Accessory Dwelling Units – Attached and Detached

Seattle Home Fair

David VanSkike and David Graves  | January 30, 2022
HIGHLIGHTING THE ASL INTERPRETERS

- Locate the ASL Interpreter videos
  - Laurie Reinhardt and Topher Wick
  - Interpreters may be reassigned, you may need to scroll through the video bar to find the assigned interpreters
  - Please let the host know if you can’t find the ASL interpreters

- Right click the interpreter and select “Move to stage”

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SDCI PURPOSE AND VALUES

Our Purpose
Helping people build a safe, livable, and inclusive Seattle

Our Values
• Equity
• Respect
• Quality
• Integrity
• Service
TOPICS FOR TODAY

• Defining Accessory Dwelling Units
• Policy Goals
• Single Family Zone Standards
  • SF
  • RSL
• Multifamily Zone Standards
• Commercial Zone Standards
• Public Information and Resources

LEARNING OBJECTIVE:
Be able to review projects and answer counter questions related to attached and detached accessory dwelling units
GOOD TO KNOW

• Ordinance 125854
• Effective date: August 8, 2019
ACCESSORY DWELLING UNITS IN THE CODE

• Development standards within the zones
  • 23.44
  • 23.45
  • 23.47A – limited application at street level
  • 23.60A

• Land Use Code Definitions
  • Accessory dwelling unit (ADU)
  • Attached accessory dwelling unit (AADU)
  • Detached accessory dwelling unit (DADU)
  • Single family dwelling unit
  • Triplex

• Measurements for FAR (related to changes effective March 1, 2020)
WHAT IS AN ACCESSORY DWELLING UNIT?

**ADU**
An accessory dwelling unit is a secondary unit associated with a principal dwelling unit, which may include:

Attached accessory dwelling unit (AADU) = an accessory dwelling unit within the principal dwelling unit

Detached accessory dwelling unit (DADU) = an accessory dwelling unit in an accessory structure
WHAT IS THE PRINCIPAL DWELLING UNIT?

• Single-family dwelling unit is a detached principal structure having permanent foundation, containing one dwelling unit

• Rowhouse and townhouse units are attached multifamily residential uses

GOOD TO KNOW

A single-family dwelling unit in SF zones may have up to two AADUs!

A DADU is NOT considered a single-family dwelling unit!

A single-family dwelling unit with two AADUs is NOT a Triplex. A triplex must have three principal dwelling units!
WHERE ARE THEY ALLOWED?

• Single Family Zones
  • SF 5000, SF 7200, SF 9600
  • RSL

• Multifamily Zones
  • LR1, LR2, LR3 associated with single family, townhouse, and rowhouse units

• Commercial Zones (no DADUs)
  • Within an existing structure with residential uses at street level
  • Conversion of live-work units at street-level within existing structures

• Upland lots within the UR shoreline environment (no DADUs)

• Interesting side note: A Bed and Breakfast in single-family and multi-family zones can be within an ADU
POLICY GOALS

• Remove regulatory barriers to make it easier for property owners to permit and build AADUs and DADUs

• Increase the number and variety of housing choices in Single-family zones
  • Increasing the number of accessory dwelling units (ADUs) in single-family zones is one of many strategies to address our housing crisis.

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POLICY GOALS

• Why add an FAR Limit
  • **Scale:** An FAR limit is responsive to concerns about scale of new single-family dwellings and replacing one smaller home with one larger home that does not increase housing availability.
  • **Increase ADU Production:** (Floor area in an ADU would not count towards the FAR limit, incentivizing builders of new homes to include ADUs in their projects and creating an option for owners to add living space to their existing homes.)

• Why remove the owner occupancy requirement?
  • **Equity:** Current OO requirements for ADUs treat owners and renters inequitably. Owner-occupancy is not required for any other type of housing unit, including single-family homes, duplexes, or multifamily apartments.
  • **Financing:** The owner-occupancy requirement is frequently cited as a barrier, either real or perceived, to securing financing.
  • **Increase ADU production:** Removing the OO requirement allows ADUs to be built on the 20% of single-family lots that are currently renter occupied.
WHAT IS IT?

A lot zoned SF 5000 has a structure with three families living in separate units.

Is this allowed? What questions should you ask to determine if this complies with the density standards in 23.44.017?

