

# Accessory Dwelling Units: Innovative Local Government Approaches

December 13, 2022



# Thank You To Our Sponsors

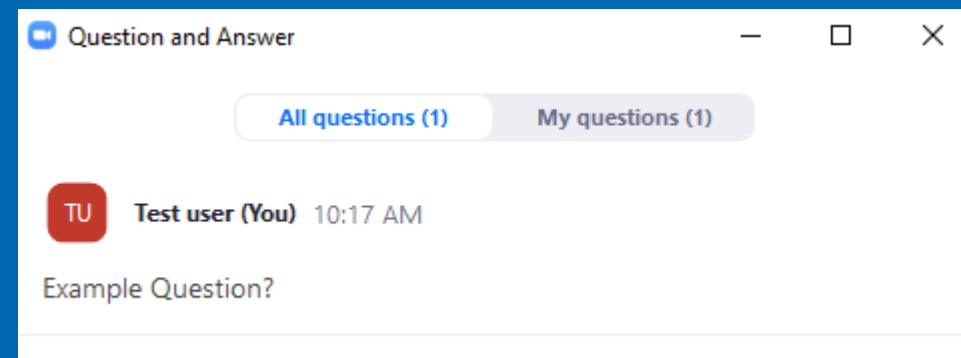
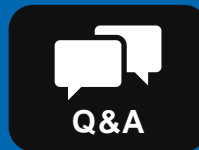




# Zoom Webinar: Q&A and Chat

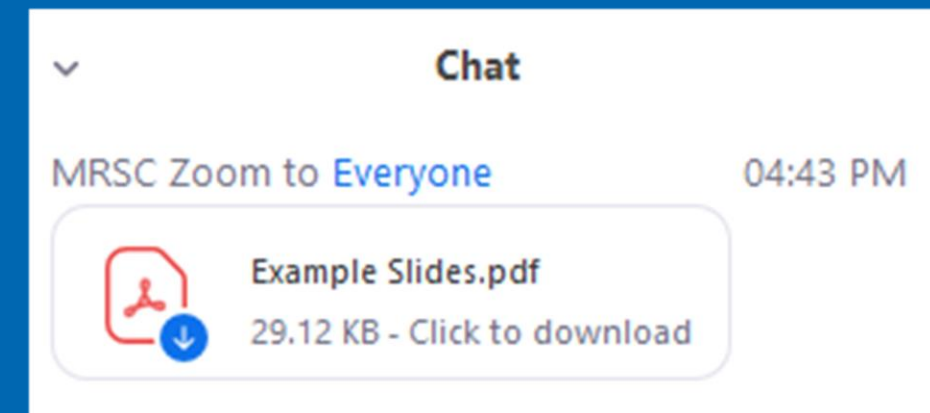
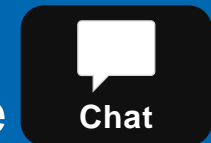
To submit content-related or technical questions, use the Q&A feature

To open the Q&A, press the



To download the presentation slides, use the Chat feature

To open the Chat, press the

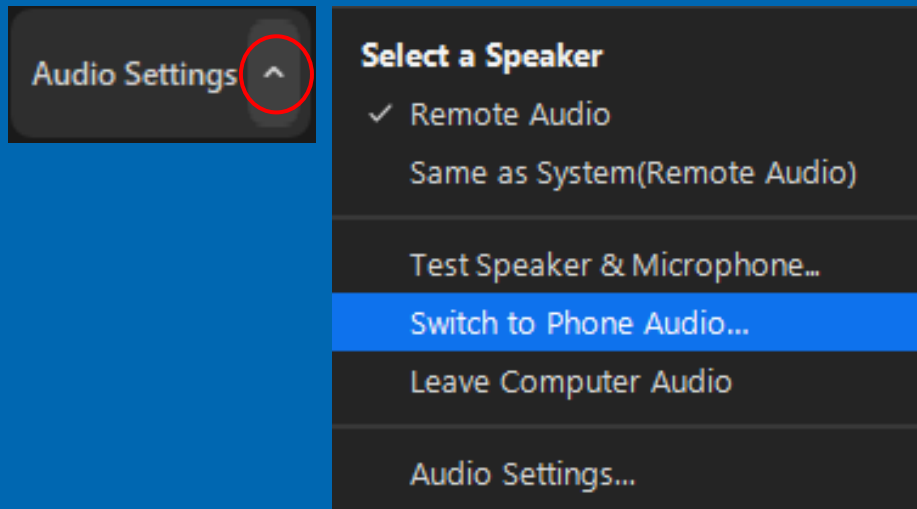


*Typing in the Chat is disabled*

# Zoom Webinar: Audio and Captions

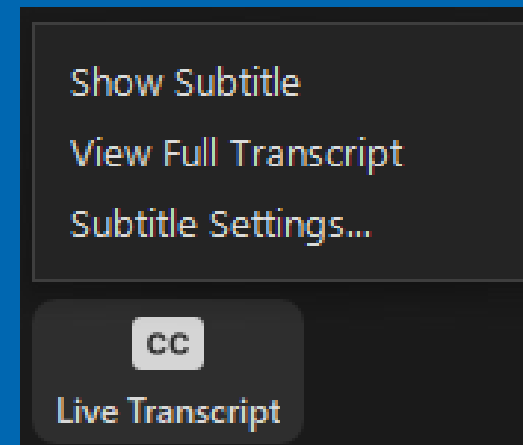
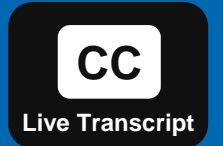


To adjust audio settings or switch to a phone, click the Audio Settings button:



For switching to phone audio, dial the highest number listed (closest to your area), enter the Meeting/Participant ID

To enable closed captions, press the  at the bottom of your screen:



You may either show subtitles or view the full transcript

For more support: **206-625-1300 ex.19**

# About MRSC



## Research and Consulting Services for Washington Local Governments and State Agencies

- Free consultation (Ask MRSC)
- Guidance on hundreds of topics
- Webinars and workshops
- E-newsletters
- Sample documents
- Research tools



# Agenda

- **Introduction/Brief Overview**
- **Local Government Approaches:**
  - Langley
  - Vancouver
  - Leavenworth
  - Skagit County
- **Q&A**



# Presenters



**Meredith Penny**

Director of Community  
Planning  
*City of Langley*



**Bryan Snodgrass**

Principal Land Use  
Planner  
*City of Vancouver*



**Hal Hart**

Planner



**Lilith Vespier**

Community  
Development Director  
*City of Leavenworth*



**Steve Butler**

Planning & Policy  
Manager  
*MRSC*

# Overview

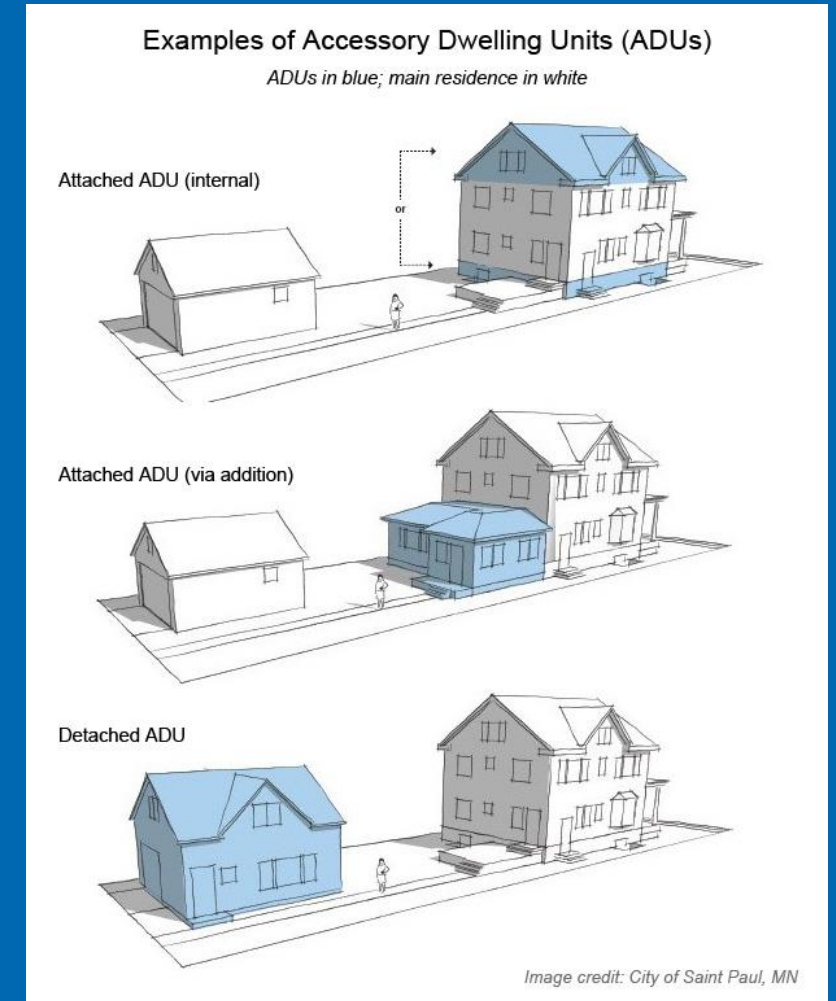


- **Basic ADU Types**

- Attached ADU (AADU)
- Detached ADU (DADU)

