



MEMORANDUM

To: Houghton Community Council

From: Dorian Collins, AICP, Senior Planner
Adam Weinstein, AICP, Planning & Building Director

Date: July 11, 2019

Subject: Amendments to the Kirkland Zoning Code (KZC) and Kirkland Municipal Code (KMC) – Accessory Dwelling Units
File CAM19-00282

Recommendation

Receive a briefing from staff and provide input on potential amendments to the KZC and KMC. The amendments are intended to simplify regulations to increase the supply of accessory dwelling units (ADUs). The feedback and preliminary recommendations of the Houghton Community Council (HCC) will be provided to the Planning Commission at its next study session on the topic.

Background

The City Council adopted Resolution R-5313 in May 2018 (see [City Council packet](#)), which approved the [Housing Strategy Plan](#) and Housing Strategy Work Program. The materials prepared for the meeting noted that the Housing Strategy Advisory Group had suggested that the City adopt an ambitious goal for the number of ADUs to equal 5% of single family homes within 10 years. The group identified ADUs as a unique housing opportunity that aligns with community goals of preserving neighborhood character, increasing housing affordability and developing housing diversity. The Housing Strategy Work Program includes specific tasks to implement recommendations from the Housing Strategy Plan for ADUs.

The first step in the implementation of the recommendations from the Housing Strategy Plan was undertaken last year, when an Innovation Intern research project (funded by the City Manager's Office) evaluated best ADU practices. That task produced a report, "Strategies to Increase the Supply of Accessory Dwelling Units" (see Attachment 1), and a summary matrix of current ADU regulations in other communities (Attachment 2). The current task, titled, "Housing Strategy Tasks: ADUs" in the 2019-2021 Planning Work Program, is intended as a follow-up task to the research undertaken last year, and to the updated neighborhood plans (Bridle Trails and Rose Hill), which contain policies that promote compact housing and ADUs.

A subsequent task to be initiated later this year or early in 2020 will be the "ADU Project," called for in the 2019-21 Work Program. That project will involve three

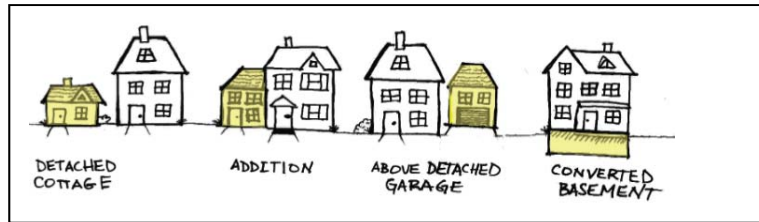
discrete tasks: 1) hiring architects through an Request for Proposals (RFP) process to create three preapproved design and construction ADU plans, which could then be given out or sold inexpensively to the public (note that staff is currently evaluating the likely efficacy of this project, and may explore substitute options); 2) establishing a program to waive up to \$5,000 of permit fees for the first 10 applicants to use the pre-approved plan prototypes; and 3) developing new educational resources that would help people navigate the ADU design, permitting, development, and rental processes.

Lastly, code amendments related to duplexes, triplexes, and cottage housing are in-progress as a separate work item but may be combined with this project for the public hearing and presentation to City Council. The HCC reviewed preliminary concepts for amendments for that project at its meeting on May 30, 2019 and will consider the topic again at its meeting on July 22, 2019.

ADUs in Kirkland

ADUs can be within or attached to a primary residence or detached in the form of a free-standing structure.

Since they can be developed in ways that do not significantly alter the appearance of a home or neighborhood, ADUs can be a preferred choice for



increasing density and housing options in a neighborhood. ADUs can also meet the needs of a wide variety of homeowners. They allow residents of single family homes to gain rental income to subsidize mortgage payments and provide opportunities for residents who would like to provide nearby housing for caregivers or family members.

The City of Kirkland adopted provisions to allow ADUs in 1995. Today, just 1% of Kirkland's single family properties include ADUs. According to the "Strategies to Increase ADUs in the City of Kirkland" report (Attachment 1), 245 individuals have completed the process to permit an ADU, while 417 applications for permits have been submitted. Most permitted ADUs are in the Norkirk and Market neighborhoods, typically constructed within an existing home or above a detached garage. The report notes that planners have found that many applicants do not complete the permitting process due to unanticipated construction costs, change of heart, and residents' unwillingness to officially register their ADUs.

The report includes extensive research on ADU regulations and results in other jurisdictions, in Washington and elsewhere. The research showed that jurisdictions use a variety of strategies to spur production of ADUs, including relaxing regulations, assisting with securing financing and reducing or eliminating impact fees. Relaxing zoning regulations was noted as the easiest and most cost effective strategy to increase ADU production.

Recommendations from the report are described on page 21 of Attachment 1. The key suggestions are:

1. Decrease exclusionary regulations

- a. Remove requirement that property owner must live on site.
 - b. Remove off-street parking requirement.
 - c. Remove size requirements dependent on floor area ratio (FAR).
2. Work with ARCH to expand financing options for the Eastside.
 3. Improve the user experience
 - a. Provide technical assistance and create a Kirkland-specific ADU handbook.
 - b. Increase public education.
 4. Streamline the permitting process
 - a. Explore pre-approved designs
 - b. Consider providing incentives to homebuilders who include ADUs.
 - c. Implement an amnesty program for ADUs within recently annexed neighborhoods.