• Is this a triplex?
• Is this a single-family dwelling unit with two AADUs?
Single-family Zones (SF and RSL)

ADU Development Standards
GENERAL REQUIREMENTS ADU

• There is no owner occupancy requirement for ADUs
  • Stay tuned for more info on process of releasing existing owner occupancy covenants
• In Shoreline District – UR environment per SMC 23.60A.540
  • ADUs are not allowed on a waterfront lots
  • AADU are allowed on upland lots.
  • DADU not allowed
• No limit on the number of on related people on the lot (recent state law change)
• No off-street parking is required for an ADU – no existing required parking may be eliminated to accommodate an ADU unless replaced
NUMBER OF ADUS ALLOWED ON A LOT

- In SF 5000, SF 7200, SF 9600 up to two ADUs are allowed on a lot
  - One AADU and one DADU OR
  - Two AADUs

- If two ADUs are proposed on an SF zoned lot either:
  - The new principal or new accessory structure containing the second ADU must meet the green building standard in 23.58D. (A second ADU within an existing building does not require the existing structure to be brought up to green building standards.) OR
  - The second ADU must be an affordable unit with a housing agreement

- In an RLS zone, each principal dwelling unit may have no more than one ADU
LOCATION ON THE LOT - 23.44.014

• AADUs must follow the rules for principal structures
• DADUs are allowed in the rear yard subject to the standards in 23.44.041.C
• DADUs may extend into one side yard with a side yard easement provided along the rear or side lot line of an abutting lot.
  • Must maintain a 10 foot separation between the DADU and any principal structure or DADU on the abutting lot (measured from the wall)
  • Other accessory structures, and features that project from principal structures and DADUs are permitted in the 10-foot separation. (omnibus fix in the works to clarify this)
  • No structure can cross property lines
• Certain additions within required yards applies to AADU and DADU
23.44.020.A.1

- In SF 5000, 7200, 9600
  - When single-family dwelling units are constructed
    - 2 caliber inches of tree per 1000 square feet of lot area for lots over 3000 square feet
    - For lots 3000 square feet or smaller, at least 3 caliber inches of tree.
  - Monitoring required for at least 5 years
TREE REQUIREMENTS FOR ADUS

When a new structure or addition containing an ADU is constructed:

• Lots that do not contain the minimum of caliber inches of trees, the addition of any accessory dwelling unit, will require 2 caliber inches of tree shall be planted.

• For lot meeting the minimum number of trees required, no new trees shall be planted for any number of ADU addition.

• The preservation of existing trees, planting of new trees or combination of both maybe counted as meeting the caliber inches of trees required on a lot.
FLOOR AREA RATIO

• FAR standards in the RSL zones
  • ADUs are not exempt from FAR in RSL zones!

• FAR limit in SF 5000, SF 7200, SF 9600 zones
  • FAR limit of 0.5 for lots developed with a principal single family dwelling unit in SF zones
  • However, lots less than 5,000 square feet can have up to 2,500 square feet of gross floor area

• FAR exemptions in SF zones
  • Floor area in an ADU is exempt – attached or detached
  • Square footage exemption in accessory uses: EITHER
    • Up to 500 square feet in accessory structures that are not DADUs is exempt OR
    • Up to 250 square feet in attached garages
  • Any floor area below grade

• Some additions to existing single-family dwelling units may exceed the FAR limit
ATTACHED ADU REQUIREMENTS (AADU)

Size Requirements

• Maximum size: ADU limited to 1000 square feet gross floor area excluding garage area
  May exceed 1000 square feet if portion of structure containing ADU existed as December 31, 2017

• Location of Entrances: In SF 5000, SF 7200, SF 9600 zones only one entrance to the structure may be located on the street facing façade. Unless multiple entrances existed on January 1, 1993 or the Director determines it is okay
DETACHED ADU REQUIREMENTS (DADU)

• Lot Requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot size</td>
<td>3,200 square feet</td>
</tr>
<tr>
<td>Minimum lot width</td>
<td>25 feet</td>
</tr>
<tr>
<td>Minimum lot depth</td>
<td>70 feet</td>
</tr>
</tbody>
</table>

If you don’t meet the lot width requirement but have a lot with a greater width than depth, and a lot area of greater than 5,000 sqft., a DADU is permitted outside of the required yards.

