



PRESENTATIONS and HANDOUTS

Meeting on August 1, 2018

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1. Detached Accessory Dwelling Unit (DADU) Regulations (PowerPoint Slides, for Discussion Item D-1)	3 – 28
2. Written Comments on DADU Regulations (from 4 individuals) (Handouts, for Discussion Item D-2)	29 – 37





DADU REGULATIONS

Planning Commission
August 1, 2018

Agenda

1. Scope Review
2. Issue Review
3. Communication Plan Review
4. Schedule

Action Requested: Direction and Concurrence on Issues



Scope

Now

DADUs ALLOWED OUTRIGHT +
DESIGN STANDARDS

Later

AFFORDABLE HOUSING ACTION
STRATEGY
(2019 Annual Amendments,
2020 Code and Implementation)

Collapses pilot into two different implementation initiatives



Scope of Work

Code Section 13.06.115

Remove DADUs from Pilot Program Code

Code Section 13.06.150

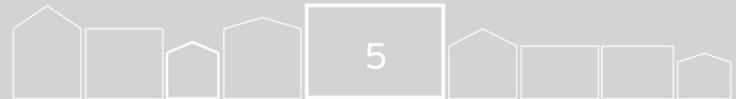
- Intent - Minor
- Procedures - Minor
- Development Requirements - Major
- Bulk, Location and Design Requirements - Major



Scope of Work

Development Requirements

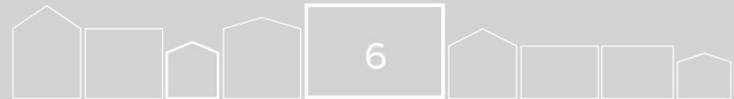
1. Number
2. Occupancy
3. Composition
4. Ownership
5. Parking
6. Home Occupations
7. Legalization of Nonconforming ADUs



Scope of Work

Bulk, Location and Design Requirements

1. Lot Size
2. Building Size
3. Height
4. Location
5. Setbacks
6. Design - Detached ADUs
7. Walkways





DADU REGULATIONS

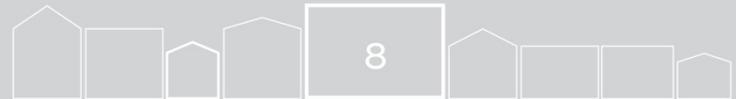
Requirements

Occupancy

The maximum number of occupants in an ADU shall be 4 persons.

Direction Needed: Defer to Title 2?

Options: Title 2 defines occupant number **or** defined in ADU code



Ownership

The property owner must maintain his or her occupancy in the main building or the ADU. Owners shall record a notice on title which attests to their occupancy and attests that, at no time, shall they receive rent for the owner-occupied unit.

Direction Needed: Owner occupancy unchanged?

Options: Owner lives on site **or** can rent both units



Parking

No off-street parking is required for the ADU.

Background: Parking issues in R districts by X districts

- Strong demand drivers must be present and nearby
- Fixed inventory

Direction Needed: No parking req. unchanged?

Tool: Residential Parking Zone

Options: No parking req. **or** 1 space

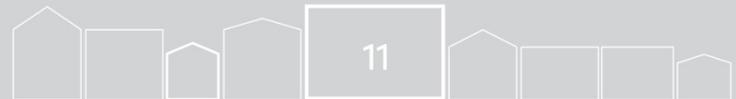


Legalization

Nonconforming ADUs existing prior to the enactment of these requirements may be found to be legal if the property owner applied for an ADU permit prior to December 31, 1995, and brings the unit up to Minimum Housing Code standards.

Direction Needed: Offer another amnesty period?

Options: Meet development standards **or** all standards



A photograph of a man with a cane walking on a stone patio in front of a house with a large white door and wooden deck. The man is wearing a light-colored shirt and pants. The house has a brown exterior and a white door with a large window. There are wooden chairs and a table on the patio. The background shows trees and a clear sky.

DADU

REGULATIONS

Bulk, Location and Design

Lot Size (and Usage)

The lot must meet the minimum Standard Lot size (no less than 7,500 square feet in the R-1 District, or less than 5,000 square feet in all other residential districts), and Standard Minimum Lot Width (50 feet).

Direction Needed: Can lots be smaller? If so, what conditions? Is usable yard area a factor?