- **Current State Law**

- **Increased Focus on ADUs**





# Polling Question

**What type of organization do you work for?**

- City/Town
- County
- State
- Private/Nonprofit
- Other





# City of Langley

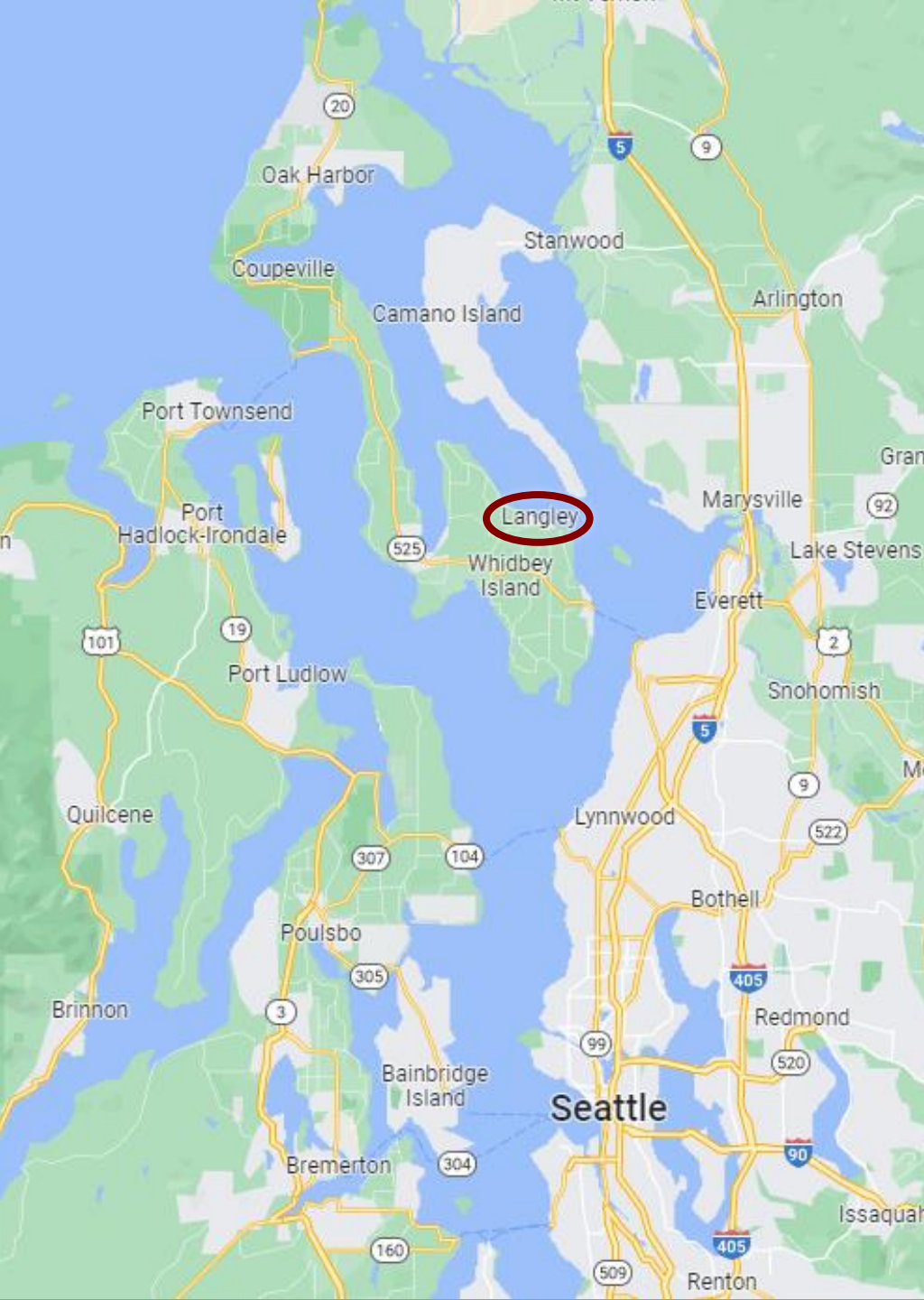
## Accessory Dwelling Units



MEREDITH PENNY

COMMUNITY PLANNING DIRECTOR

DECEMBER 2022



# Background

---

- City of Langley is located on South Whidbey Island in central Puget Sound
- One of three incorporated jurisdictions in Island County
- Population of 1,155
- Median age of 67 (Island County is 44)
- From 2010 to 2020, Langley's median age increased by 12 years
- Average household size of 1.7 (Island County is 2.3)
- Median household income of \$62,381



# 2019 Code Changes



## Housing Keeping Items

- Adjust definition of Accessory Dwelling Unit
  - Attached or detached
  - Tiny home can be an ADU
- Compiled all accessory dwelling unit regulations in one code section, LMC 18.22.155

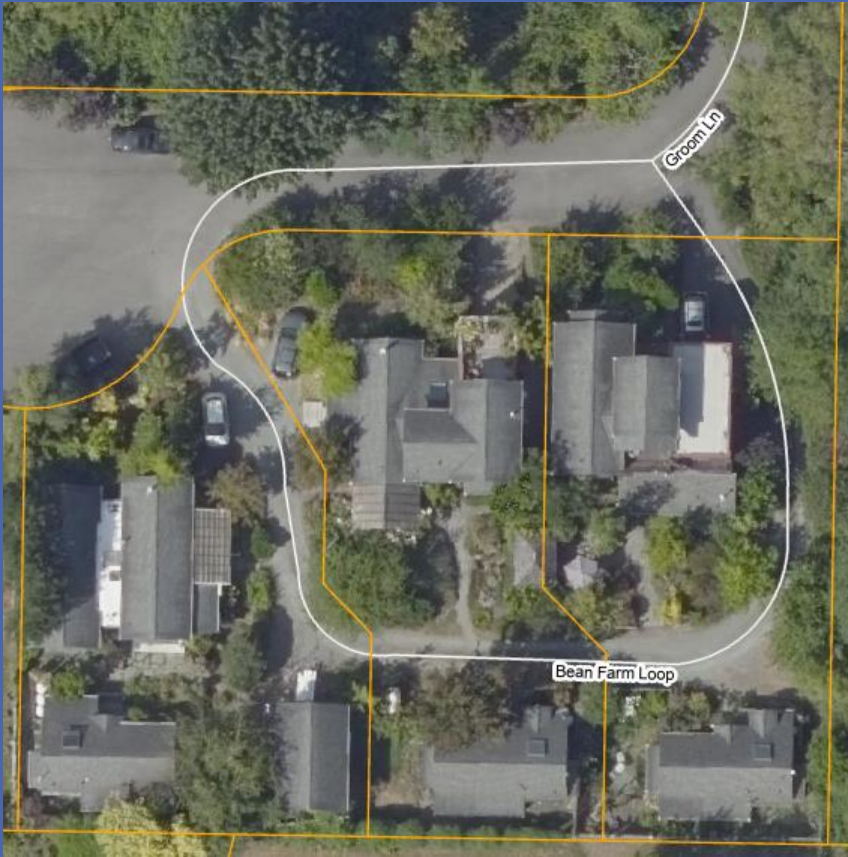
# 2019 Code Changes



## Substantive Items

Table 1 – Density For the purpose of this section accessory dwelling units include tiny homes as an ADU.			
Lot with SFD on sewer	Lot with duplex on sewer	Lot with SFD on septic	Lot with duplex on septic
One attached and one detached ADU	One detached ADU	One attached or one detached ADU	No ADUs
Maximum two ADUs	Maximum one ADU	Maximum one ADU	

# 2019 Code Changes



## Substantive Items

- Reduced min size to 150sqft (max is 1,000sqft)
- Reduced parking requirements
  - One stall for two ADUs
  - No additional parking for the first ADU
- Legalized pre-existing but unpermitted ADUs if permit filed within 24-months
- Allows ADUs in Clustered Residential Development
- Removed requirement for notice of application and review by Design Review Board

# 2019 Code Changes

## Tiny Homes



- Small dwelling unit on a foundation
- Minimum size of 150sqft and no more than 400sqft of habitable floor area
- Comply with IRC (Appendix Q for Tiny Homes adopted in 2021)
- Habitable rooms meet min area requirements of IRC
- Supported and anchored to permanent foundations
- Permanent provisions for living, sleeping, eating, kitchen, and sanitation
- Meet ingress/egress requirements of IRC
- May be utilized as: SFR, ADU, Multi-family (multiple, detached, on same lot)



# 2019 Code Changes

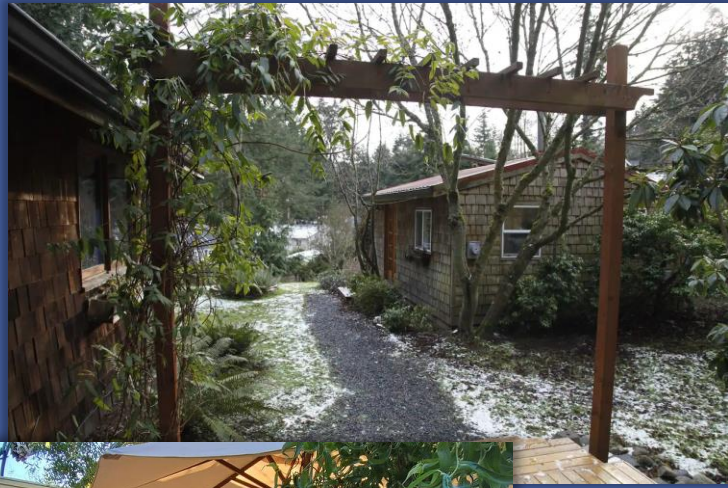


## Existing Provisions for ADUs

- Smaller rear yard setback than standard (5ft vs 25ft)
- Lot coverage may be exceeded by up to 15% if needed for ADU
- Does not require a separate water meter
  - Attached ADUs charged ½ ERU (total 1.5 ERUs for entire development)
  - Detached ADUs charged 1 ERU (total 2 ERUs for entire development)
  - Do have to show there is adequate service for both
  - City does not send separate water bills