Don’t forget to check the footnotes!
# DETACHED ADU REQUIREMENTS (DADU)

- Lot Coverage Requirements

<table>
<thead>
<tr>
<th>Maximum lot coverage</th>
<th>DADUs are subject to 23.44.010.C and D Calculation and exceptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum rear yard coverage</td>
<td>DADU with other accessory structures or portions of principal structures in the rear yard subject to 23.44.014.D</td>
</tr>
<tr>
<td><strong>No rear yard in RSL when there is an alley so there is no rear yard coverage requirement.</strong></td>
<td>Combined coverage of 40% however, if you have a DADU, it can cover an additional 20% if no exceptional trees or trees over 24” are removed to construct the DADU.</td>
</tr>
</tbody>
</table>

What about lots in RSL with an alley lot line?
**DETACHED ADU REQUIREMENTS (DADU)**

- **Size Requirements**

<table>
<thead>
<tr>
<th>Maximum size</th>
<th>1,000 square feet, excluding garage and storage areas, porches and covered decks that are less than 25 SF in area, and gross floor area that is underground.</th>
</tr>
</thead>
</table>

*Up to 35 square feet of floor area dedicated to long-term bicycle parking shall be exempt from the gross floor area calculation for a detached accessory dwelling unit. The bicycle parking area shall be provided in a safe, and convenient location, emphasizing user convenience and theft deterrence, and shall be located where bicyclists are not required to carry bicycles on stairs to access the parking.*

This is not about required bike parking but it needs to meet the minimum size standards to get this exemption.
DADU SIZE LIMIT

1,000 square feet -

• Include all gross floor area in the DADU structure
• Exclude any gross floor area that is dedicated to the garage within the DADU structure
• Exclude any gross floor area that is underground according to LUC
• Exclude any gross floor area that is dedicated to storage attached to the DADU but only accessed from the outside of the structure.
• Include the area of each porch and covered deck that is provided at an entrance to a DADU – but EXCLUDE the first 25 feet of each.
  • Other covered areas must be outside of the required yards and may be included in size limit
• Exclude up to 35 sqft of gross floor area dedicated to long-term bicycle parking

Note, these may still be considered chargeable floor area for FAR calculations unless expressly exempt from FAR
**DETACHED ADU REQUIREMENTS (DADU)**

- **Yard/Setback Requirements**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Front Yard</strong></td>
<td>May not be located within the front yard required by subsection 23.44.014.B, except on a through lot pursuant to Section 23.40.030 or Section 23.40.035</td>
</tr>
<tr>
<td><strong>Minimum Side Yard</strong></td>
<td>A detached accessory dwelling unit may not be located within the side yard required by subsection 23.44.014.B except as provided in subsection 23.44.014.C.3 or 23.44.014.C.4</td>
</tr>
<tr>
<td><strong>Minimum Rear Yard</strong></td>
<td>A detached accessory dwelling unit may be located within a required rear yard if it is not within 5 feet of any lot line, unless the lot line is adjacent to an alley, in which case a detached accessory dwelling unit may be located at that lot line.</td>
</tr>
<tr>
<td><strong>Location of Entry</strong></td>
<td>An entrance facing any side or rear lot line must be setback 10 feet from that lot line unless it abuts an alley or other public right-of-way</td>
</tr>
</tbody>
</table>

Director may allow an exception if it results in preservation of an exceptional tree or tree over 24” dsh
DETACHED ADU REQUIREMENTS (DADU)

Side and Rear Yards

• External architectural details with no living area may project no closer than 3 feet from any lot line

• Bay windows are limited to 8 feet in width and may project no closer than 3 feet from any lot line

• Other projects that include interior space must
  • Start a minimum of 30 inches above the finished floor
  • Have a maximum dimension of 6 feet in height and 8 feet in width.
  • Allowed to project no closer than 3 feet from any lot line.

Don’t forget to check the footnotes!
DETACHED ADU REQUIREMENTS (DADU)

Rear Yard

• If a DADU has a garage with vehicle access facing an alley, the garage portion of the DADU may not be located within 12 feet of the centerline of the alley.

• On a reversed corner lot, no DADU can be located in that portion of the required rear yard that abuts the required front yard of the adjoining key lot.

Don’t forget to check the footnotes!
SIDE YARD EASEMENT – CAN YOU BUILD THIS?

- Must maintain a 10 foot separation between the DADU and any principal structure or DADU on the abutting lot (measured from the wall).

- Other accessory structures, and features that project from principal structures and DADUs are permitted in the 10-foot separation.

- No structure can cross property lines.
DETACHED ADU REQUIREMENTS (DADU)

• Height Requirements

<table>
<thead>
<tr>
<th>Maximum Height Limits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Width</td>
</tr>
<tr>
<td>Base Height Limit</td>
</tr>
<tr>
<td>Pitched Roof</td>
</tr>
<tr>
<td>Shed or Butterfly Roof</td>
</tr>
</tbody>
</table>

Don’t forget to check the footnotes!
Roof forms allowed above the “base height limit”

- Pitched roof
- Shed roof
- Butterfly roof

 Additional 4’ allowed for open railings, chimneys etc.

