units.

The proposed amendments in attachment 1 now meet the new requirements for grant funding on this item.

BACKGROUND: The City of Fife received a grant from the Washington State Department of Commerce to review our municipal code to determine how we can increase residential density. Under House Bill 1923, the State offered grant money to municipalities to encourage them to adopt provisions to increase residential building capacity. Through the bill, there was a menu of options that cities could take. The City of Fife applied for grant funding to address the following issues:

1. Authorize at least one duplex, triplex or courtyard apartment on each parcel in one or more zoning districts that permit single-family residences.
2. Authorize accessory dwelling units (ADUs) on all parcels containing single-Family homes.
3. Authorize a duplex on each corner lot within all zoning districts that permit single-family residences, and

4. Allow for the division or revision of land into the maximum number of lots through the short subdivision process provided in Chapter 58.17 RCW.

ATTACHMENTS:

1. DRAFT ADU Code amendments

STAFF RECOMMENDATION:

Provide Staff with input and guidance.

ALTERNATIVES:

None proposed.

RECOMMENDED MOTION:

There is no motion at this time.

19.06.005 Accessory dwelling unit.

“Accessory dwelling unit” means a second dwelling unit ~~added to or~~ created ~~within and~~ on the same lot, ~~with~~ a single-family detached dwelling unit that provides for separate living, sleeping, cooking and sanitation. An attached accessory dwelling unit means an accessory dwelling unit that is attached to, or built within, the single-family residence. Attachment requires a common wall and roof. A detached accessory dwelling unit means an accessory dwelling unit that is not attached to the principle single-family residence and may or may not be attached to another accessory structure such as a garage.

Accessory Dwelling Unit Code Amendments

19.XX.050 Development standards.

A. Minimum Lot Area and Site Requirements for [APPLICABLE ZONE]

Base maximum density	10 dwelling units per gross acre.
Maximum density with PRD	15 dwelling units per gross acre.
Minimum lot area (see FMC 19.68.020)	3,000 square feet.
Detached Accessory dwelling unit (ADU): Additional lot area	1,500 square feet. One ADU per lot.
Minimum dwelling structure separation	6 feet for 1- and 2-story dwelling structures. 15 feet for 3 story dwelling structures.
Minimum lot dimension circle per dwelling unit or nonresidential lot	30 feet.
Minimum frontage width	20 feet. 14 feet with alley or easement serving 2 lots or less, as sole access (subject to increase based on safety concerns).
Minimum front yard setback (see Chapter 19.64 FMC for buffering requirements)	16 feet. See FMC 19.68.020(B) for possible front yard setback reduction. 20 feet of driveway* between the garage or carport and the front property line. Does not apply to side entry garage or alley if sole vehicular access.
Minimum interior yard setback (see Chapter 19.64 FMC for buffering requirements)	10 feet. One side of the interior yard may be 5 feet (see FMC 19.68.020(B)). An accessory dwelling unit shall maintain a 10 foot setback. Residential accessory structure (excluding accessory dwelling unit)** ≤15 feet in height and ≤33% of dwelling unit coverage, 5-foot setback.
Interior yard with alley as sole access (residential)	5 feet abutting alley easement or right-of-way (see FMC 19.68.020(B)).
Maximum height	30 feet or 2 stories, whichever is less. For multifamily structures, 35 feet or 3 stories, whichever is less (see FMC 19.68.020(C) for exceptions).
Maximum lot coverage for structures	50%.
Green area factor (see FMC 19.64.025)	40%.
*To prevent street and sidewalk blockage.	
**Single-family and duplex accessory structures only.	
<i>Calculations resulting in a fraction shall be rounded to the nearest whole number with .50 being rounded up.</i>	

Chapter 19.80

ACCESSORY DWELLING UNITS (ADU)

Sections:

- 19.80.010 Purpose.
- 19.80.020 Use and occupancy standards.
- 19.80.030 Development standards.
- 19.80.040 Design standards.
- 19.80.050 Application procedure.
- [19.80.060 Impact Fees](#)

19.80.010 Purpose.

The intent of this chapter is to facilitate the placement of ADUs while preserving the character of the existing neighborhoods.

An accessory dwelling unit (ADU) is intended to allow a property owner the ability to care for family members, provide a means of increasing the supply of affordable housing, and provide a source of supplemental income for property owners. (Ord. 1317 § 3, 1998).

19.80.020 Use and occupancy standards.

- A. The primary dwelling unit or ADU shall be owner-occupied.
- B. The primary dwelling unit shall be a single-family detached structure.
- C. A home occupation may be permitted in either the primary residential unit or the ADU, but not in both.
- D. An ADU shall not be subdivided or otherwise segregated in ownership from the primary dwelling unit. (Ord. 1317 § 3, 1998).