# Short Term Rental Regulations



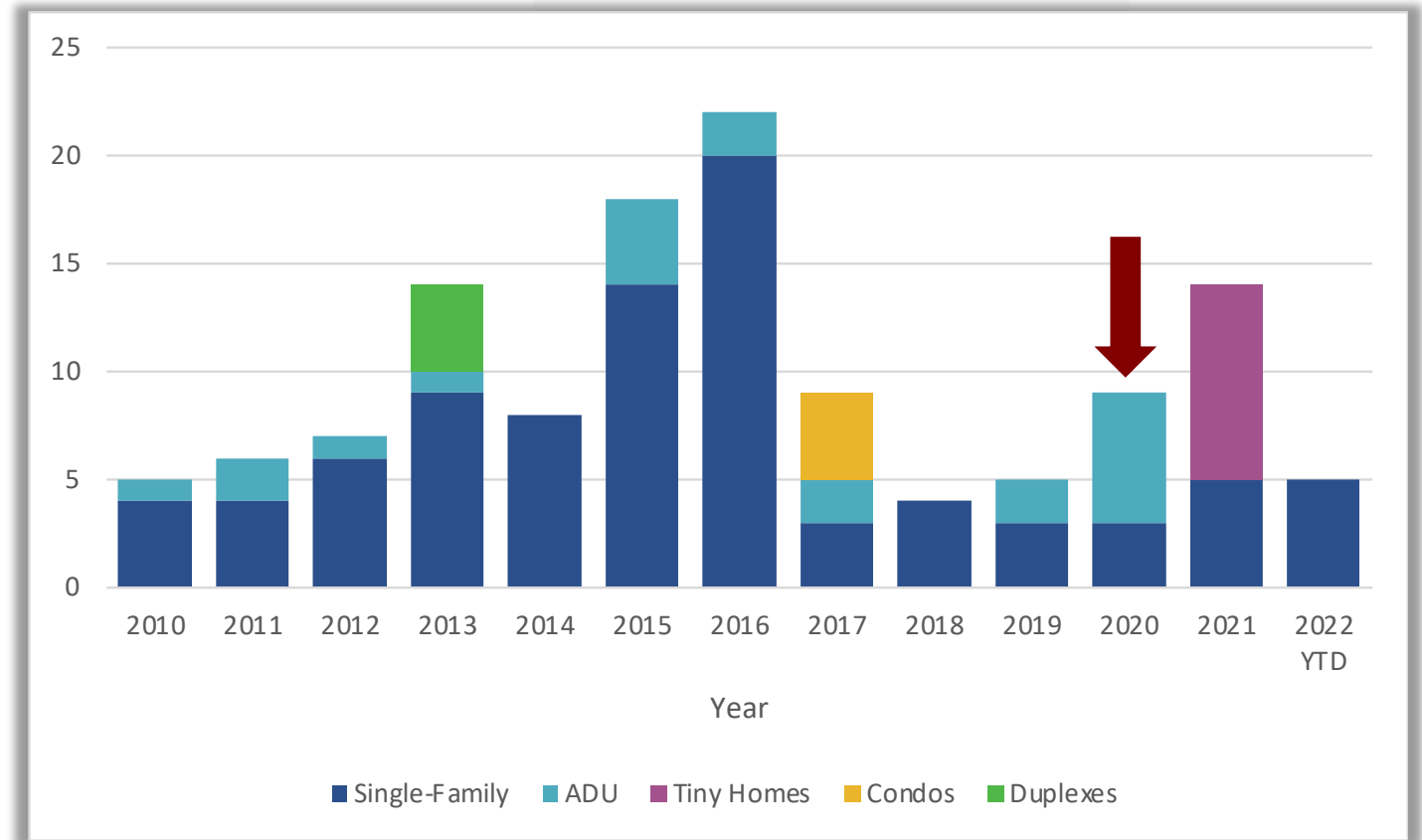
- Emergency moratorium in 2018, adopted code in 2019
- Contract with Granicus for their Host Compliance software to track online postings
- Type I – Rooms, Hosted
  - *Allowed in ADUs*
- Type II – B&B Inns, Hosted
- Type III – Commercial , Hosted or Non-Hosted
- Type IV – Non-hosted, residential zones, limited number of permits issued
  - *Allowed in ADUs*
- Max number ADUs, attached or detached, used as STRs limited to 50



# Outcomes

## Year of Home Built, Langley, 2010 to 2022 (July)

Source: City of Langley Community Planning & Building Department



# Outcomes

## Active Short-Term Rentals, City of Langley, 2022

Source: City of Langley Permit Data, 2022

Short Term Rental Type	Type I (Rooms - Hosted)	Type II (B&B Inns - Hosted)	Type III (Commercial Districts - Hosted or Non-Hosted)	Type IV (Limited - Non-Hosted)
Number of Active Rentals	3	2	3	7

- Less STRs than expected
- Langley's vacancy rate is 13%
- When vacancy is broken out by reason, 67% of vacancies in Langley are due to seasonal, recreational, or occasional use
- Could be many units are vacant or vacation homes but not STRs.
- Of the above STRs, one is in an attached ADU and 2 are in detached structures that are not exactly ADUs (detached bedrooms or studios - no full kitchen)
- Don't have numbers for how many ADUs are long-term rentals.

# Outcomes

## 2022 Housing Survey

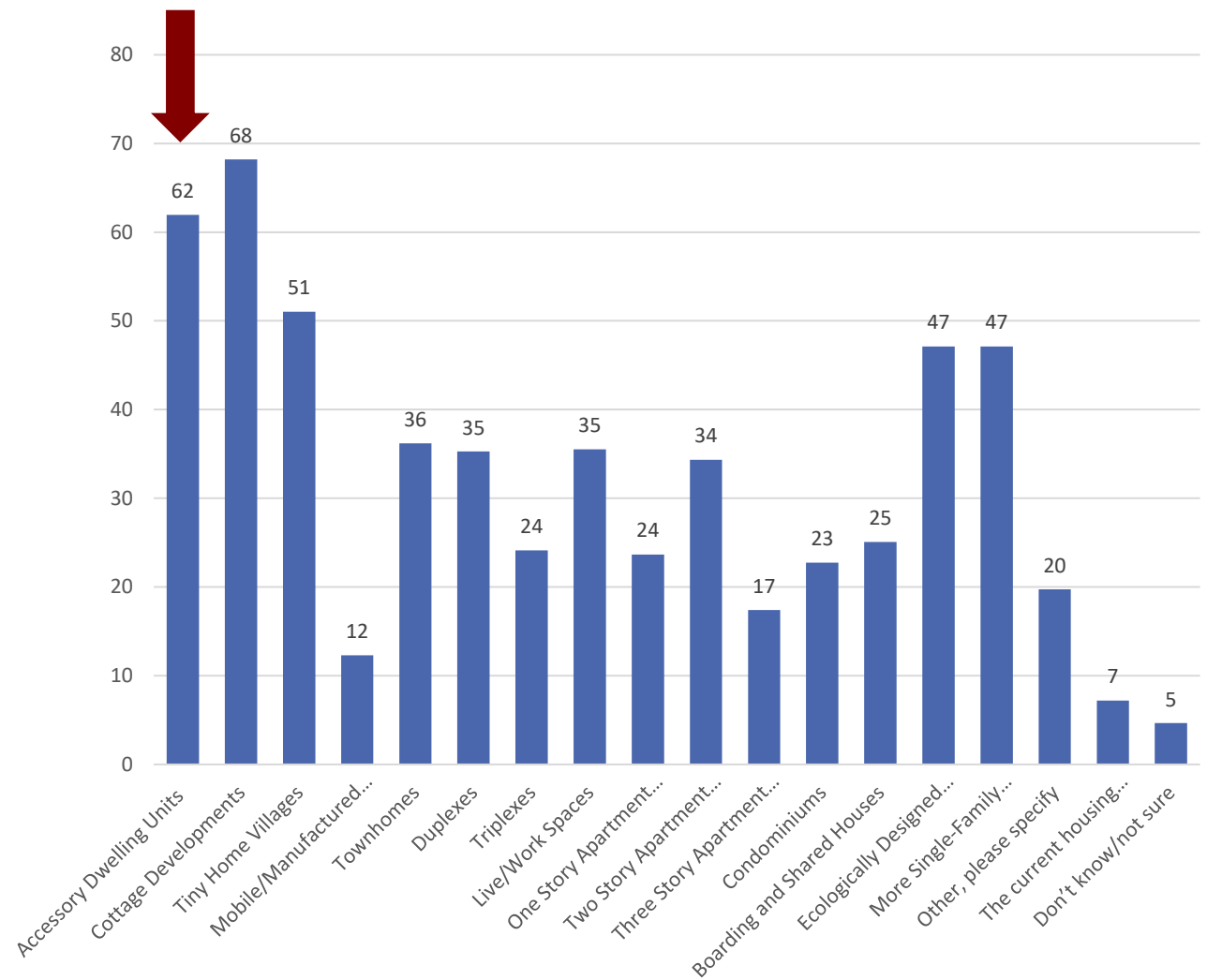
- There were 762 housing units in Langley in 2020. 72% of the total units in 2020 were single-family detached.
- 84 new units have been added since 2010 (12% increase).
- 87% of new units are single family detached.
- This data shows that Langley's housing is predominately, and increasingly single family detached homes.
- *What other housing choices would you wish to have available in Langley? (select all that apply)*