Options: No change **or** small lot standard **or** tie building size to lot size (districtless)



Building Size

- *1,000 SF or 2/3 the SF of the main building (whichever is smaller)*
- *DADU + Other Accessory Buildings = 1,500 SF max*
- *DADU footprint must be less than 85% of main building footprint and less than 15% of the lot area*

Direction Needed: Larger? Does lot size impact max DADU size?

Options: No change/simplify **or** tie building size to lot size



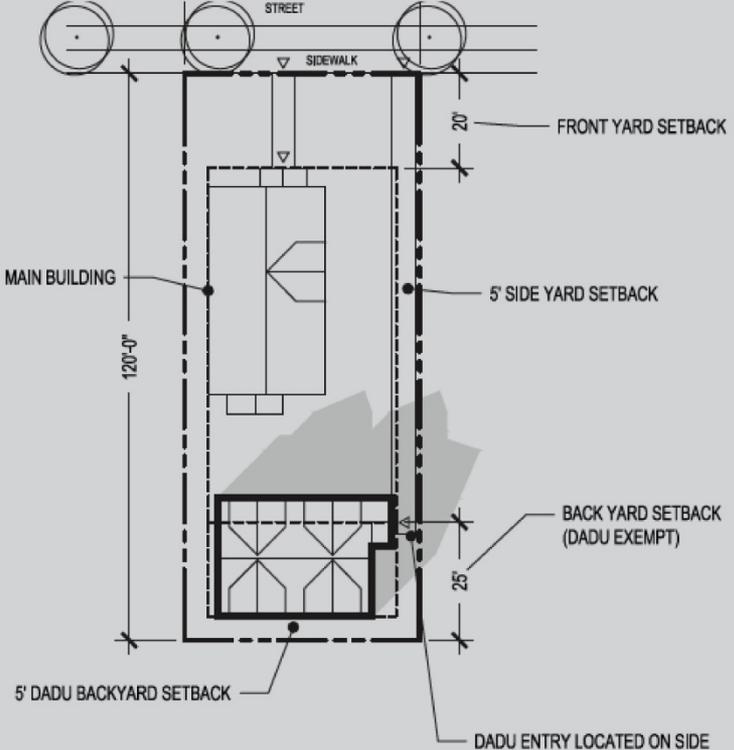
Design (from Infill Pilot)

1. Street frontage characteristics
2. Rhythm of development along the street
3. Building orientation on the site and in relation to the street
4. Front setback patterns
5. Landscaping and trees
6. Backyard patterns and topography
7. Architectural features
8. Historic character, if located within a designated Historic District.



Design

Background:



Street Frontage

Consider the entries (pedestrian and vehicular), location of exterior temporary and permanent fixtures, walkways, etc.

Direction Needed: Alley or side yard-focused entry, orientation, if appropriate? Merge with Building orientation?

Options: Allow flexible configuration **or** dictate orientation



Building Orientation

Consider location and direction of building, entries, walkways, and driveways

Second story windows facing abutting properties, and within 10 feet of the property line, shall be constructed to prevent direct views into the neighboring property.

Direction Needed: Alley or Side yard-focused entry, orientation, and walkways, if appropriate?

Options: Allow flexible configuration **or** dictate orientation



Architectural Features

Architectural features

-building details may be consistent with those of any other buildings on the site and/or the neighborhood. An updated or modernized style will be considered provided the quality and design are considered to be appropriate.

Direction Needed: Match main house (how)?

Criteria for modern design?

Options: Match main house **or** style and/or material
or no consistency



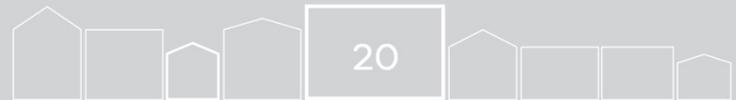
Historic Character

Architectural features

-if the proposed project is in a historic district or the house has special architectural features or is landmarked, the proposed design must be responsive to the main house and/or neighboring structures.

Direction Needed: LPC?

Options: Merge with architectural **and defer to LPC**



Walkways

A pedestrian walkway shall be provided between the ADU and the nearest public sidewalk, or where no sidewalk exists, the nearest public street right-of-way. The walkway shall be at least 4 feet wide and composed of materials that are distinct from any adjacent surfaces.

