



TO: Elizabeth Pauli, City Manager
FROM: Peter Huffman, Planning and Development Services
COPY: Infrastructure, Planning, and Sustainability Committee, Kurtis D. Kingsolver, P.E.
PRESENTER: Elliott Barnett, Planning and Development Services
SUBJECT: Accessory Dwelling Unit (ADU) Regulations
DATE: January 23, 2019

PRESENTATION TYPE:
Request for recommendation.

SUMMARY:

On Wednesday, January 23, 2019, Planning and Development Services (PDS) staff will present the Planning Commission's October 17, 2018, recommendations for changes to the City's Accessory Dwelling Unit (ADU) regulations. Staff is seeking direction from the Infrastructure, Planning, and Sustainability Committee (Committee) regarding potential modifications for the full City Council's consideration. The City Council is tentatively scheduled to conduct a public hearing on February 19, 2019, and take action on the recommendations in March 2019.

BACKGROUND:

On October 17, 2018, the Planning Commission forwarded recommendations to the City Council for amendments to the City's ADU regulations. ADUs are an infill housing option intended to provide flexibility to homeowners and increase the range of housing options and price points, while fitting in harmoniously within residential neighborhoods.

The Planning Commission's recommendations would modify the City's current ADU regulations by allowing Detached ADUs in single-family zoning districts, simplifying regulatory requirements, reducing regulatory barriers and increasing flexibility regarding building design, size and location. In addition, the recommendations include design, building and ownership controls intended to ensure that ADUs fit the scale and character of the residential lot and surrounding neighborhood. The Commission's recommendations and additional background information are available at www.cityoftacoma.org/DADU.

This Committee discussed the proposals on December 12, 2018, and provided preliminary direction to analyze policy options for several topics. At the meeting, staff will seek direction on potential modifications which the Committee could make to the proposals prior to City Council consideration. In addition, in response to a request from the Committee, staff from the City's Office of Equity and Human Rights (OEHR) will be present to discuss the equity implications of the proposals.

ISSUE:

PDS staff is seeking potential modifications to the Planning Commission's October 17, 2018, recommendations for changes to the City's Accessory Dwelling Unit (ADU) regulations prior to consideration by the full City Council.

ALTERNATIVES:

The IPS Committee could direct that modifications be made to the Planning Commission's proposals which would then be considered by the full City Council.



FISCAL IMPACT:

This is an information briefing only. There is no fiscal impact.

RECOMMENDATION:

Staff recommends the Committee provide staff with direction on potential modifications to the proposals for consideration by the full City Council.

ATTACHMENT:

ADU Code: Potential IPS Committee Recommendations



Accessory Dwelling Units (ADU) Code Potential IPS Committee Recommendations

January 23, 2019

Based on the IPS Committee's direction at their December 12, 2018 meeting, staff have completed analysis of the following topics, including several potential modifications to the Planning Commission's October 17, 2019 recommendations.

SUMMARY:

1. Clarify ADU maximum size
2. Reduce minimum lot width for Detached ADU's (DADU's)
3. Define green features utilized for height bonus
4. Clarify parking access standards
5. Update ADU design standards
6. Owner occupancy for ADU's
7. Affordability incentives for ADU's

DISCUSSION:

The following discussion includes a brief summary of the Planning Commission's recommendations on each identified topic, as well as potential modifications based on the IPS Committee's direction. Only the topics with proposed changes are included, and all changes would affect Tacoma Municipal Code 13.06.150 Accessory dwelling units. The Planning Commission's complete recommendations packet is available at www.cityoftacoma.org/DADU.

NOTE: The Planning Commission's recommended changes are shown with new text underlined, and text proposed for deletion shown as ~~strikethrough~~. The additional potential modifications are shown with yellow highlighting.

Staff are currently developing graphics to help communicate the intent of some of the code proposals.

1. Clarify ADU maximum size

Planning Commission recommendations: Simplifies the current code by regulating building footprint only (rather than also limiting ADU size), and increases maximum footprint to 800, 1,200 or 1,500 sf (proportionate to lot size).