# Outcomes

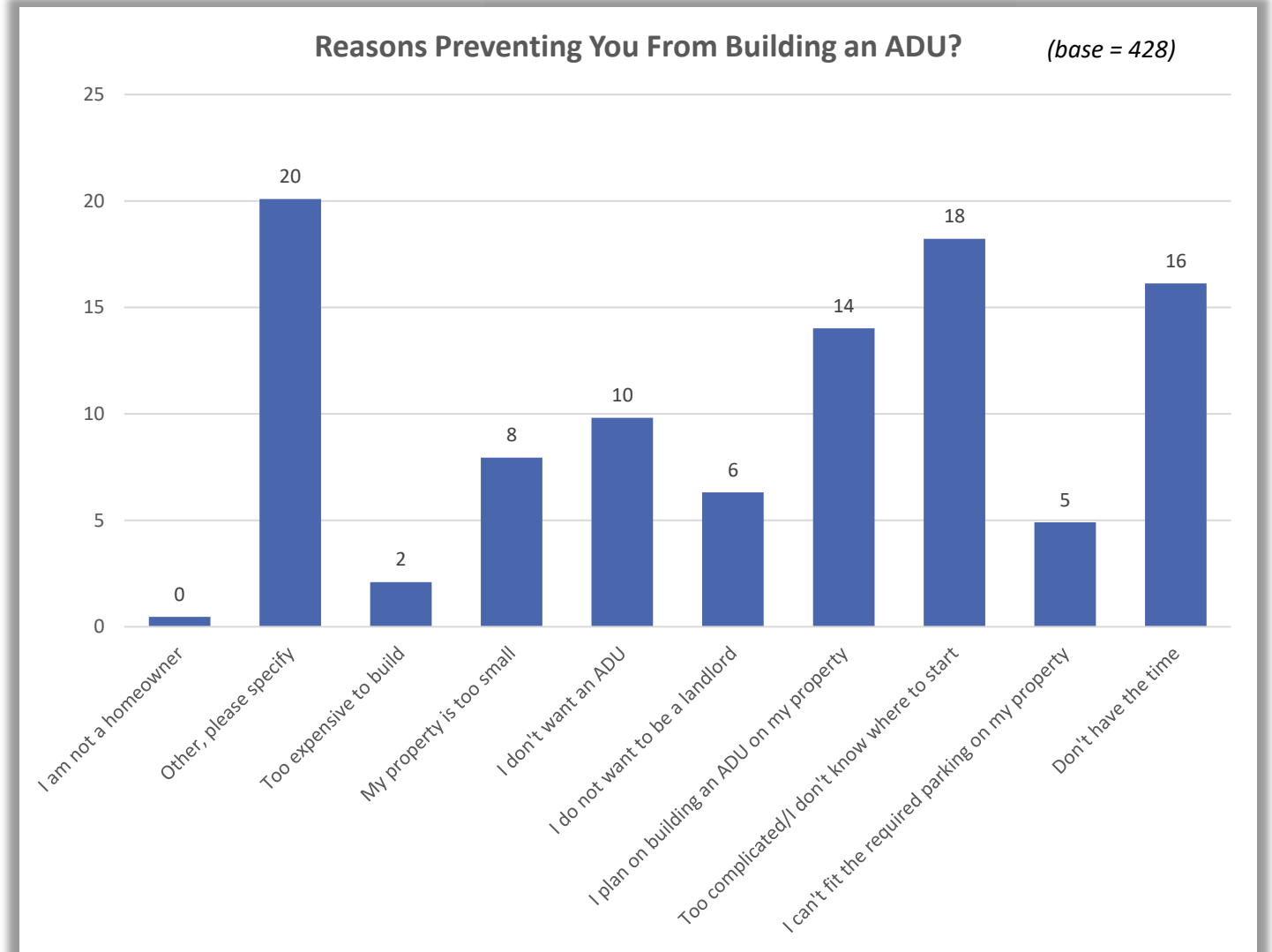
62% of survey respondents indicated they wish ADUs were a more available housing choice in Langley

What other housing choices would you wish to have available in Langley? (base = 431)



# Outcomes

*If you are a homeowner, what would be the main factor preventing you from building an Accessory Dwelling Unit (mother-in-law apartment or backyard cottage) on your property? Select one.*



# Outcomes

## Top Reasons

18% - Too complicated, don't know where to start

16% - Don't have the time

14% - I plan on building an ADU on my property

10% - I don't want an ADU

8% - My property is too small

6% - I do not want to be a landlord

5% - I can't fit the required parking on my property

2% - Too expensive to build



# Outcomes



## Other, please specify:

- Already have an ADU *x 19*
- Septic, well capacity *x 8*
- HOA CC&Rs restrict rentals *x 9*
- Permitting time/regulations *x 9*
- Don't need one now, might build one in future *x 6*
- Sewer and water hookup costs *x 4*
- Lack of contractors *x 4*
- Only 35 ADU permits allowed per year in Island County *x 2*
- Wetlands

*"I already have an ADU unit; a basement studio apartment that I paid to have put in. The cost would have been prohibitive, except I did a rent swap for much of the contracting work. Expense would have prohibited me otherwise from building an ADU."*

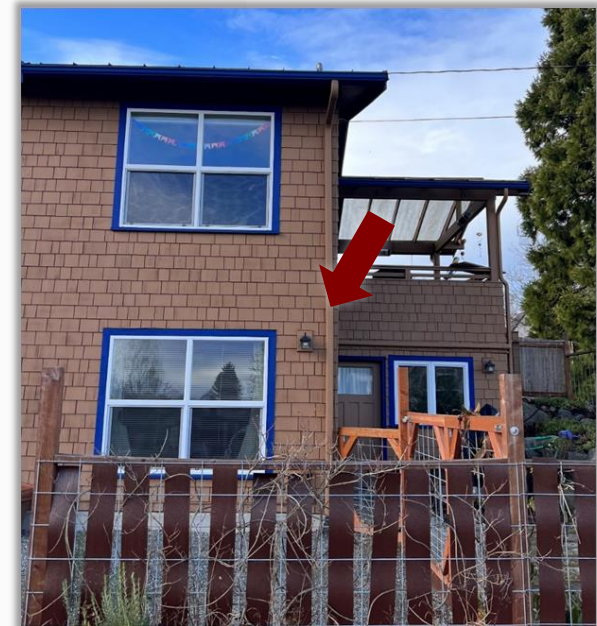


# Case Study

## Key Takeaways from local resident who built their ADU first

They have built two ADUs now (built ADU first both times), the first time was in the unincorporated County, second time in the City. Currently living in their ADU in the City and have not built the main house yet.

- Detached ADU – basically same as building a house in terms of process and cost (foundation, groundwork, utilities)
- Expectations are off – people think it's like building a shed
- Internal conversion, where you can leverage existing foundation and structure – more economical
- If there is a way for cities to charge connection fees based on bedrooms, it would result in not penalizing owners for trying to build more units instead of just a larger main house



# Case Study

## Key Takeaways from local resident who built their ADU first, continued...

- Unless you are doing it yourself, it's hard to land a good contractor
- A guide is a good concept, but will it tip the balance – opposite might be true
- How can we incentivize people actually renting their excess space?
- Surprisingly comfortable living in the ADU
- Macro-issues of pandemic impacts still ongoing
- Recommend Langley's parking policy for other jurisdictions to consider





# What's Next?

---

- Public educational campaign about ADU permitting process
- Pre-approved ADU plans
- “Residential suites” ?

# Polling Question

**Within your community, what is the overall public attitude towards ADUs?**

- Generally favorable
- Mixed
- Neutral
- Generally unfavorable
- Don't know/Other



# Polling Question

Regarding your ADU regulations, are you planning to:

- Keep them “as is”
- Modify them to be more permissive?
- Modify them to be less permissive?
- Options still being considered
- Don't know/Other



# Accessory Dwelling Units (ADUs)

CITY OF  
**Vancouver**  
WASHINGTON

**Bryan Snodgrass**, Principal  
Planner, Community  
Development Department

# Vancouver background - General

- Third largest City in Washington, 195,000 population plus another 160,000 persons in the unincorporated Vancouver Urban Growth Area
- Slight majority (55%) of housing stock is single family, but multi-family housing will soon surpass – Land use applications for 11,000 apartment units are under review
- Significant housing affordability challenges – Median one-bedroom unit rent is \$1400 per month. 51% of Vancouver renter households are cost burdened.

# Vancouver Background - ADUs

- Regulations allowing ADUs originally established in 2000.
- 65 units built through establishment of first major ADU code update in 2017
- 2017 code eliminated owner occupancy and on-site parking requirements, softened design compatibility standards.
- 95 ADUs built since 2017





# Vancouver Current Standards

- One attached or detached ADU allowed per residentially zoned lot containing a single-family home.
- Up to 800 s.f. or half size of main unit
- Must be no more than 25 feet high, comprise no more than 50% of front façade, and be architecturally compatible with main unit
- Garage conversion proposals eligible, including those with non-conforming setbacks

# Vancouver Current Standards (cont.)

- No impact fees required
- No on-site parking required
- No owner occupancy required in main unit



# Vancouver Recent Production

- 22 units finalized in 2022 through mid-October
- Total stock of 160 permits citywide  
Primarily but not overwhelmingly in older west and central city neighborhoods
- Portland estimated 3500+ units citywide



# Vancouver Short Term Rental Market

- Estimated 275 units citywide, only 9% in permitted ADUs
- City in process of developing STR regulations establishing time limits, fees, and permitting requirements



# What's Ahead?

- Increased production likely in maturing and urbanizing housing market
- Incorporate into 2025 Comprehensive Plan update, and partially address HB 1220 housing mandates
- Opportunities to lower or stabilize ADU construction costs?

