

## Chapter 18.56 ACCESSORY DWELLING UNITS

### Sections:

[18.56.010 Intent.](#)

[18.56.010 Definitions.](#)

[18.56.020 Where authorized.](#)

[18.56.030 Performance standards for accessory dwelling units.](#)

[18.56.040 Review process.](#)

[18.56.050 Recognition of existing accessory dwelling units.](#)

### [18.56.010 Intent.](#)

[This Chapter is intended to promote and encourage the creation of accessory dwelling units \(ADUs\) in a manner that enhances residential neighborhoods in order to meet the city's housing needs and realize the benefits of ADUs to \(1\) provide homeowners flexibility in establishing separate living quarters within or adjacent to their homes for the purpose of caring for and providing housing for family members or obtaining rental income; \(2\) increase the range of housing choices and the supply of accessible and affordable housing units within the city; and \(3\) ensure that the development of ADUs does not cause unanticipated impacts on the character or stability of single-family neighborhoods.](#)

### **18.56.010 Definitions.**

- A. "Accessory dwelling unit" (ADU) means a second dwelling unit [either attached to a single-family dwelling or accessory structure or](#) located on a lot occupied by a single-family detached dwelling. This unit provides a separate and completely independent dwelling unit with facilities for cooking, sanitation and sleeping, and has a separate and independent entry/exist than one utilized for the primary residence. [An ADU is distinguishable from a duplex in that, unlike a duplex, it is clearly subordinate to the primary dwelling unit in appearance.](#)
- B. "Owner occupancy" means a property owner, as reflected in the real estate tax rolls [or an immediate family member of the property owner](#) who makes his or her legal residence at the subject lot. ~~as evidenced by voter registration, vehicle registration, or similar means, and actually resides upon the lot more than six months out of any given year.~~

Immediate family includes parents, grandparents, brothers and sisters, children and grandchildren.

*(Ord. No. 909, § 2 (Exh. A), 6-18-2009)*

### **18.56.020 Where authorized.**

ADUs shall be permitted within any residential district subject to review and compliance with the standards and requirements of this chapter.

*(Ord. No. 909, § 2 (Exh. A), 6-18-2009)*

### **18.56.030 Performance standards for accessory dwelling units.**

- A. Configuration. An ADU may be located within, attached to, or detached from the principle residence or accessory structure.
- B. Performance Standards. ~~Minimum Lot Size.~~ All performance standards, including lot size, minimum yard setbacks and overall building coverage as set forth for the applicable zoning district and in Chapter 18.50, except as modified by this chapter, shall be met with respect to the ADU. ~~accessory dwelling unit. An accessory dwelling unit shall not be permitted upon any lot that is nonconforming due to lot size.~~
- C. Number. No more than one ADU ~~accessory dwelling unit~~ shall be permitted in conjunction with each single-family residence on a single lot of record.
- ~~D. Location in Relation to Principal Residence. The accessory dwelling unit may be either detached or a part of the principal residence or an accessory building.~~
- ~~E. Zoning/Building Code Compliance. All new construction associated with an accessory dwelling unit shall meet the development standards for the applicable zone for an efficiency dwelling unit as set forth in the International Building Code adopted by the city.~~

- D. Owner Occupancy. An owner of the property for which an ADU ~~accessory dwelling unit~~ permit is requested must ~~occupy at least one dwelling unit located on the property.~~ meet the “owner occupancy” definition in this Chapter.
- E. Future Subdivision. Parcels upon which an ADU ~~accessory dwelling unit~~ has been approved shall not be subdivided or otherwise segregated in ownership in a manner that would separate the ADU ~~accessory dwelling unit~~ from the principal dwelling.
- F. Maximum Size. ~~An accessory dwelling unit shall not exceed fifty percent of the size of the primary dwelling on the lot or eight hundred square feet, whichever is less. Accessory dwelling units shall comply with the required site coverage, yard area requirements or building code setbacks as provided within the subject property's zone.~~

An ADU shall be no greater than 1,000 square feet, not including the garage or covered porches. The following areas shall be counted when calculating the size of an ADU:

1. Habitable space as defined by the International Residential Code (IRC).
2. Kitchens and bathrooms, utility/laundry room

- G. Scale. A detached ADU ~~accessory dwelling unit~~ or accessory structure containing an accessory dwelling unit shall not exceed the maximum height allowed for a detached accessory building per the underlying zoning district.
- H. Visual subordination. New detached ADUs or ADUs extending from existing structures shall not comprise more than 50% of total visible façade area of the primary dwelling unit, as seen from the front of the lot.
- ~~I. Additions. Additions to an existing structure or newly constructed detached structures created for the purpose of creating an accessory dwelling unit, shall be designed in a manner that is consistent with existing roof pitch, siding and windows for the principal dwelling unit.~~