 This doesn’t mean roof decks are allowed in the required yards!

 Additional 2’ allowed for green roof

 Dormers & other projections allowed up to the limit for pitched roofs

 The green roof needs to be part of a plan to meet the green building standard

Don’t forget to check the footnotes!
• Separation Requirements

| Minimum separation from principal dwelling unit/structure | 5 feet |

23.44.014.D.2: Any accessory structure located in a required yard shall be separated from its principal structure by a minimum of 5 feet.
CONVERSION OF EXISTING STRUCTURES

• Certain additions in 23.44.014.C.4 apply to converted structures
• 23.44.041.C.2 – what type of structure may be converted
  • Existing prior to December 31, 2017 as an accessory structure
  • Replacement okay either before or during the conversion to a DADU (must meet standards)
• Director may allow an exception to the following to allow an existing structure to be converted to a DADU:
  • Maximum size
  • Minimum side yard
  • Minimum rear yard
  • Location of entry
  • Maximum height limits
  • Lot requirements
  • Lot coverage requirements

• Exceptions apply to the existing structure and any proposed additions

Conversions still need to meet Building Code
CERTAIN ADDITIONS – SF ZONES, NOT RSL

Converting existing structure to DADU with a second story addition.
CONVERSION OF EXISTING STRUCTURES

SF and RSL Zones!

Converting existing structure to DADU with a second story addition
Multi-family zones (LR1, LR2, LR3)

ADU Development Standards
MULTI-FAMILY ZONES (LR-1, LR-2, OR LR-3)

• One accessory dwelling unit allowed in Single Family, rowhouse and townhouse in as principal unit in Multifamily zones.
• Accessory dwelling unit shall be located completely within the same structure as a principal unit
  OR
• Must be located completely in an accessory structure between the single-family, rowhouse, or townhouse and the rear lot line
• Gross Floor Area for ADU is 650 square feet. May not exceed 40 percent of total gross floor area in residential use on the lot or unit lot
• Height: 20 feet base. May extend 3 feet above the base height must be no less than 4:12 pitched roof
• No shed roof allowed above 12 feet height limit
• Entrance to accessory dwelling unit provided within the same structure as the principal unit must be through primary entry, or secondary entry on a different façade or through a second entry smaller and visually prominent.
• Exterior stairs providing access to ADU not to exceed 4 feet in height except providing access to ADU above a garage.
• Parking is not required for accessory dwelling unit
• In the shoreline district accessory dwelling unit in single family, rowhouse and townhouse shall be provided where allowed.
Commercial zones

A few instances where ADUs are permitted
• 23.47A.005.C.2.d - There is no restriction on street level residential uses in the following circumstances:
  • In a structure existing on January 1, 2012 that is within an NC1 zone (but not located in an area defined in Maps A through D for 23.47A.005) a live-work space may be converted to an accessory dwelling unit if the residential use is established and if the area proposed to be converted meets the minimum housing standards of Chapter 22.206, and if the area proposed to be converted meets the owner occupancy requirement of subsection 23.44.041.C

• 23.47A.008 – Street-level development standards
  • In a structure existing on January 1, 2012, an ADU may be established if it is accessory to an existing dwelling unit and if it meets the minimum housing standards of Chapter 22.206 even if nonconforming to standards of subsection 23.47A.008.D (standards for residential use at street level)
Business Rules and Resources
PLAN REVIEW AND REPORTING

• City Council is monitoring the development of ADUs after the 2019 code changes.
• Plans will need to clearly identify the following information:
  • Number of ADUs
  • If an existing accessory structure was converted to a DADU
  • DADU height
  • DADU size
  • Total lot coverage for the lot
  • Number of parking spaces provided for the ADU
PUBLIC INFORMATION AND RESOURCES

• Accessory Dwelling Units: Proposed Land Use Code Changes, following link: http://www.seattle.gov/council/adu-eis

• The following SDCI TIPS are in the process of being updated
  • Tip 116A, Establishing an Attached Accessory Dwelling Unit
  • Tip 116B, Establishing a Backyard Cottage
ADUNIVERSE

https://aduniverse-seattlecitygis.hub.arcgis.com/

• ADUniverse is your central resource to learning about and planning your accessory dwelling unit journey in Seattle.

• Explore a catalog of 10 pre-approved DADU plans. Find one suitable for your needs and site.

• By using a pre-approved plan, you'll get your permit cheaper and faster — as quickly as 2-6 weeks for most sites.
Questions?
We’ve said a lot, now it’s your turn

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