Scope of Current Project

The current task focusses on the first recommendation cited above: decreasing regulations that constrain the development of ADUs. The project includes the development of potential amendments to regulations in the KZC and the KMC.

The following key existing regulations shape ADU development in Kirkland:

- One ADU is permitted per primary residence
- One of the units must be the property owner's residence
- One off-street parking spot is required per ADU
- The ADU must not exceed 40% of the primary unit and the ADU combined or 800 square feet, whichever is less
- The ADU entrance has no location restrictions but must appear secondary to the entry way of primary unit
- The ADU must not extend more than 15 feet above the primary residence or exceed the maximum height allowed in the zone
- No more than 5 unrelated people may inhabit the ADU and the primary residence combined

Potential amendments to the KZC and KMC are presented in the matrix in Attachment 3. The objectives for the changes are to remove barriers to the development of more ADUs while preserving the character of single family neighborhoods. For some potential changes, the matrix provides a "bold" option, which may pose the potential for greater change to neighborhood character or other factors.

The far right column in the matrix presents the preliminary direction received from the Planning Commission (PC) at its study session on June 13. The video for the PC discussion on this topic can be viewed [here](#).

Public Outreach

Since the current project is intended to implement recommendations from the Housing Strategy Plan and recently-adopted neighborhood plan updates, the public comments received on those documents helped guide the preliminary code amendments presented in Attachment 3 of this report. The [Housing Strategy Plan](#) outreach process included an

on-line survey to gauge the community's sense of housing needs and issues. Over 1,400 responses to the survey were received. Staff also conducted five focus group discussions that included a broad range of interests. The Advisory Group also met with professionals from various parts of the for-profit and non-profit housing industries. The Advisory Group also hosted a public workshop, attended by approximately 60 community members who provided input on key areas: neighborhood character, housing supply and diversity and affordable housing. The community members also provided input on the specific strategy ideas under consideration.

Appendix E to the Housing Strategy Plan contains a summary of the findings from the outreach process. Individual comments from participants in a variety of small focus groups provide opinions on measures to encourage the development of ADUs. Specific comments included:

Housing Industry Panel:

- Friend in Seattle makes enough rent to cover large part of his mortgage.
- Target 10%; reduce fees if owner agrees to keep the unit affordable; waive parking requirement.
- Impact fees and hookup fees inhibit ADU production. Expect to see more demand for ADUs.
- ADUs appeal to multi-generational families.

Real Estate Agents:

- Change ADU size limit from percentage of primary residence to a flat number, so that ADUs can be feasible for smaller homes.
- Remove off-street parking requirement and reduce set-backs for ADUs.
- City needs to support more ADUs (standards and public information).

Seniors:

- Address difficulties in financing ADUs.
- Simplify paperwork, make ADUs easier to permit.

Planning Commission Direction

At its meeting in June, the Planning Commission (PC) indicated initial support for several of the recommended amendments, while requesting additional information about other topics. The PC expressed interest in allowing up to two ADUs on a single family property, retaining the requirement for property owner occupancy, allowing larger ADUs, and eliminating the restriction on the number of occupants who may reside on the property. The PC noted that it would like to study options for eliminating the requirement for an additional parking space for ADUs, opportunities for separate (condominium) ownership of ADUs, allowing "tiny" homes, reduced setbacks for detached ADUs, and the role of short-term rentals in the affordability of ADUs. The matrix included in Attachment 3 provides more information about the direction provided by the PC.

Feedback Requested and Next Steps

Staff requests that the HCC provide input on the potential amendments described in the matrix contained in Attachment 3 by responding to the following questions:

1. For each topic, does the HCC generally support the potential amendment? If a “bolder option” is noted, does the HCC prefer that option?
2. Are there variations on the potential amendments noted that the HCC would like to see explored?
3. Is additional information necessary prior to providing direction on a topic?
4. Are there any additional topics that the HCC would like to see explored?

Following the meeting on July 22, staff will refine the potential amendments based on direction from HCC and from the PC at its meeting in June. Staff will prepare draft amendments to the KZC and KMC to be considered at a future meeting. A public hearing on the proposed amendments will be scheduled later in the fall.

Attachments

1. “Strategies to Increase the Supply of Accessory Dwelling Units” report, Summer 2018
2. ADU Policies in other jurisdictions
3. Matrix of potential amendments to the KZC and KMC, with preliminary direction from the Planning Commission

cc: CAM19-00282
Allison Zike

Strategies to Increase the Supply of Accessory Dwelling Units



City of Kirkland Department of Planning & Building

Summer 2018

Report Author: Rose Haas, Graduate Intern

Supervisor: Adam Weinstein, Deputy Planning Director

Executive Summary

Background

As the City of Kirkland and the Puget Sound region continue to grow, many residents face housing insecurity as average home prices and rental costs increase at a faster pace than average income. Kirkland City Council has identified promoting affordable housing options as a top priority. Accessory Dwelling Units (ADUs) are a key concept in the adopted Housing Strategy Plan as they act as a form of low-impact housing development that increase density while maintaining neighborhood character. The Housing Strategy Advisory Group recognizes that increasing the supply of ADUs will allow many Kirkland residents access to affordable housing within desirable neighborhoods near transit and other urban amenities.