Potential modification: Clarify that the maximum size limitations pertain to the habitable area of ADU's.

The recommended modification would still constitute an ADU size increase over the current code, while preventing a two-story Detached ADU's from being overly large (up to double the maximum footprint size).

PROPOSED CODE CHANGES:

2. ADU Size.

a. The **building footprint of an ADU, excluding any garage area and other non-living areas,** ~~such as workshops or greenhouses,~~ shall not exceed ~~the following: 40 percent of the total square footage of the main building and the ADU combined, after modification or construction. An ADU shall not contain more than 1,000 square feet.~~

(1) Standard Lots (meeting the applicable standard lot size and width requirements): 1,200 square feet.

(2) Small Lots (smaller or narrower than the applicable lot size and width requirements): 800 square feet.

(3) Large lots (greater than 10,000 square feet and meeting applicable lot width requirements): 1,500 square feet.

2. Reduce minimum lot width for Detached ADU's

Planning Commission recommendations: Increases flexibility by allowing Detached ADU's on lots smaller than standard minimum size and width (e.g., 5,000 sf area and 50 ft width in the R-2 District) with a Conditional Use Permit (CUP).

Potential modification: Allow DADU's outright on Level 1 Small Lots (e.g., 4,500 sf and 35 ft width in the R-2 District), and modify the proposal to utilize the variance process rather than the CUP for both Attached and Detached ADU's proposed on lots that do not meet those minimums.

This recommendation would treat DADU's the same as Attached ADU's, utilizing Tacoma's existing Level 1 Small Lot standards to define minimums for DADU's to be allowed outright, with smaller or narrower lots requiring a variance rather than a CUP. The ADU size would decrease proportionally with the lot and house size (for example on a 4,500 sf lot a DADU size would be 675 sf).

PROPOSED CODE CHANGES:

1. Minimum Lot Size.

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b. For Detached ADUs in residential districts, the lot must meet the minimum ~~Standard Level 1 Small~~ Lot size (no less than ~~7,500~~ 6,750 square feet in the R-1 District, or less than ~~5,000~~ 4,500 square feet in all other residential districts), and ~~Level 1 Small Lot Standard~~ Minimum Lot ~~w~~Width (~~50-35~~ feet).

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d. ADUs on lots that do not meet the applicable lot size and/or width requirements may be authorized through the issuance of a ~~Conditional Use Permit variance~~.

3. Define green features utilized for height bonus

Planning Commission recommendations: Allows an optional DADU height bonus of 2 feet (from 18 to 20 feet) with incorporation of “green features”.

Potential modification: Clarify that “green features” would be demonstrated through certification under the Built Green Single-family New Construction criteria with 4 stars (or equivalent).

PROPOSED CODE CHANGES:

3. Height.

a. Attached ADUs are subject to the height limitations applicable to the main house.

b. Detached ADUs shall be no taller than the main house. In addition, height shall be limited to the most restrictive of the following:

(1) The maximum height for detached ADUs shall be 18 feet, measured per the Building Code, or up to 20 feet with incorporation of either parking on the main level of the structure, or ~~of green features with certification of the DADU under Built Green criteria with 4 stars~~. ~~Detached ADUs shall be no taller than the main house.~~

4. Clarify parking access standards

Planning Commission recommendations: No changes were made to existing parking standards, which allow consideration of a new driveway from the front of the lot, under limited circumstances.

Potential modification: Clarify that new vehicular access from the front of the lot for an ADU is prohibited. *This approach would treat ADU's consistently with the City's driveway standards for other residential development.*

PROPOSED CODE CHANGES:

5. Parking. No off-street parking is required for the ADU. If additional ADU parking is provided, such parking shall be located in the rear portion of the lot and shall not be accessed from the front ~~if suitable access to the rear is available, such as an abutting right-of-way that is or can practicably be developed. If access is not practicably available to the rear yard, subject to determination by the City Engineer, then vehicular access to the front may be developed subject to the limitations in Section 13.06.510.A.6.~~

5. Update ADU design standards

Planning Commission recommendations: Reduces specificity of design standards to indicate that ADUs must meet performance and quality standards, and adds a reference to historic district review when appropriate. The proposal includes multiple other standards that guide the size, location, height, pedestrian access and construction of ADU's.