Direction Needed: Material? Dimension?

Orientation?

Options: Reduce to 3 feet



Procedures

Design Review

Background:

Santa Cruz - Administrative

Portland - Administrative

Seattle - Not architectural, EIS

Direction Needed: Type of Review

Options: Administrative? Temporary Design Review Board?

Procedures

Short-Term Rentals

The rental of not more than nine guest rooms within an owner occupied dwelling, or the rental of an entire dwelling to a family, for less than thirty days at a time.

1. Owner occupancy. For short-term rentals that involve rental of individual guest rooms, the dwelling must be occupied by an owner of record during the rental term...
4. Occupancy. Maximum occupancy shall be dictated by the Minimum Building and Structures Code.

Direction Needed: Duration? Cap on days per year?

Options: Reduce duration and cap days in SF districts **or** leave as is



Communication Plan

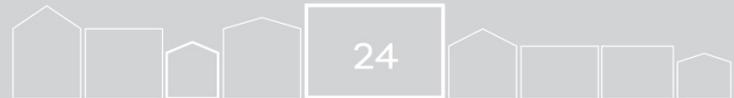
- Workshops in partnership with community orgs
- Panel Discussion
- Review Committee on CityLine
- Social Media, Website, News Releases, On Hold Messaging, Tacoma Report (later)
- Printed Collateral

Phase 1 - Education and Outreach on code change

Current - November

Phase 2 - Campaign to “get the word out”

December - Early 2019



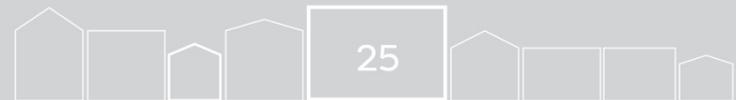
Concurrency Check

Development Requirements

1. Number
2. Occupancy
3. Composition
4. Ownership
5. Parking
6. Home Occupations
7. Legalization of Nonconforming ADUs

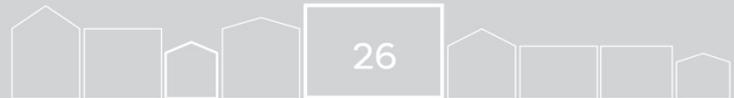
Design Requirements

1. Lot Size
2. Building Size
3. Height
4. Location
5. Setbacks
6. Design - Detached ADUs
7. Walkways



ADU Code Amendment Schedule

September 5th	Present Draft Code and Release for Public Review
October 3rd	Planning Commission Public Hearing
October 17th	Recommendation to City Council
Nov. - Dec.	City Council Process



July 31, 2018

Re: Tacoma's Detached Accessory Dwelling Unit (DADU) policy and regulations, proposed changes.

Members of the Tacoma Planning Commission,

It has just come to my attention that the City is reviewing changes to the DADU policy and regulations. I am writing in opposition to many of the changes expressed at the last Infrastructure, Planning, and Sustainability Committee (IPS) meeting on July 11th and the proposed timeline suggested for these changes. As a resident, an architect with over thirty years of work in Tacoma, as the only architect to participate in the Infill Housing Pilot Program, and with the only DADU project to be successfully completed, I believe my insight would be helpful to the commission in reviewing this topic.

First as a resident of District 2, I would like to request that the process be slowed to allow for our elected representative on the City Council, Robert Thoms to return from active duty with the U. S. Navy. He deserves the ability to engage in broader public discussions with his constituents.

The regulations for DADU's prepared by City staff for the pilot program are essentially sound and correspond to regulations found in other communities within Pierce County and the region. Contrary to what some may think not all communities allow accessory dwelling units, attached or detached, but those that do, set controls on their use, size, mass, design and require them to be owner occupied properties. To negate these requirements would be considered irresponsible and harmful to adjacent properties and the community as a whole.

Having participated in the pilot program I have suggestions for how the process and the requirements for a DADU could be improved upon however the City did not have a process in place to monitor the projects in the pilot program. Once the projects were approved, no follow up was made by the City during or at the completion of the project to learn from our experiences.