- I. Parking. At least one off-street parking space in addition to the minimum required off-street parking from the primary dwelling unit shall be provided for an ADU. ~~accessory dwelling unit.~~
- J. Utility Connections. Utility accounts for ADUs ~~accessory dwelling units~~ shall be maintained in the name of the property owner. ADUs ~~Accessory dwelling units~~ may be served by the same water meter and sewer connection utilized for the primary residence if approved by the city. The city may require an applicant to provide documentation demonstrating capacity availability prior to allowing a joint connection. The city may require upgrades to a utility connection and the cost of such upgrades shall be borne by the applicant. Utility fees charged for the ADU shall be in accordance with Chapter 13.04. ~~but shall be assessed a monthly service fee as established by the city's fee schedule or applicable ordinance.~~ If water or sewer service is not provided by the city, then the rules of the water or sewer district shall apply as to whether an additional hook-up and connection fees are required. Any water or sewer service as referenced in this section is subject to water or sewer availability.
- K. Design and Appearance. Additions to an existing structure or newly constructed detached structures created for the purpose of creating an ADU ~~accessory dwelling unit~~ shall be designed in a manner that is visually compatible with the principle structure, including but not limited to form, materials, roof pitch, and windows. ~~so that, to the degree reasonably feasible, the appearance of the building is consistent with that of the primary residence. At a minimum, the new exterior construction associated with creating an accessory dwelling unit should match the existing exterior materials and design of the principal residence, and the pitch of any new roof should match that of the principal residence.~~ New landscaping shall conform with or improve existing landscaping.
- L. Entrance Location. An attached ADU ~~accessory dwelling unit~~ shall have a separate entrance to the outside from the entrance for the primary dwelling. ~~For attached accessory dwelling units, the entrance to the accessory dwelling unit shall be~~ located in such a manner as not to appear as a second primary entrance to the structure which contains

the principal residence in an effort to maintain the appearance of a single-family residence.

*(Ord. No. 909, § 2 (Exh. A), 6-18-2009; Ord. No. 948, § 53, 10-7-2010)*

### **18.56.040 Review process.**

- A. Application. An applicant for an ADU ~~accessory dwelling unit~~ shall submit an application on a form as provided by the department, including all application fees as set forth in the city's fee schedule. At a minimum, an application for an ADU ~~accessory dwelling unit~~ permit shall include plans for creating the ADU ~~accessory dwelling unit~~, evidence of current ownership and a certification of owner occupancy.
- B. Certification of Owner Occupancy. The certification of owner occupancy shall be in the form of a notarized affidavit completed by the property owner as reflected in title records affirming that they make their legal residence upon the subject lot.
- C. Review by Director. ADU ~~Accessory dwelling unit~~ permit applications shall be processed as Type 2 permit pursuant to Chapter 18.08. Upon receipt of a complete application for an ADU ~~accessory dwelling unit~~, the director shall review and either approve, disapprove or approve with conditions the ADU ~~an application for an accessory dwelling unit. As a condition of approval, the applicant shall record a covenant in a form approved by the city attorney with the King County department of records and elections, providing notice to future owners for the subject lot of the existence of the accessory dwelling unit, the owner occupancy requirements of the city, any conditions imposed as a part of the approval of the accessory dwelling unit and notice of the requirements for continued use of an accessory dwelling unit as set forth in this chapter.~~
- D. Approval. Approval of the ADU shall be subject to the applicant recording a document in a form approved by the city with the King County Department of Records and Elections prior to approval which runs with the land and identifies the address of the property; states that the owner(s) or an immediate family member, as defined by this

chapter, resides in either the principal dwelling unit or the ADU unit; includes a statement that the owner(s) will notify any prospective purchasers of any conditions imposed as part of the ADU approval with the requirements for continued use of the ADU as set forth in this chapter.

*(Ord. No. 909, § 2 (Exh. A), 6-18-2009)*

### **18.56.050 Recognition of existing accessory dwelling units.**

ADUs Accessory dwelling units that existed on or before the effective date of the ordinance codified in this chapter may be granted an ADU accessory dwelling unit permit subject to the provisions of this section.

- A. Time Limit. An application for an ADU accessory dwelling unit permit for a pre-existing unit must be filed with the city for review by the director ~~planning commission~~ within eighteen months of the effective date of the ordinance codified in this chapter.
- B. Construction Code Compliance. Any space used for or included in the ADU accessory dwelling unit shall have been constructed pursuant to a building permit issued by the city, and in compliance with the building and other construction codes that were in effect when construction was completed. ~~The applicant must provide written documentation to verify construction code compliance. Alternatively, the applicant may verify code compliance for existing construction through the building department.~~
- C. Development and Use Standards. Development and use of the pre-existing ADU accessory dwelling unit shall comply with all provisions of this chapter section.

*(Ord. No. 909, § 2 (Exh. A), 6-18-2009)*