# Polling Question

**Does your community currently allow ADUs to be used as short-term rentals?**

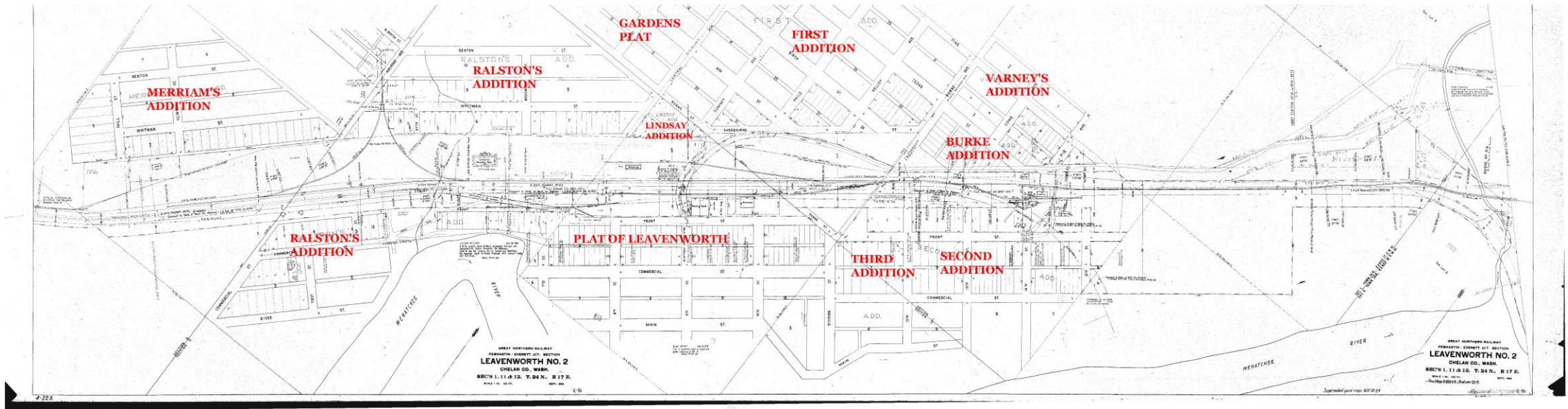
- Yes, without any restriction
- Yes, but limited
- Yes, but considering not allowing
- No, but considering allowing
- No
- Don't know/Other



# City of Leavenworth

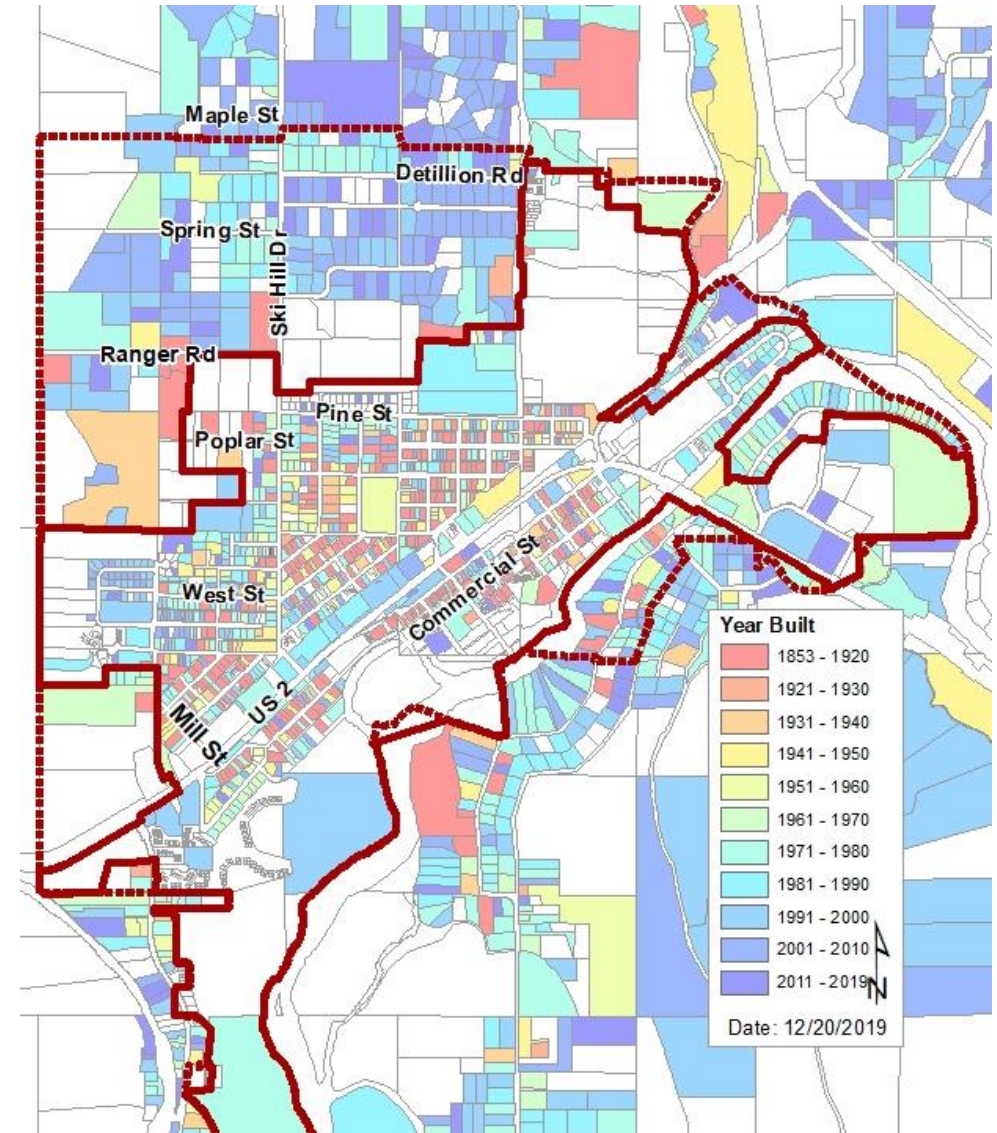
## Historic Railroad & Mill Housing

First land platted in 1892  
Boom in 1913 with 8 plats recorded  
Appx 1.5 miles long  
Current Population 2,515



# Building by Decade

Build out was slow and focused in town prior to the 1960 when the shift was to building outside of the City limits.





# History of ADUs in Leavenworth

---

ADUs permitted in 1998

In 2016 – permitted ADUs could be 800-900 sq ft depending on lot size; ADU or primary dwelling had to be owner occupied - resulted in several illegal conversions

Duplexes were more common but required 12,000 sq ft lots



# History of ADUs in Leavenworth

---

2015/16 Council preferred “differing and varied housing” options and “smaller living spaces and higher densities for better use of existing lands”

- Removed owner residency requirement
- Permitted parking access from alley
- Increased ADU size to 1,200 sq ft are removed lot size requirements (this matched Chelan County size)
  - 900 sq ft with same water/sewer connection
  - 900-1,200 sq ft require separate water/sewer connection

# Accessory Dwelling Units

Attached, detached or internal

35% lot coverage – 10% deviation generally used for front porches

1 additional parking space

- SFR requires one space for 1,500 sq ft or two spaces for larger dwellings



Prospect St. SFR & ADU Garage



Prospect Street



Park Street



Cherry Street



Commercial St. ADU Garage

# Short Term Rentals vs. Bed & Breakfasts



2016/17 Council desired clarification of B&B regulations, as a possible *alternative to short term rentals*, which have been prohibited in all residential zones since 1989, and a tool to *supplemental income* for residents.

Today we have 18 B&B's (4 pending), less than 2% of housing

– 9 ADU's are used for B&Bs

Note: Tiny homes permit since 2019 – no applications

# ADUs in Leavenworth

---

Building ADU has become a popular option – 66 built (vs. 107 SFR) over the last 8 years. And the Council would like more, especially if used for monthly rentals.

 Rising construction costs

	2015	2016	2017	2018	2019	2020	2021	2022
Single-Family Residences	5	8	7	16	14	25	24	8
Accessory Dwelling Units	1	7	4	8	10	9	17	10
<b>TOTAL</b>	<b>6</b>	<b>15</b>	<b>11</b>	<b>24</b>	<b>24</b>	<b>34</b>	<b>41</b>	<b>18</b>

Rising costs became a concern....

# Support of ADUs in Leavenworth

2020/21 Council desired to increase affordability of construction by providing pre-approved plans



AREA SCHEDULE	
RESIDENCE:	311 S.F.
POORCH:	43 S.F.
TOTAL COVERED AREA:	487 S.F.

**NOT FOR CONSTRUCTION**



**CITY of CLOVIS**

These plans are NOT FOR CONSTRUCTION or for any use without permission from the City of Clovis or without direct purchase.