If I had been asked I would have made suggestions on how the process could be improved. I would suggest a reduction in the size of the units to 800 sf. max. and one bedroom to match other surrounding cities and communities. That the size be limited based on the size of the site and adjacent primary home. Little changes like pathways to the units be reduced to 36" rather than 48", since most homes in the city have as little as 30" wide paths to the front door of the primary home and that the building and roof form should be complimentary to the character of the surrounding homes. I would also ask that the City reduce their permit review time, which was three times longer than the design review process, and that was with a partial permit already in place.

Reduce the permitting costs for private homeowners. The cost of permits and fees were more than the fee to design the DADU and the design fee turned out to be the lowest cost item prior to construction and surprisingly took the least amount of time.

The City must monitor these dwellings to confirm that they are being built and used for the purposes granted for their approval. This should not be considered an open right by the property owner but as a conditional use. Parking should be a component of the design in excess of the on-site parking required for the primary home. If DADU's are to be built with affordability in mind, the units should be limited to family members or long-term housing needs (min. 6 months) not B & B's and short-term rentals. Public notifications should be posted on site and extended to property owners within 300 ft. and if on an alley, the full length of the alley.

What I would not recommend as additions to the policy, are special exceptions for setbacks, height or compatibility with the surrounding homes and neighborhood. I would not open the construction of these units up for sites where the owner is not living on site. An affidavit should be signed for residency.

I believe the residency requirement to be an important part of this policy; do not let it become a loophole to build more substandard residential units without concern for the negative impact that it will have on neighbors, neighborhoods and the cities overall image at large.

I would not reduce the lot size below 4,500 sf and I believe the current standards are fine as is. The design standards and review did not add cost or increase the timeline for construction and I would not remove this from the regulations either. These structures need to be subordinate to the primary home on the site in scale and design, this should not be a way to add a second full size dwelling to a lot. I would not add subsidies to the mix; these tend to reward developers with low rates of return for affordability and are not open to private home owners.

One thing that stood out from the pilot program that should be addressed is the cost of building a DADU which puts it beyond what I would view as an affordable housing choice for Tacoma. Construction costs are regional, rents are local. Expecting to build affordable ADU's when our costs are the same as the rest of the region is not a valid claim. Seattle DADU's have been found to be less than affordable, at Tacoma's income levels, how can we expect to achieve an alternative result.

My client built their DADU for their son who has high-functioning autism in the hopes of giving him independence yet still be close at hand for assistance. This is the kind of dwelling that DADU's were originally intended, not for profit. It's not to say that some will build them to help others, but investors are in it for the profit, either through the rent or through the sale of the land later at a higher price. Speculation has already driven up the cost of home ownership and rents in the region; do we need another venue for such activities?

I am not opposed to DADU's, and expressed this several years ago when serving on my neighborhood council. I have always believed it could be managed if the City put the right controls in place. I strongly discourage you from stripping back the regulations and proving my support misguided.

Do not allow the construction of DADU's in a haphazard way, plan for their use. Find the appropriate adjustments to the regulations don't gut them refine them. Expect and require high standards to help ensure long-term sustainability.

Delay the process and have an open discussion with each neighborhood. Review the requirements from other municipalities and learn from their mistakes before we learn them the hard way. The effort to fast track DADU's as a means to provide affordable housing appears to be misguided in my view. As a professional who has worked in architecture, design, planning, construction and development for as many years as I have, the suggestions put forth by the IPC Committee do not appear to be sound.

Attached is a link to a Seattle Times Editorial from last month on the impacts of DADU's and the promises not kept in Seattle. Don't make the same mistakes. Tacoma should learn from the misfortunes of other, not follow them to the same conclusion.

<https://www.seattletimes.com/opinion/editorials/dont-upzone-seattle-neighborhoods>

Lastly, please recommend allowing time for District 2 Council Member Thoms to return so that our voices can be heard through our elected representative.

Sincerely,

Jeffrey J. Ryan, Architect
LEED BD+C

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Tacoma, WA 98406

c. 253.380.3197

Don't upzone Seattle neighborhoods

Originally published June 29, 2018 at 4:21 pm Updated June 29, 2018 at 5:45 pm



An aerial photo of Seattle's Madison Park neighborhood taken in May 17 (Greg Gilbert / The Seattle Times)

Seattle must preserve single-family neighborhoods, one of its most precious assets. Mayor Jenny Durkan should suspend an ill-conceived proposal to triple density in neighborhoods, especially since a city study says that will have little effect on affordability.