Potential modifications: Improve design outcomes and clarify code administration, without substantial cost burden on ADU development, through minimal design standards for Attached ADU's and smaller Detached ADU's, and more robust standards for larger Detached ADU's. *The City's upcoming ADU Design review guidelines will support this approach.*

Proposed additional DADU design standards:

- To reduce noise/privacy impacts, DADU main entrances must be at least 8 feet from side yard property lines shared with a neighboring residential property.
- To reduce privacy and shading impacts and promote complementary design of large structures, the following additional standards would apply to DADU's larger than 800 sf or 15 feet height:
 - Windows facing neighboring residential properties to be designed to reduce privacy impacts through such techniques as semi-transparent glass or clerestory windows
 - Roofs facing neighboring residential properties to be sloped to reduce shading impacts
 - Building design and materials to complement the architectural style, appearance and character of the main house

PROPOSED CODE CHANGES:

E. Design Standards. The creation of an ADU shall be subject to the following design requirements:

~~6. Design—Attached ADUs. An attached ADU shall be designed to maintain the architectural design, style, appearance, and character of the main building as a single-family residence. If an attached ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing façade, roof pitch, siding, and windows. Only one entrance is permitted to be located in the front façade of the dwelling. If a separate outside entrance is necessary for an attached ADU, it must be located either off the rear or side of the main building. Such entrance must not be visible from the same view of the building which encompasses the main entrance to the building and must provide a measure of visual privacy.~~

~~7. Design—Detached ADUs. A detached ADU shall be designed to complement the architectural design, style, appearance, and character of the main building by utilizing complementary colors and finish materials, window styles, and roof design to the main building. The entrance door to a detached ADU shall not face the same property line as the entrance door to the main building except when the entrance door to the ADU is located behind the rear wall of the main building. The Detached ADU structure shall be the only accessory structure allowed on the parcel, though it can be integrated into a structure that includes a garage or other non-habitable space.~~

1. Detached or Attached ADU shall be designed so that the overall building design, material selection, and detailing ensure performance and are consistent with or exceed the quality of construction in the surrounding area of the main house.

2. Any ADU proposed within a historic district is subject to the requirements and standards set forth in TMC 13.07 Landmarks and Historic Special Review Districts.

3. The main entrance to a Detached ADU shall be at least 8 feet from side property lines shared with a neighboring residential property.

4. Detached ADUs larger than 800 square feet or taller than 15 feet are subject to the following:

a. Second story windows facing abutting residential properties and within 10 feet of the property line shall be constructed in a manner that reduces direct views into the neighboring property through such methods as clerestory windows or semi-translucent glass.

b. The structure shall not intercept a 45-degree daylight plane inclined into the ADU site from a height of 15 feet above existing grade, measured from the required 5-foot setback line.

c. The building design and materials shall complement the architectural style, appearance and character of the main house by generally matching materials, window design, façade and roof design, or by integrating features that are complementary to the main house design as demonstrated by submittal of precedent studies and material specifications.

6. Owner occupancy for ADU's

Planning Commission recommendations: No changes to the requirement that the property owner occupy either the main house or the ADU. This approach is intended to provide a measure of certainty regarding design, use and maintenance of the site, while also promoting housing choice through new rental housing opportunities.

Policy alternatives:

- Retain the ownership requirement
 - Modify or remove the ownership requirement.
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7. Affordability incentives for ADU's

Planning Commission recommendations: By making ADU development standards more flexible, the proposal is intended to promote affordability, housing choice and options for homeowners.

Policy alternatives: None at this time.

Promoting infill options, including ADU's, is called for by the City's Affordable Housing Action Strategy (AHAS). Potential AHAS implementation actions could include reduced permit fees, accelerated permit view, reduced utility costs or other incentives to promote ADU construction and/or affordability.

Most of these actions would not necessitate code changes and can be developed in coordination with other AHAS implementation actions. As the City implements the revised ADU standards, further code change opportunities to promote housing choice and affordability may be identified.