## CONSULT

- OWNER:
- DESIGNER:
- STRUCTURAL ENGINEER:
- IRIGS MANUFACTURER:
- ENERGY CONSULTANT:
- FIRE SPRINKLER CONSULTANT:



**CLOVIS STANDARD PLAN # 1**  
**CITY OF CLOVIS, CALIFORNIA**



# Support of Pre-Approved ADUs

---

- First brought to the Council Housing Committee in August 2020, based off Clovis California
- RFP issued March 1, 2021 with \$60,000 budget requesting three designs (construction ready plans meeting WUI and Energy Code)
- Addendum issued to address plan ownership/license – six response were tallied in April
- Contract signed June 8, 2021
- Plans reviewed by the Council Housing Committee and finalized (ready for purchase) December 2021

# Mayor Florea comment:

---

*Leavenworth is excited to offer these ADU plans to our community as part of our overall strategy to increase the number and types of housing units available.*

*Making it easier for our residents to add an ADU is intended to increase their numbers within our City. We are at a crisis level when it comes to the ability to provide housing for our workforce. It will take many building blocks to address this, and we see ADUs as one of those foundational building blocks.*



## Goals for the Pre-Approved Accessory Dwelling Units

- Three options, each with a modern or traditional design
- Ranging in size from 400 to 900 sq ft
- Full Kitchen & Bath facilities
- One option to include ADU above a garage

Bonus, we requested an ADA compliant unit as a fourth option

Choose Your  
Design



License the Plan



Prepare Your  
Site Plan



Get Your Permit



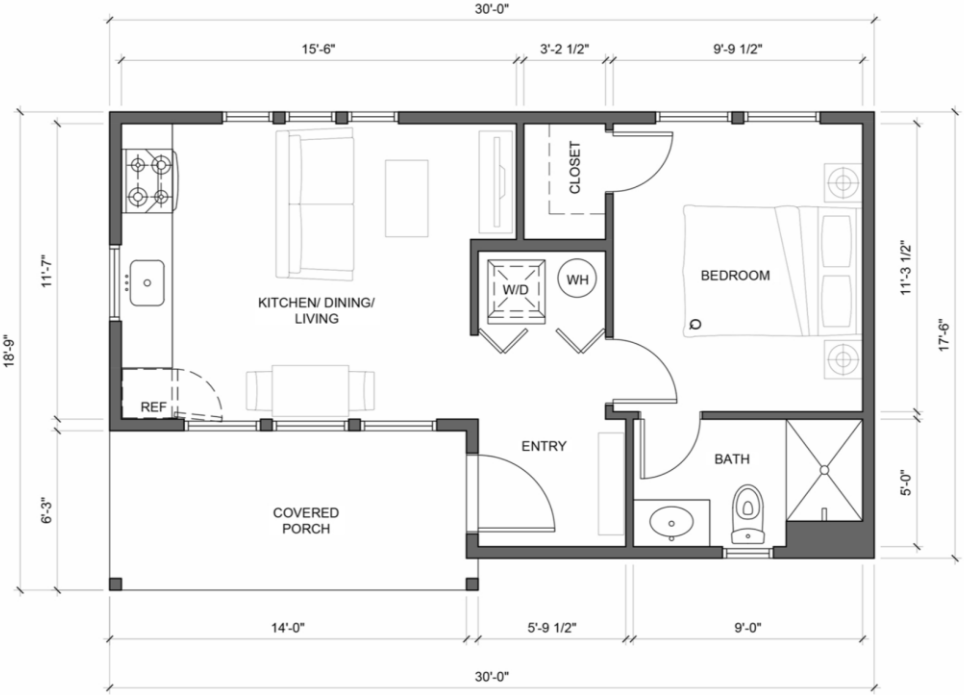
# Pre-Approved ADUs

## Alpine 455 SF



At 455 SF, ALPINE provides a cozy and efficient living space with a single bedroom and full bath.

This design includes an open kitchen, dining, and living space and a covered entry porch.



# Pre-Approved ADUs

## Maple 665 SF

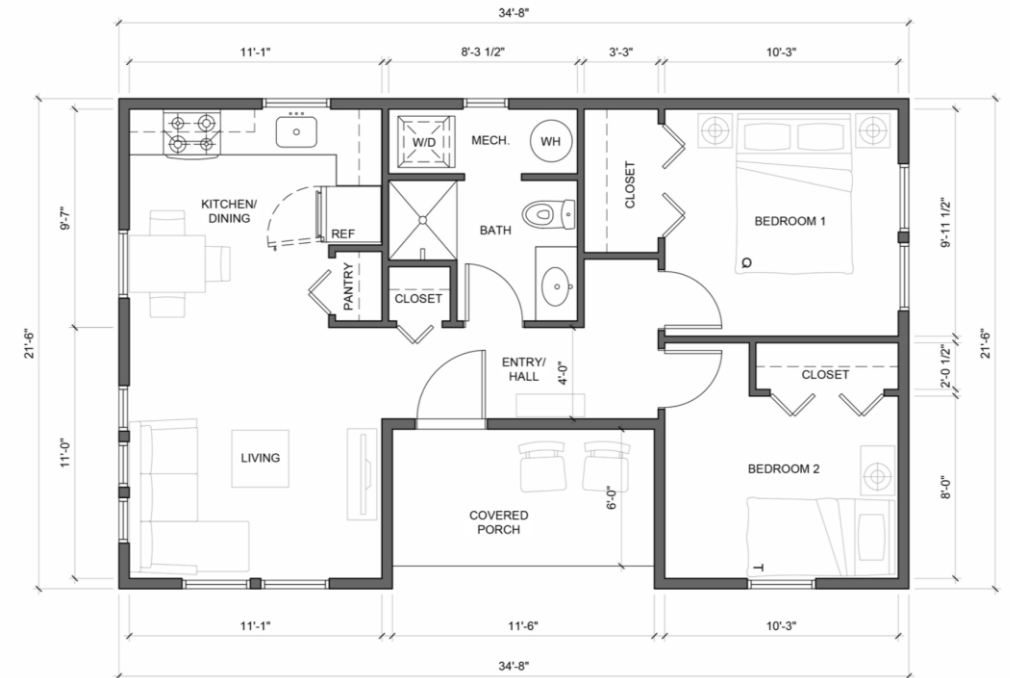


Maple Traditional



Maple Modern

At 665 SF, MAPLE is a cozy two-bedroom cottage consisting of a central entry porch with an open functional living space on one side and sleeping spaces on the other, separated by the utility core. This design features both a large and small bedroom, each containing a full-size closet. It provides full amenities and ample storage in a condensed, efficient footprint.



# Pre-Approved ADUs

## Juniper (ADA) 665 SF

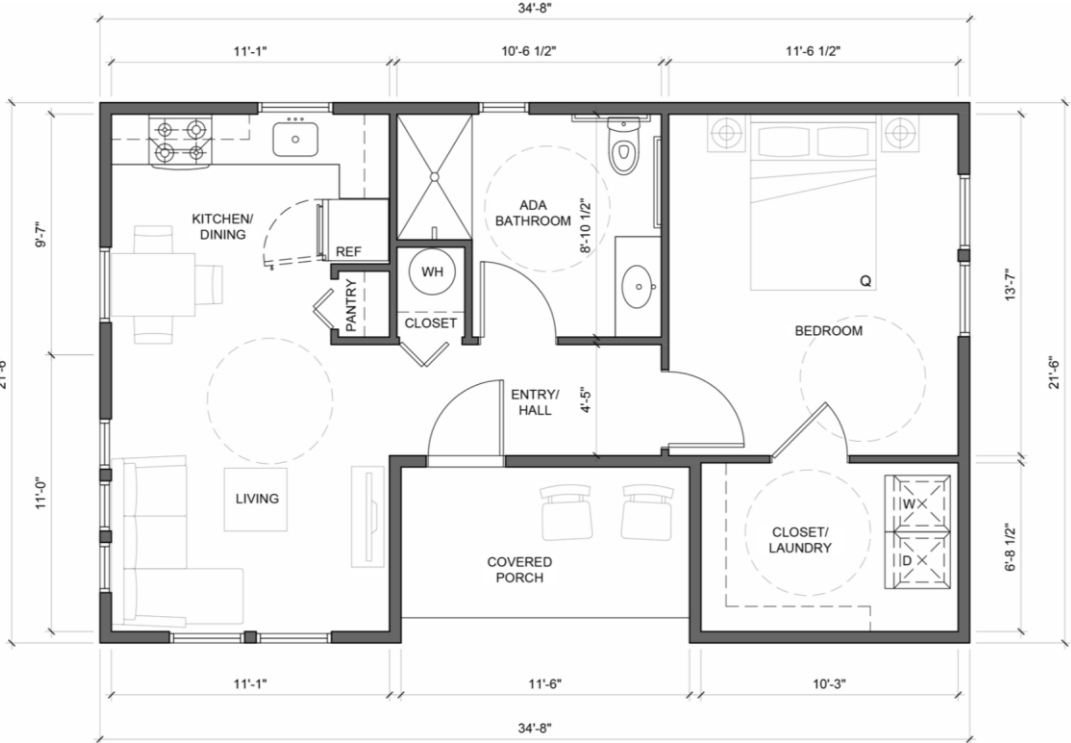


Juniper Traditional



Juniper Modern

JUNIPER (ADA) is a 665 SF one-bedroom accessible unit is based on the same footprint and structure as the Maple. It contains a single bedroom, opening up the spaces to allow for ease of circulation and larger clearances around fixtures and bedroom furniture. Featuring an open kitchen, dining, and living area and a full walk-in closet with washer & dryer, this design is flexible and economical.