Current ADU Policy in Kirkland

ADUs make up approximately 1% of single family homes in the City of Kirkland. Most ADUs are in the Norkirk and Market neighborhoods and are commonly constructed within an existing home or above a detached garage. Kirkland began permitting ADUs in 1995, and since then, only 245 residents have completed the ADU permitting process. ADU specifications are located in the Kirkland Zoning Code Chapter 115 and reflect regional standards that ensure

ADUs conform to their surroundings in terms of zoning and design as well as local health and safety standards

Survey

Kirkland residents who were approved for an ADU permit within the last three years were sent a survey regarding their experience building an ADU. Of the 49 residents polled, 14 responded. Most respondents owned an ADU that was an addition to their primary home, and most stated that they chose to build an ADU to generate rental income. The average age of respondents was 55, and their approximate household income was \$120,000. Survey subjects identified design constraints as their biggest challenge.

Precedents

Several municipalities have implemented strategies to successfully increase the supply of ADUs. A creative mix of strategies that combine loosening municipal regulations, increasing public education, and providing public-private funding options will prove most effective to increase the supply of ADUs. Seattle and Olympia are the most recent West Coast cities to propose deregulation to allow homeowners more flexibility when constructing ADUs. The recent proposals follow successful zoning changes in Portland

and Vancouver, BC. The State of California similarly amended ADU regulations in 2017, reducing parking requirements and increasing size limitations. Cities such as Vancouver, BC, Santa Cruz, and Honolulu have increased public education through interactive websites and how-to-manuals. Finally, cities such as Portland, Vancouver, BC, and Honolulu have partnered with local lenders to allow homeowners to easily finance ADU construction.

Issues that Limit ADUs

Precedent studies show that multiple issues can hinder ADU development. The most common issues include the high private cost to construct an ADU, lack of ADU-specific financing options, high permitting fees, complex permitting processes, strict zoning regulations that exclude housing options that promote density, and poor public perception of ADU development.

Recommendations

The City of Kirkland will have to take a multi-faceted approach to increase the supply of ADU development. Kirkland should follow regional precedents to eliminate exclusionary regulations such as owner-occupancy requirements, off-street parking regulations, and size requirements dependent on FAR. Precedent cities that have eliminated these exclusionary zoning regulations increased ADU development without significantly impacting neighborhood character.

Simply reducing regulations may not encourage the private market to produce more accessory units. As a lack of ADUs is a regional problem, Kirkland should work alongside ARCH to expand financing options for Eastside cities that allow homeowners to easily finance construction of ADUs. Additionally, the City should improve the user-experience for those seeking to construct accessory units. Kirkland should create an ADU-specific website that not only provides user-education, but allows a homeowner to easily navigate the permitting and design process. Similarly, Kirkland should increase public education about ADU development, including information sessions, workshops, and ADU home tours to promote the units as neighborhood-compatible development.

Finally, the City of Kirkland should streamline the permitting process by implementing pre-approved design plans and encouraging new home construction to be ADU-ready. Kirkland should also consider allowing an amnesty period for unregistered ADUs in recently annexed areas.



Introduction

The City of Kirkland wishes to implement strategies to increase Accessory Dwelling Units (ADUs) as a low-impact infill housing option. As the Puget Sound region grows in population, development pressures have increased within the City of Kirkland, diminishing affordable housing options. Many middle and low-income Kirkland residents face housing insecurity as property taxes grow, and the path to home ownership becomes more onerous. Similarly, as the cost of housing grows, many aging residents have fewer opportunities to age in place. ADUs are a low cost and low impact strategy to increase housing diversity and supply within single family neighborhoods that increase density without significantly impacting a neighborhood's character.

In an effort to address the local element of the regional housing crisis, City Council identified increasing affordable housing options as one of its primary goals over the next year. As a first step, The Housing Strategy Advisory Group prepared the Housing Strategy Plan, which identifies promoting ADUs on single-family lots as a major opportunity to increase affordable housing options in the City of Kirkland.

In order to increase the supply of ADUs, the City of Kirkland must stimulate the private market to increase the secondary housing market. A number of West Coast cities act as precedents in terms of leveraging the secondary market. Precedent city studies indicate that when regulatory restrictions are reduced, the supply of ADUs often increases. To encourage the private market to increase the supply of affordable housing, the City of Kirkland must reduce zoning and permitting regulations, increase the availability of private financing options, and increase public education about the benefit of ADUs. With support from A Regional Coalition for Housing (ARCH), the City of Kirkland should consider implementing regional strategies that increase financing, provide online support, and encourage the implementation of pre-approved designs.

Background

The Puget Sound Region has experienced significant population growth over the last 20 years and will continue to grow over the next decade. According to the King County Comprehensive Plan, the population within King County increased by 25% since 1995, and is expected to grow another 12% by the year 2031. 95% of this development will occur in designated urban growth areas such as the City of Kirkland.¹ Due to unprecedented urban growth in the State of Washington, housing demand has outpaced supply, creating a tight housing market. However, income increases have not risen substantially to match rising rent and purchase price increases. As a result, there is a regional deficit of affordable housing for low to middle income residents.² The current housing crisis threatens the sustainability of our unique neighborhoods, displacing our low and middle income neighbors, including many who are elderly, families, and from diverse backgrounds.