By

[The Seattle Times editorial board](#)

The Seattle Times

Seattle must preserve single-family neighborhoods that are essential to its livability, character and economic success.

City Hall is aggressively pushing legislation to allow nearly every single-family lot to become a multifamily apartment site.

Under the guise of allowing backyard cottages, this is one of several broad zoning changes now being considered by the city. Affordability is a concern but Seattle can't destroy one of its greatest assets, single-family neighborhoods.

The proposal would allow single-family houses to be replaced by up to three units, irreversibly changing the city's character.

This is billed as a way to create affordable homes but it's a false promise. It would do little for affordability — a city study expects “marginal” effects.

But it would create tremendous uncertainty for 300,000 mostly middle-class residents supporting the city through homeownership, removing certainty about the neighborhood and city they bought into.

Tripling residential density with upzones will also reduce the number of starter houses to buy as they're snapped up by developers. This shrinks opportunities to achieve true, long-term affordability with ownership.

Justification for radically altering Seattle neighborhoods is evaporating. A surge of housing construction in recent years created a rental glut, with about 5,000 new units vacant regionally and 26 percent of downtown Seattle apartments empty.

This comes as Washington's population growth rate slows, according to new [state data](#). Seattle's comp plan says it already has plenty of capacity under current zoning to accommodate forecast growth through 2035.

Seattle must think bigger in responding to affordability and homeless challenges. Regional approaches are needed, encompassing greater variety of housing options accessible via investments in transit and ferries.

Mayor Jenny Durkan should suspend this misguided upzoning effort.

Attached “mother-in-law” units have been allowed for years. A 1998 pilot program allowed detached backyard units on most lots 4,000 square feet or larger.

What's now proposed are changes that would enable lots as small as 3,200 square feet to add two rentals, becoming triplexes. They would also allow taller backyard units, reduce or eliminate on-site parking requirements and allow structures to cover up to 60 percent of rear yards.

This was the most divisive of the housing proposals made by former Mayor Ed Murray and Council Member Mike O'Brien. Their plan was suspended in 2016 after a hearing examiner ruled the city failed to adequately study harm to the environment, parking and infrastructure.

Instead of reconsidering, Durkan is essentially pushing the same policy, which could be approved later this year.

Altering every neighborhood at once diminishes opportunities for meaningful citizen participation. It's overly complicated by simultaneous proposals to increase the size of urban villages where density is supposed to be concentrated.

Massive changes require objective review of impacts neighborhood by neighborhood. Seattleites deserve that consideration, not reheated policy leftovers that were objectionable the first time around.

Reconsideration is also needed because the backyard cottage proposal is muddled by a jumble of misconceptions.

No, Seattle is not “mostly” single-family. Less than half its land is used by single-family homes, and 44 percent of its homes are stand-alone houses, according to the impact study. Even with no change, 1,890 accessory units will be built.

The study also claims few additional units would be built if the rules are relaxed, just 1,210 to 1,440. That’s a negligible 0.4 percent increase in housing stock. But the study may be lowballing impacts to avoid addressing negative effects on parking, tree cover and other issues. It also absurdly concludes that tripling density has no significant adverse impacts.

The study acknowledges that market demand is working: Under existing rules, accessory-dwelling construction has tripled since 2015.

The hearing examiner decision noted the proposal encourages converting houses to income properties, making them more attractive to investors. Increasing values and reducing availability of entry-level houses causes displacement, especially of minority populations, according to testimony the decision cited.

So why jam this through? Is there institutional bias against the lifestyle of those living in houses?

The diversity of housing choices provided by single-family neighborhoods is one of Seattle’s most precious assets. That’s far too valuable to risk with an ill-conceived, unjustifiable and ineffective land use change.

Editorial board members are editorial page editor Kate Riley, Frank A. Blethen, Donna Gordon Blankinship, Brier Dudley, Mark Higgins, Melissa Santos, William K. Blethen (emeritus) and Robert C. Blethen (emeritus).

August 1, 2018

Dear Planning Commissioners,

My neighbors and I are concerned that the project to permit DADUs in all single-family neighborhoods is being rushed through without giving the public time to digest what is planned, or to understand exactly how this helps with the "affordable" part of Tacoma housing crunch. We have many questions about the rush to do this so quickly.