19.80.030 Development standards.

The development standards listed below are general standards that apply to all ADUs. See the applicable zoning district regulations elsewhere in this title for additional ADU restrictions and requirements.

- A. Only one ADU is permitted on a legal lot of record.
- B. ~~The ADU must be attached to the primary dwelling unit. Attachment requires a common roof and wall. For lots between 3,200 and 4,356 square feet, only attached accessory dwelling units are permitted. For lots larger than 4,356 both attached and detached accessory dwelling units are permitted, provided the extra lot area required in the applicable zone is met.~~
- C. The ADU shall be between 300 and ~~800-900~~ square feet in gross floor area. ~~The ADU, and~~ shall not exceed 30 percent of the total gross floor area of the primary dwelling unit (excluding garage) and proposed ADU.
- D. The ADU shall include, at a minimum, kitchen, bathroom and sleeping facilities. The ADU shall not have more than two bedrooms.
- E. The ADU shall have a setback an equal or greater distance from the front ~~and interior~~ property lines as the primary residence.
- F. If the property owner discontinues residence at the property, then such owner shall either: (1) remove the accessory dwelling unit; or (2) convert the accessory dwelling unit to a permitted use. (Ord. 1317 § 3, 1998).
- G. [Utilities for the accessory dwelling unit shall be metered jointly with the primary dwelling unit.](#)

H. The ADU shall be set on a permanent foundation. Park Model Manufactured Homes and tiny homes on wheels are not allowed as an ADU unless they are affixed to a permanent foundation and have been inspected to meet the currently adopted residential building code.

19.80.040 Design standards.

A. Minimum Design Standards. An ADU shall be designed and constructed to maintain the architectural design, style, appearance and single-family character of the primary residence and property. In order to meet this requirement, an ADU shall, at a minimum:

1. Be equal to or less than the height of the primary residence;
 2. The scale, bulk, architectural style and location on the lot of all detached accessory dwelling units shall be compatible with the established character of the principal dwelling unit and the neighborhood. Plywood and other similar sheet siding materials, such as T1-11 siding, shall not be used. ~~Consist of similar materials and color as the primary residence;~~
 3. For attached ADUs, the ADU must ~~H~~ave a continuous roofline of similar construction and appearance as the primary residence;
 5. For detached ADUs, the ADU must be of similar construction style and color as the principle single-family residence. When added onto, or within an accessory structure such as a garage, the ADU shall maintain the construction type of the existing structure and aim to match the existing structure in design and color.
 46. An attached ADU is allowed to share the same entrance as the primary dwelling unit. If the ADU has a separate entrance, then the entrance shall be directed toward the interior yard and/or shall not face the same way as the entrance for the primary dwelling unit.
 7. Where practical, locate and design the ADU to minimize disruption of privacy and outdoor activities on adjacent properties. Strategies to accomplish this include, but are not limited to:
 - a. Stagger windows and doors to not align with such features on abutting properties.
 - b. Avoid upper level windows, entries and decks that face common property lines to reduce overlook of a neighboring property.
 - c. Install landscaping as necessary to provide for the privacy and screening of abutting property.
- (Ord. 1317 § 3, 1998).

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19.80.050 Application procedure.

A. Application. The property owner shall submit a building permit and an notarized-ADU application, on forms adopted by the director. The building permit application and required plans must demonstrate that all applicable size thresholds and design standards will be met. The ADU application will be supplied by the director and will state that the property owner will occupy either the existing residence or ADU as the property owner's primary and permanent residence.

B. Restrictive Covenant. The property owner shall file a restrictive covenant with the Pierce County's assessor's office for the subject property prior to the issuance of a certificate of occupancy for the ADU. The restrictive covenant shall consist of the following statement:

The subject property contains an accessory dwelling unit which requires the property owner to reside on-site. If the property owner discontinues residence at the property, then such owner

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shall either: 1) remove the accessory dwelling unit, or 2) convert the accessory dwelling unit to a permitted use.

C. Certificate of Occupancy. A certificate of occupancy for an ADU is required. (Ord. 1317 § 3, 1998).

19.80.060 **Impact Fees.**

For the purpose of calculating school, traffic and park impact fees as well as water and sewer utility general facility charges, an accessory dwelling unit shall be considered as one half of a single-family residence. Impact fees shall be paid prior to the issuance of a building permit, unless deferred as allowed in FMC Title 20.