According to national trends, and reflected by King County, the average household size is declining due to longer life spans and preferences for smaller family sizes. By 2035, there will be a higher percentage of people over the age of 65 who will live in one or two person households.³ National trends show that households headed by single persons will be the fastest growing housing segment, and 75% of households will not include children.⁴ As the baby-boomer generation ages, preferences for multi-family development will increase, along with desire for denser mixed-use development near healthcare facilities and other amenities.⁵ According to the American Association of Retired Persons, 90% of seniors would like the opportunity to age in place, and 80% would like to do so in their own residences.⁶

Younger generations prefer smaller family sizes and close proximity to urban areas. In 2030, those born between 1980 and 1999 will dominate the housing market. More than half of this population prefers housing on small lots near their workplace and shopping amenities than large lot single family homes in remote areas.⁷ As a major growth area, the City of Kirkland is expected to follow these

trends.⁸ Reflecting national averages, household size in the City of Kirkland was 2.15 in 2010 and is expected to decrease as the residential population ages.⁹ As regional industry continues to attract global talent, the City of Kirkland and the Puget Sound area can expect to see an increase in younger and ethnically diverse residents, who will prefer walkable neighborhoods with access to urban amenities.

Currently, there is a mismatch of housing types that support the growing elderly population, young families, and millennial couples. Middle income residents must often choose between renting small studio or one-bedroom apartments in busy urban areas or buying large single family homes in remote areas. Missing Middle Housing types such as cottage development, duplexes, row-houses, and ADUs diversify the housing stock, allowing middle income and small families more affordable options within desirable neighborhoods. The Missing Middle Housing movement gained traction in the City of Kirkland with the success of the innovative Danielson Cottage development in 2005, which demonstrated that affordable and compact development can be attractive and compatible with single family development.¹⁰

What are Accessory Dwelling Units?

ADUs are secondary housing structures located on single family lots that contain a separate entrance as well as separate kitchen and plumbing facilities from the primary residence. An ADU can be attached to the primary residence in the form of a basement or above garage apartment, or detached in the form of a freestanding backyard cottage.



Why Accessory Dwelling Units?

Increasing the supply and diversity of housing types for all incomes is the first step to maintaining resilient neighborhoods. The Housing Strategy Advisory Group identified ADUs as a unique housing opportunity that align with community goals of preserving neighborhood character, increasing housing affordability, and developing housing diversity.

ADUs are a form of low impact development that increase neighborhood density without significantly altering a neighborhood's unique character. ADUs increase the supply of affordable housing in desirable neighborhoods, which are often close to transit, schools, and other amenities. ADUs allow residents of single family neighborhoods the opportunity to gain rental income to support mortgage payments and other costs associated with homeownership. ADUs also allow elderly residents to age in place or remain near family members when the size or cost of their home becomes too great. Unique to Missing Middle Housing types, ADU development relies on the private market, and residential owners determine the supply of ADU development. Slow development of ADUs may indicate overregulation or other inefficiencies.



Example of an ADU in Kirkland above a detached garage

Current ADU Policy in the City of Kirkland

The City of Kirkland, among other growing Eastside cities, introduced ordinances that encouraged the development of ADUs in 1995 under provisions of the Washington State Growth Management Act. The local codes reflect state code and have not significantly changed despite accelerated growth in the region. ADUs are currently allowed in 53% of the city in areas zoned for single family residences, with some exceptions (ADUs are not permitted on small lots or designated historic lots, (KZC 22.28.042 and 22.28.048).



*ADU addition to primary unit. ADU entrance on right side of primary unit.
Note that the ADU blends into the primary unit.*

Kirkland, WA

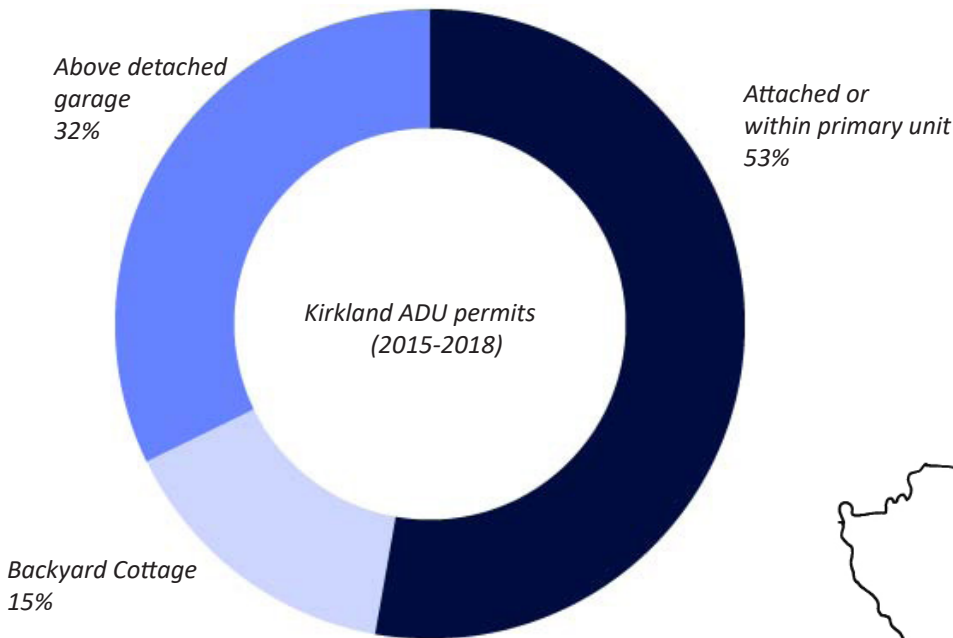


ADU above semi-detached garage.