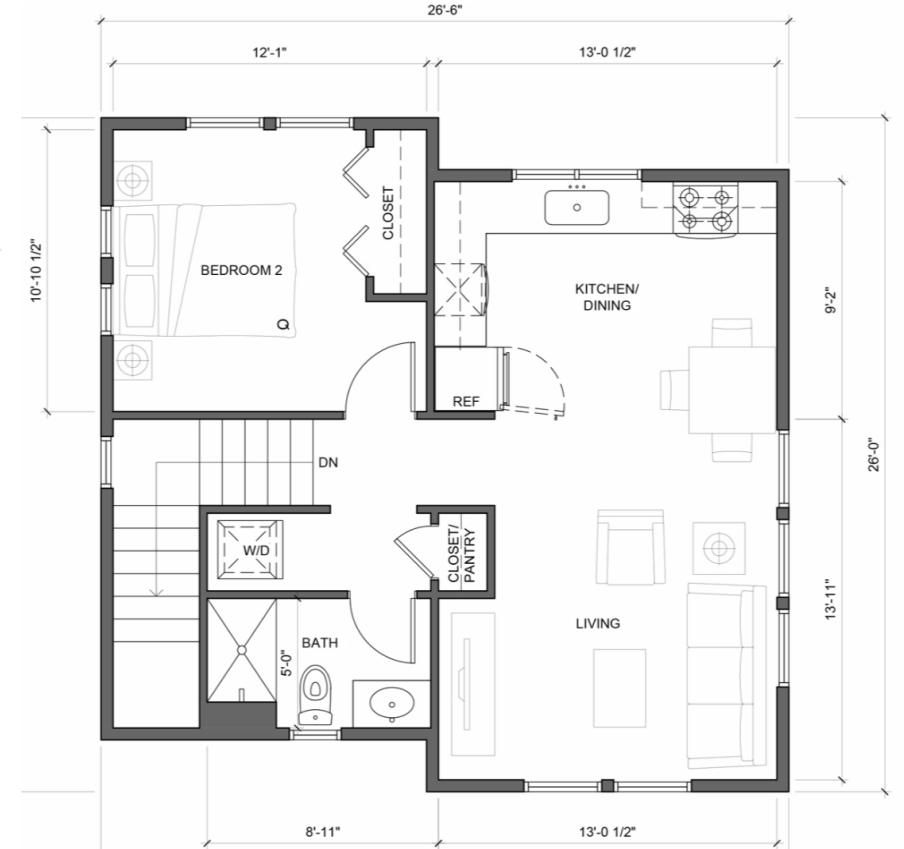
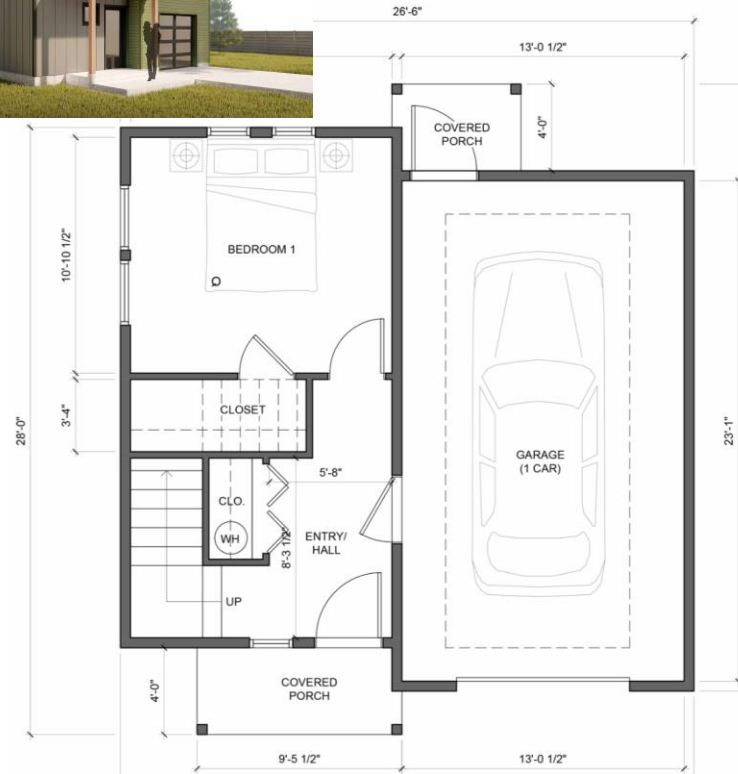


# Pre-Approved ADUs

Elm 891 SF



Elm Traditional



ELM is a 891 SF two-bedroom, two story unit. This design includes a single-car garage which can be utilized by either the occupants or main house residents, as well as a ground floor bedroom and entry. The second story contains the second bedroom, bathroom, and open living space which is functional and flexible.

## Future of Accessory Dwelling Units

### Council Concerns and Considerations

- Ensure they are increasing housing stock and options
  - Monitoring the number of B&B's
- Consider options for individual ownership through the creation of condominiums
  - Unit lot developments
- Consider reduced utility connections
- Consider partnering (owners/land trust) for Low-income ADUs ( below 80% AMI)

# Polling Question

**Does your community currently have pre-approved ADU plans?**

- Yes
- No, but considering it
- No
- Don't know/Other



# ADUs - Rural Perspective

HAL HART MURP

DECEMBER 2022





# Overview

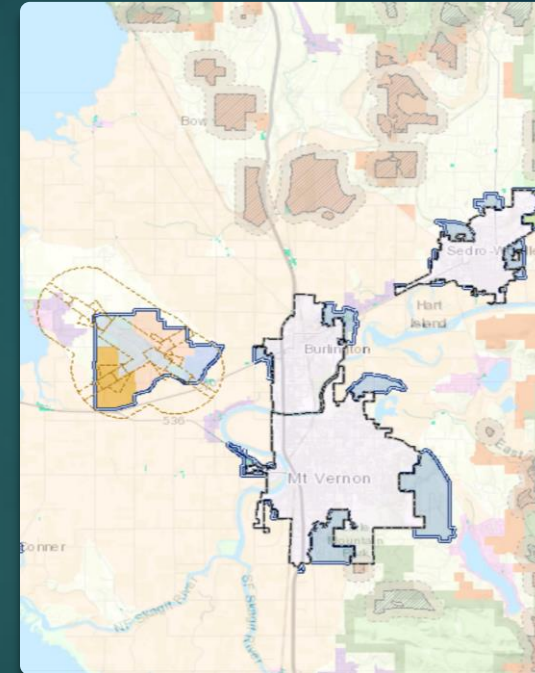
## ▶ Key Issues

- ▶ **Rural Perspective** – Growth Management – has shaped these perspectives now for approximately three decades.
- ▶ Housing – all across the board the housing issue – the need for housing is shaping local government responses to housing.
- ▶ Collaboration with cities in the development of new housing is one response.
- ▶ Evaluating lands by which housing can be developed by a regional government like a county is another response.
- ▶ Improving our permit systems to move faster for people who are building homes and ADUs is another response.

# Perspective at Skagit County

## Skagit County Situation Report

- (1) I-5 Corridor County/Community
  - (2) Very low vacancy rate/very stubborn vacancy rate
  - (3) As a region we are behind our housing production numbers
  - (4) More new housing is coming on of all kinds.
    - (1) 200 housing units per year in the rural areas
    - (2) Cities are producing a wider variety of multifamily housing
      - 1
- Town Homes/Apartments but also have made headway on ADUs.
- More is on the way....including more ADUs



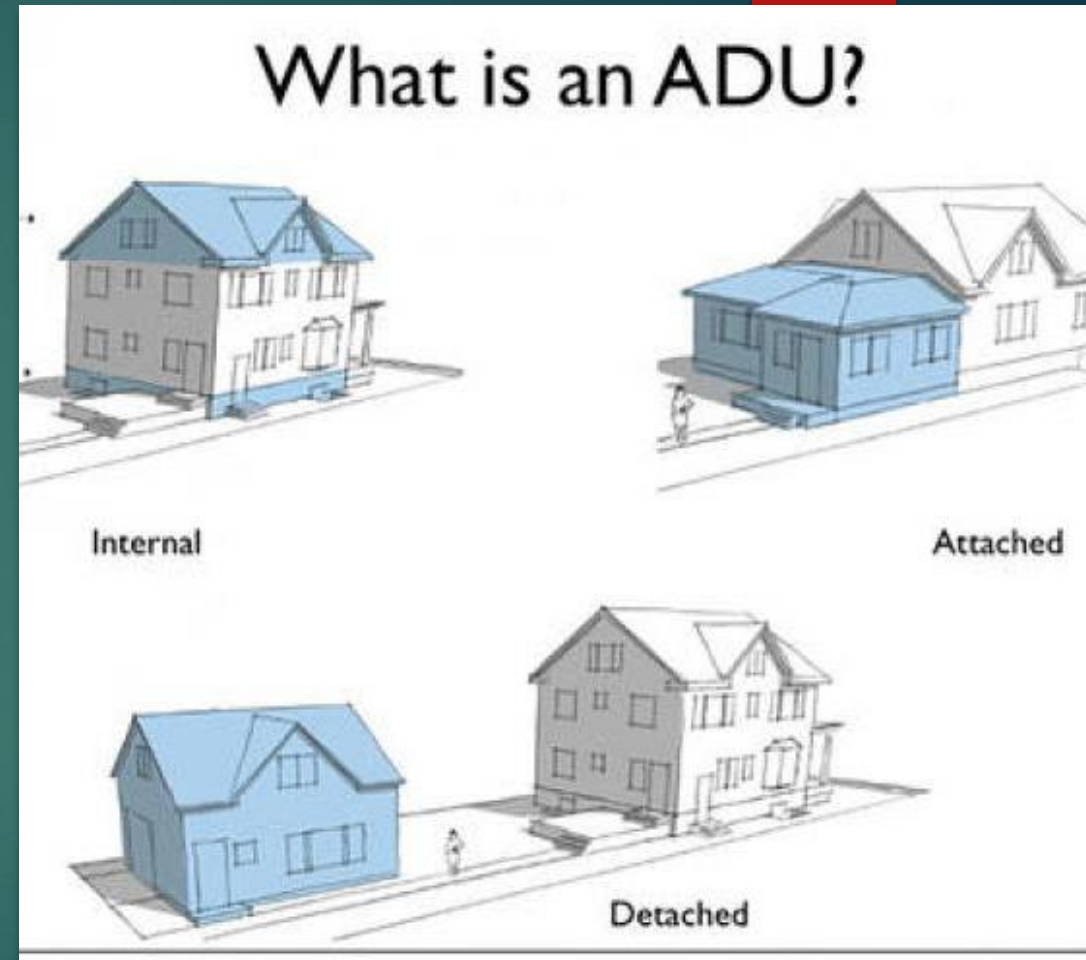
# Skagit Experience Continued

- ▶ We were asked to update our code with the goal being working with the community find ways to allow for more rural ADUs ...
- ▶ So the team looked at what other jurisdictions had been doing to update them
- ▶ **Key Rural Issues**
  - ▶ ADUs were traditionally tied to families
  - ▶ In rural and farming communities – generations were tied to the farm. In fact today many of the leading farms are still family affairs.
  - ▶ Other housing such as bunk houses, care takers units, were still in the code as well so we wanted to make sure we were definitionally clear as to what an accessory dwelling unit was.