If DADUs are to be permitted, then I urge several code inclusions:

1. Owner-occupied is a must. And, there should be provisions for enforcing this over time.
2. My neighborhood would need the DADU to have one dedicated off-street parking place.
3. Lot size should be limited to those 5000sf and over, so there is room for adequate set-backs and still leave yard space. Height and scale limits must be applied.
4. Sidewalk to street is a must-have for safety; police and fire personnel need to be able to find the address.
5. Good design-review program makes sense, of course.
6. Limit on number allowed per block.

We will be interested to hear about your deliberations and decisions on this matter, and urge you to protect current home-owners' equity as well as the livability of our neighborhoods.

Thank you for volunteering to help Tacoma's citizens,

Julie S. Turner

817 North J St.

Tacoma, WA 98403

MD Designs

Residential/Commercial + Urban Planning Design

3220 North 26th Street Tacoma, WA 98407

Ph 253.756.1652 Fx 253.756 2025

August 1, 2018

Attn: Planning Commission

The following are my suggestions to allowing DADU's in the City of Tacoma. In my profession I have designed and worked with various city officials on design standards. As a longtime project designer for affordable housing, I do support the City of Tacoma with allowing DADU's, but to a certain degree. I also have a concern with the city council not having a building official on board as an advisor to prevent too many upsets from misconceptions when the guidelines come out and building codes contradict. I have designed DADU's, Mother-in-Law Quarters, Backyard Cottages and Cabanas through out Western Washington but as Tacoma proceeds forward on allowing DADU's, I myself will push for the following:

- Property owner must reside in either the primary residence or DADU unless zoning allows rental of both such as Mixed-use or commercial.
- DADU's must be located in the rear yard of primary residence and cannot be built in side yard or front yards.
- DADU Cannot exceed 33% or 1/3 of primary residence square footage with the minimum area at 400 sq ft but not to exceed 1000 sq ft
- Exterior Design must match primary residence style or just a standard traditional style.
- Property must have alley access for DADU, but not to block primary access to alley
- DADU Must be viewable from street with sidewalk to front entrance of yard
- DADU Must abide by standard setbacks of existing dwelling units if it is a single story, but 1½% if located above garage or carport. Ex. 5' side yard if single story or 7 ½ if two story in R2 zone
- DADU Cannot exceed height of detached structures per TMC if in a view sensitive area
- DADU Cannot be built alongside existing garages without following standard separation as per TMC
- DADU Can be build above garages or carports if not exceeding more than 18' to the mid-roof line.
- Parking for DADUs must be provided, 1 stall onsite
- DADUs must accommodate the recreation area of 150 sq ft and not disturb the existing recreation area for the primary residence. Recreation area must follow existing requirements as per TMC
- Minimum lot area to accommodate DADUs, 5000 sq ft
- Number of DADU's not to exceed 1 unit per primary resident
- DADU's must accommodate 300 sq ft heated area per resident
- Construction must follow standard building codes as per IRC and WSEC
- All utilities including power and sewer for both primary and secondary structures must be up to current code

I realize this maybe limiting some views on what the intension was, but I do hope council members know, we are not building houses we are building Detached Accessory Dwelling Units. I also hope for the benefit of District 2 and myself the council will wait for our elected official Robert Thoms to return for the final decision. If there are any questions please feel free to give me a call to further discuss.

Sincerely,

John De Loma

John P. De Loma
Principal Owner

-----Original Message-----

From: Josie Turner [<mailto:josieturner@me.com>]

Sent: Wednesday, August 01, 2018 4:36 PM

To: Regan, Michelle

Subject: Comments regarding ADU

Dear Mr. Huffman,

My husband, William Turner and I were planning to attend the Planning Commission meeting this evening to express our support for the Commission's re-evaluation and zoning update for ADU's.

We currently live in a multi-story older home in North Tacoma - 4301 North 36th Street. We have a detached garage. We would like to remodel the garage and put in an ADA sink, toilet, shower so that in the short term, it could serve as an artist studio for my husband, and long term, allow him to age in place at home. Last year, he had a hip replacement and his recovery was very difficult because our home does not have a full bath on the main floor nor a bedroom. We had to set up the living room as a bedroom.

Please extend our comments to the Planning Commission. Additionally, I am happy to answer any questions they, or you, may have.

Sincerely,

Josie Emmons Turner
253.678.6117