Kirkland, WA

Current ADU Policy in the City of Kirkland

Currently, ADUs make up approximately 1% of single family homes in the City of Kirkland. The percentage is based on a 2014 study that numbers single family homes at 21,176,¹¹ and the 245 ADUs that have been permitted since 1995 based on data from Kirkland’s internal Energov site. Since 1995, 417 ADU permits have been applied for, yet only 245 completed the permitting process. Since 2015, 101 residents have applied for permits to construct ADUs, but only 49 have completed the permitting process. Most permitted ADUs are in the Norkirk and Market neighborhoods and are most commonly constructed within an existing home or above a detached garage. According to planners, most ADU permits are cancelled or not completed due to unanticipated construction costs, change of heart, and residents’ unwillingness to register their ADUs ‘on the books.’



	2015	2016	2017
Applied	21	23	37
Approved	14	11	17

Many who apply for ADUs in Kirkland do not finish the permitting process



Kirkland City Limits

Most ADUs are in the Market and Norkirk neighborhoods

The City of Kirkland requires that accessory structures meet health and safety codes to ensure that inhabitants have access to safe living quarters that include, sleeping, cooking, and sanitation facilities. While some rules ensure that ADUs complement their surrounding neighborhoods, some regulations are exclusionary and hinder further ADU development. ADU specifications are located in the Kirkland Zoning Code Chapter 115, *Miscellaneous Use Development and Performance Standards*.¹² The following regulations shape current ADU development.

- One ADU is permitted per primary residence.
- One of the units must be the property owner's residence.
- One off-street parking spot is required per ADU.
- ADU must not exceed 40% of the primary unit and the ADU combined or 800 square feet, whichever is less.
- ADU entrance has no location restrictions but must appear secondary to entry way of primary unit.
- ADU must not extend 15 feet above the primary residence nor exceed the maximum height allowed in the zone.
- No more than 5 unrelated people may inhabit the ADU and the primary residence combined.

Unlike other Eastside municipalities, Kirkland does not require impact development fees, and there is no additional fee for ADUs that are reviewed concurrently with a building permit for a new single family home. The permitting costs associated with an ADU is a one-time application fee of \$451, \$77 recording fee, inspection fees from the Planning and Building Department, and permitting fees from the Kirkland Fire Department and Public Works. Owners who choose to build an ADU within their existing home have significantly lower permitting fees than owners who choose to build a home addition or stand-alone cottage.

ADU Snapshot

ADDRESS: 12809 B NE 84th STREET
TYPE: ADDITION
SIZE: 800 SQ FT
YEAR COMPLETED: 2018
TOTAL CONSTRUCTION COST: \$120,000*
TOTAL FEES: \$5,137.02

*Cost based on Energov although survey response was higher at \$175,000



Lot contains primary unit and ADU addition

Fee	Cost
Building Permit	\$1,241.94
Plan Review	\$807.26
Energy Code	\$90.59
State Building Code Council Surcharge	\$4.50
MyBuildingPermit.com Intake Surcharge	\$28.25
MyBuildingPermit.com Surcharge	\$51.59
Planning Recording Fee	\$75
ADU application Fee	\$451
Surface Water CFC SF	\$508
Surface Water Basic Review	\$397
Public Works Recording Fee	\$78
Private Storm Inspection	\$458
Roof and Drive Drain Connection Inspection	\$674
Public Works MyBuildingPermit.com Surcharge	\$53.52
Fire Department Plan Review	\$141.37
TOTAL	\$5,137.02

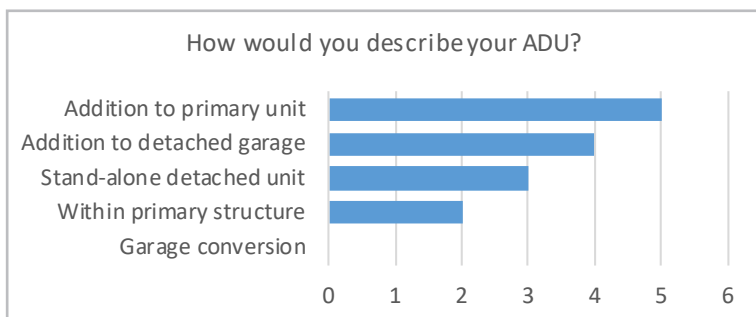
Survey

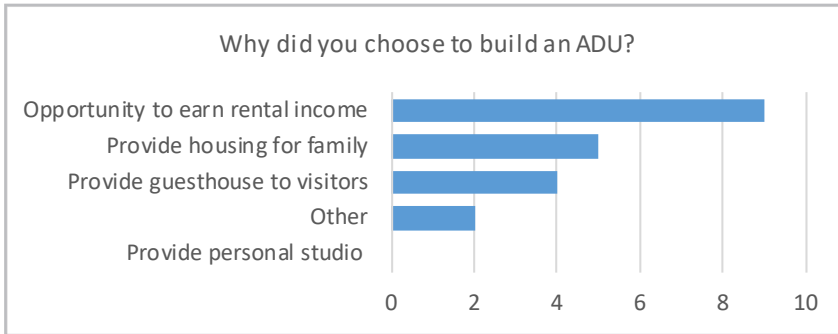
The intent of the survey was to not only identify how homeowners use their ADUs, but to also identify the common difficulties that Kirkland residents face when building an ADU. Survey questions were grouped under six categories: general information, use, occupancy, construction, demographics, and challenges. See Appendix for attached survey with answers. I surveyed households that had successfully completed the ADU permitting process from 2015 to the present time. I used Energov, Kirkland’s internal permit database, to identify 49 potential respondents, to whom I sent a written survey that could be completed within 10 minutes. The surveys were mailed on August 16, 2018. Users were requested to return surveys using a self-addressed paid envelope to the City of Kirkland’s planning department by September 1, 2018. Of the 49 surveys sent out, 11 were returned due to vacancy or wrong address, 14 were completed, and 25 were not returned. Due to the very small sample size, results should be considered anecdotal.