# Skagit Experience

Other key issues for the Skagit Community included:

- Size of the Accessory Dwelling Unit?
- Impacts on existing rural community? Where should they be allowed? Impacts to other programs such as various conservation programs?
- Cost of the Accessory Dwelling Unit?



# Process

- ▶ We worked with the community holding workshops.
- ▶ Held public meetings and informational meetings.
- ▶ We worked through the Agricultural Board (Like a Planning Commission in their own right they provide recommendations to the Planning Commission when policy issues impact Agriculture.
- ▶ We worked with the Planning Commission and finally the Board of County Commissioners.

# Final Adopted Ordinance

- ▶ **Keys in the old, versus new:**

- ▶ Old ordinance: 900 square feet and limited to no more than 50% of the size of the main dwelling unit on the property.

- ▶ New ordinance:

- ▶ Removed 900 square feet limitation altogether

- ▶ Replaced by 1,200 Accessory Dwelling Unit (ADU) limit

- ▶ Removed the limitation relating to the main house

# Additional Actions

- ▶ The Commissioner have approved of a system that would be similar to the City of Redmond's ADU process – utilizing an approved set of ADUs plans that could be utilized in an “off the shelf” fashion.
- ▶ The idea is that this would reduce the time and costs for local residents.
- ▶ This is still under development – reaching out to area architects.

# A quick note on considerations of cities in SC.

▶ Cities in Skagit County have addressed the issue of Accessory Dwelling Units as well. Some of their concerns should be mentioned:

- ▶ Consistency with neighborhood character
- ▶ Resemblance of the accessory dwelling unit to the primary unit on the property
- ▶ Sizes between 205 and 800 square feet
- ▶ Access to its own entrance and its own parking space
- ▶ Its own utility shut off
- ▶ No more than one accessory dwelling unit per property
- ▶ No more than four occupants residing in a accessory home
- ▶ Adu's can only be established where there is a home on the property
- ▶ Units are for housing not for VRBO or Air B&B's.



Sedro Woolley  
Addressing housing  
across the board.



# What have SC learned so far since adoption earlier this year?

- ▶ First, overall single family housing is on track at almost the same number that we have seen for the past two years (post pandemic).
- ▶ Second, the mix has changed.
  - ▶ In the first six months we have seen an increase in Accessory Dwelling Units representing approximately 32 percent of the total housing units permitted this year. In previous years that would have been 18-20 percent. Over 30 structures proposed in the first six months another 30 expected.
  - ▶ When I audited the permits-reviewing each of them individually
    - ▶ They were evenly split into the expected housing types and size ranges
      - ▶ As part of the main house
      - ▶ As a stand alone structure
      - ▶ As part of a barn/outbuilding

# The Results

- ▶ First – what people will build in rural areas is amazing – beautiful barns/and out buildings – very expensive housing
- ▶ Second – we are now being challenged along the lines of duplex by one builder because we removed the prohibition on size.
  - ▶ One individual said can I do a duplex? We said no, they are not allowed.
  - ▶ Then the question was: well under your code what is the difference?
  - ▶ The answer is really about the front door under our code and what we may require internally to the structure for connections. The front door of the ADU cannot be in the line of sight with the front door of the main house/primary residence. That can be corrected under the rules by simply putting it to the side of the home. We may come back and visit this issue but we hope that we will not have to.

# New Hampshire Housing Diagram – six accessory dwellings



# Questions

**Meredith Penny**

[planning@langleywa.org](mailto:planning@langleywa.org)

**Lilith Vespier**

[lvespier@cityofleavenworth.com](mailto:lvespier@cityofleavenworth.com)

**Steve Butler**

[sbutler@mrsc.org](mailto:sbutler@mrsc.org)

**Bryan Snodgrass**

[Bryan.Snodgrass@cityofvancouver.us](mailto:Bryan.Snodgrass@cityofvancouver.us)

**Hal Hart**

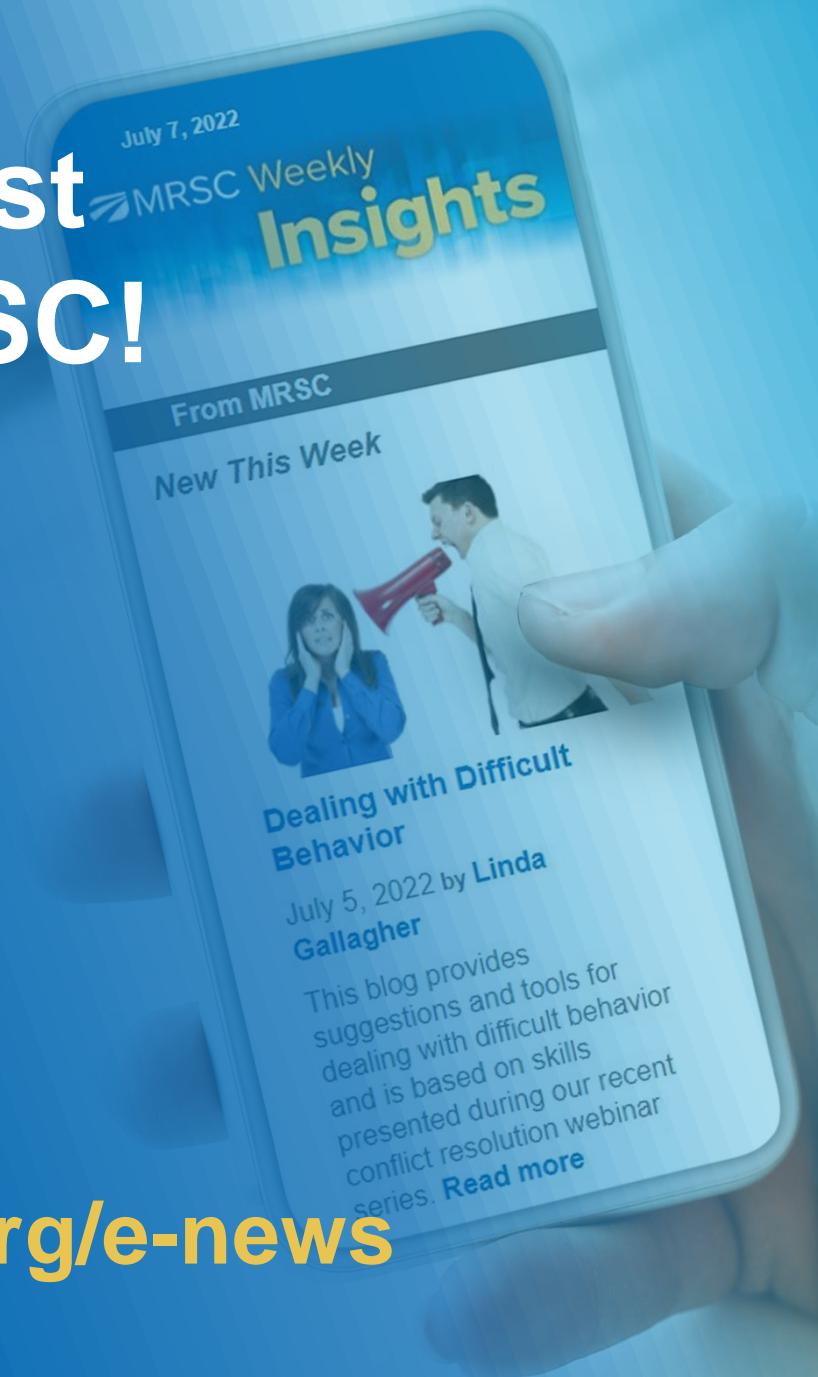
[horatio37@hotmail.com](mailto:horatio37@hotmail.com)



# Stay up-to-date with the latest news and analysis from MRSC!

- New legislation and court decisions
- Emerging issues
- Policy and financial guidance
- Management tips

Sign up for our e-newsletters at [mrsc.org/e-news](https://mrsc.org/e-news)





# Upcoming Trainings

**REGISTRATION IS NOW OPEN FOR:**

**FREE: Digging Into Unit Price Contracts and Job Order Contracts**

Thursday, January 19 | 10 AM - 11:30 AM | Online

**PRA Case Law Highlights 2023**

Tuesday, January 24 | 10 AM - 11:30 AM | Online

Learn more at [mrsc.org/training](https://mrsc.org/training)

# Thank You!

## Ask MRSC

Have a question we did not answer today?

Submit your questions online at [mrsc.org](http://mrsc.org)

Call us at 800-933-6772 (toll free) or 206-625-1300

**Please fill out the training evaluation survey**