Survey Overview

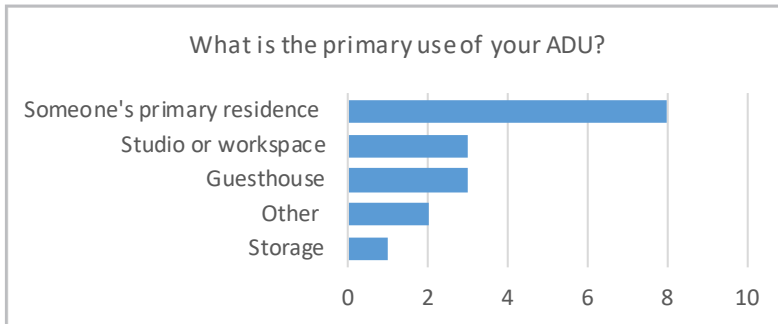
General

According to returned surveys, all survey respondents had a completed ADU. The most common ADU is an addition to the primary unit rather than stand-alone cottage or addition to a detached garage. Most respondents built their ADU as an opportunity to earn rental income.



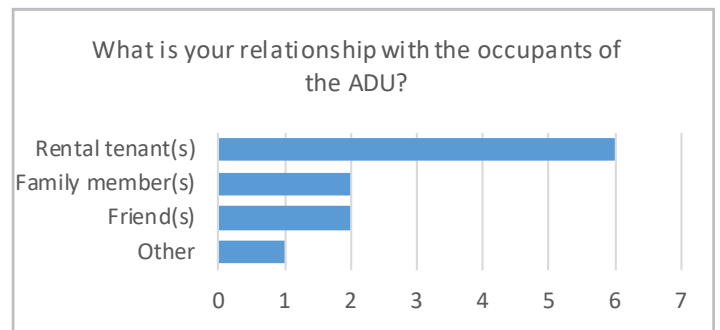
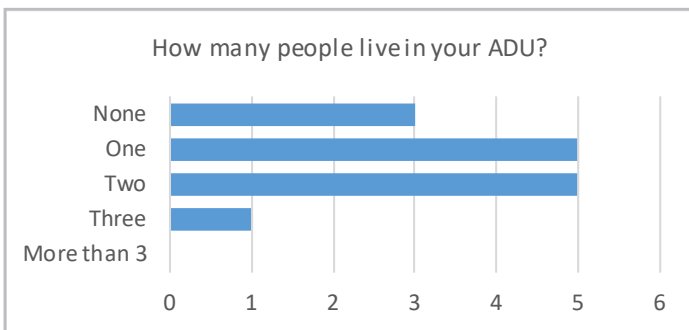


Use: According to returned surveys, most ADUs are used as somebody’s primary residence, with most survey respondents indicating that the use has not changed in the past, nor will the use change in the future.



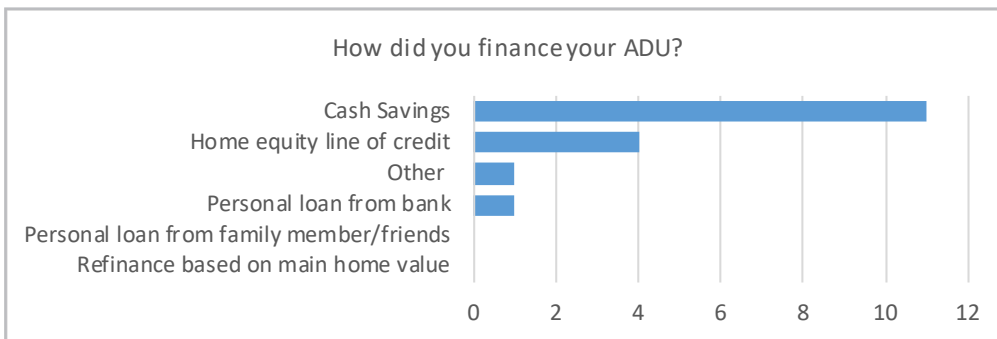
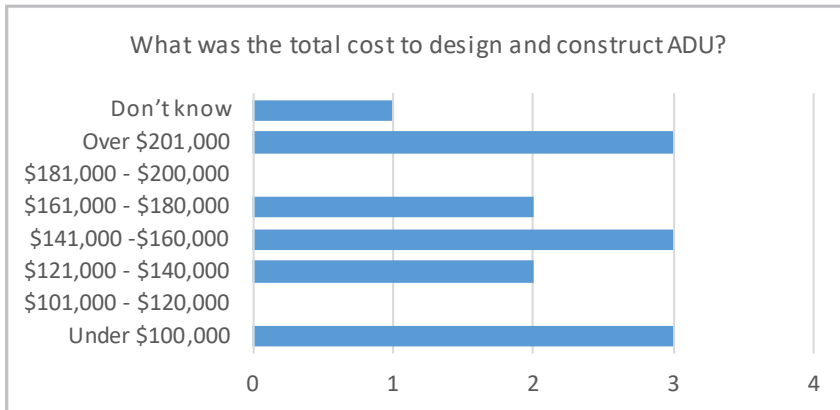
Occupancy

According to returned surveys of those whose ADU serves as a residential space, generally, only one occupant resides within the unit, and the most common type of occupant is a rental tenant. Most respondents charge over \$1,600 per month for rent. Most occupants owned one vehicle, which they parked in an off-street location such as a garage, parking strip, or driveway.



Construction

Most respondents used a paid architect to design their ADU, and a paid contractor to physically construct the ADU. The average cost of the construction of the ADU was approximately \$200,000, with the lowest cost at \$20,000 for a kitchenette addition and the highest cost at \$500,000 for a stand-alone backyard cottage. The average cost of permitting fees was approximately \$7,000, with \$800 as the lowest estimate and \$25,000 as the highest estimate. However, multiple respondents did not know the precise amount because the contractor included permit fees in the total cost. The average time it took to build the ADU from initial application date to construction completion was 13 months, with the most common timeframe between 12 months and 24 months. Most respondents used cash savings to finance the construction of their ADU.

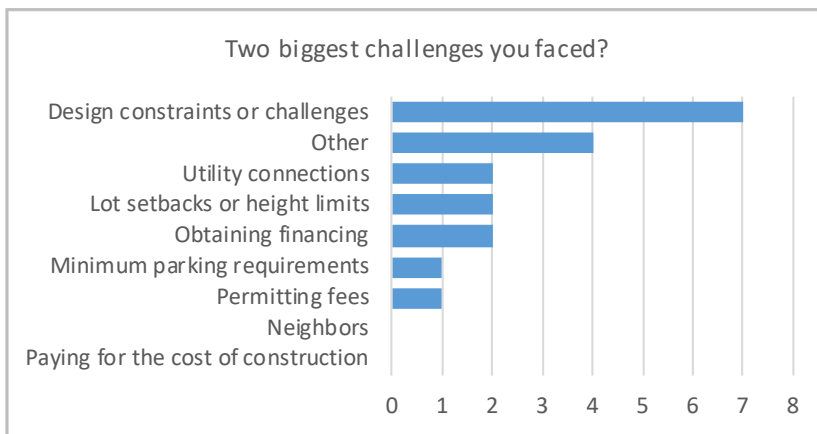


Demographics

Respondents were evenly spread throughout Kirkland neighborhoods. Most respondents were in their mid 50s, with the youngest being 33 and the oldest being 70. Most respondents lived in a two person household and had an approximate annual household income over \$120,000.

Challenges

The biggest obstacles identified by respondents were design constraints. Multiple respondents also selected “other,” and specified that permitting times and process, as well as lot coverage, and architect delay were major obstacles.



“We were pleased with our builder, his subcontractors, and Kirkland permit and inspection process.”

“High permit fees and too many hoops are daunting. My best recommendation is simplify!”

Survey Limitations

The sample size is small. Additionally, respondents reported inflated permitting fees and other costs associated with ADUs. As some respondents also built new homes along with ADUs, some costs associated with ADUs may be falsely correlated with permitting costs associated with construction of a single family home, such as impact fees.

Precedents for Increased ADU Development

Precedent studies demonstrate that there is not a simple solution to increase the supply of ADUs. The success of ADU development in some municipalities such as Vancouver, BC may reflect tightening market forces rather than deregulation. Similarly, Honolulu and Santa Cruz have had less than anticipated ADU development despite robust outreach materials and available funding options. The City of Kirkland should consider some strategies employed by other municipalities but recognize that simply decreasing regulations may not spur ADU development. A creative mix of strategies that combines loosening municipal regulations, increasing public education, and providing public-private funding options will prove most effective to increase the supply of ADUs. Below are brief descriptions of municipalities that have recently sought to increase the supply of ADUs. Each municipality listed has successfully increased its ADU supply, some more significantly than others. See Appendix for Comparison Chart for more detail of each city's zoning requirements.

Mercer Island

Mercer Island is considered a leader among Eastside cities in terms of ADU development. While the regulations are only slightly more relaxed than the City of Kirkland, the small city boasts ADUs in 3% of single family homes. The elevated rate of ADU development in Mercer Island may reflect higher than average ability to construct an ADU due to higher than average incomes. It may also reflect an entrenched cultural preference to age in place and high community knowledge of the benefit of ADUs.¹³

Seattle

The City of Seattle has proposed a list of updated policies and zoning regulations in hopes of increasing the supply of ADUs as infill development to combat rising

housing disparities. Proposals to spur the creation of ADUs faced resistance from a neighborhood group in 2016 and are now being evaluated in an Environmental Impact Statement (EIS); the EIS is currently undergoing public comment and will be finalized in September 2018. Seattle is poised to implement strategies similar to Portland and Vancouver, BC. Seattle has proposed introducing pre-approved designs that streamline the permitting process and mitigate construction costs.¹⁴ On the regulatory side, the City of Seattle is proposing to allow more than one ADU per lot, eliminating the off-street parking requirement, eliminating the owner-occupancy requirement, reducing minimum lot size requirements, expanding the maximum gross floor area and rear yard coverage, and increasing the maximum household size from 8 to 12.¹

Olympia

Olympia is attempting to increase ADU development as part of their goal of increasing Missing Middle Housing within their current infrastructure. Current amendments to the zoning code include eliminating the off-street parking requirement, eliminating the owner-occupancy requirement, removing size requirements related to FAR, and increasing height limits to 24 feet. Olympia is also considering allowing short-term rentals of ADUs in some areas.¹⁶

Portland

Many consider Portland, Oregon to be the leader in US ADU development. While the overall number of ADUs does not differ greatly from Seattle, the amount of permitted ADUs built between 2010 and 2016 rose from 86 to 615.¹⁷ The increase in ADU development in Portland can be attributed to several factors including the temporary elimination of impact fees between 2010 and 2016, which may have stimulated private interest in ADU construction. However, Portland also loosened regulations eliminating the off-street parking requirement and owner-occupancy requirements.¹⁸ Additionally, the City of Portland provides a financing guide to ADU construction in partnership with area credit unions and private banks.¹⁹ Finally, public perception is widely positive towards ADUs. Portland resident and ADU advocate, Kol Peterson, has actively sought to educate the public on the

benefits of ADUs through his website and recent book, *Backyard Revolution*. He also facilitates ADU tours to increase public awareness.²⁰

Vancouver, BC

Vancouver outstrips US cities in terms of ADU production. To combat the growing housing crisis, the City of Vancouver allowed homeowners to build detached ADUs in 2009. In 2016, 30,125 primary homes included an attached ADU, and in 2017 Vancouver had 3,317 permitted detached ADUs, approximately 35% of primary units include an accessory unit. Additionally, 58% of new construction of single family homes included an ADU in 2017.²¹ Regulations include the allowance of two ADUs per lot, one off-street parking space required for all units including the primary residence, and no owner-occupancy requirements. In addition, a total of 15 unrelated people can inhabit one lot.²² While the amount of ADU development in Vancouver may be attributed to soaring rental and home prices as well as overall lack of housing stock, there is no doubt that the City of Vancouver has prioritized ADU development to increase the supply of affordable rental units. Vancouver has produced a comprehensive how-to-guide for detached ADU development,²³ has very low permitting fees (under \$200), and has partnered with credit unions to generate creative financing options for homeowners who wish to build an ADU.²⁴

State of California

Santa Cruz is one of the earliest municipalities to encourage ADU development although their regulations remained fairly strict until the State of California amended ADU zoning restrictions in 2017. Santa Cruz continues to have high fees and large lot requirements, but spearheaded creative solutions to spur ADU development including a 2003 how-to manual for homeowners as well as technical assistance grants, pre-approved architectural plans, and a joint loan program between the City of Santa Cruz and a local credit union.²⁵ Recently, in an effort to stimulate ADU development, the municipal government of San Diego reduced permitting fees and created a grant program to mitigate public utility fees.²⁶ In 2017, the State of California amended ADU laws to reduce barriers to

promote ADU production statewide. State law reduced parking requirements; notably, the law does not require an off-street parking space if the ADU is within a half mile from public transit or within one block of a car share area.²⁷ The state also increased unit sizes to 1,200 square feet or 50% of the existing living area, whichever is greater.²⁸ State law also does not require owner-occupancy, but localities may choose to implement these restrictions as well as limits to short term rentals. Due to state law, municipalities such as Los Angeles are expected to significantly increase their supply of ADUs.²⁹

Honolulu

ADUs were legalized in Honolulu County in 2015, and the municipal government enacted a robust campaign to increase their production, including an attractive website that links users to an ADU handbook,³⁰ architectural planning materials,³¹ financial programs,³² and a list of contractors who specialize in ADU construction. Many of the ADU contractors navigate the permitting process, provide standard or pre-fabricated designs, and property management services.³³ Due to the excellent promotion of ADUs by the municipal government, 2,000 Oahu residents applied for a permit to construct an ADU. However, only 67 units were built between 2015 and 2017.³⁴ The low production of ADUs may signify that regulations are restrictive, including owner occupancy requirements with covenants, separate designation for family-only units, and maximum unit sizes of 400 square feet in lots less than 5,000 square feet. In addition, over 25% of permits are rejected due to insufficient infrastructure including inadequate sewer capacity and rural roads.³⁵

Issues that Limit the Supply of ADUs

The precedents show that increasing ADU production depends on multiple factors. Communities such as Vancouver that boast the highest ADU development may attribute their success to rising housing costs and lack of affordable housing. Vancouver residents view ADUs as viable method to remain in their neighborhoods as many of their neighbors can no longer afford the mounting costs of owning a home.

The high cost of constructing ADUs, which Seattle architects argue ranges upwards from \$100,000 to \$300,000,³⁶ (around \$350 per square foot for new construction), many homeowners from constructing an ADU, especially when ADU-specific financing options do not exist. Homeowners in municipalities such as Mercer Island, where the median income is significantly higher than the surrounding area, may be able to finance ADUs without loans or other assistance. Municipalities such as Portland, Vancouver, Santa Cruz, and Honolulu have partnered with credit unions to provide homeowners with ADU-specific loans that often take future rental income into account when issuing a loan to construct an ADU. Similarly, Seattle, Santa Cruz, and Honolulu have pursued partnerships with architects to implement pre-approved designs that enable homeowners to build an ADU with significantly lower construction and permitting costs.

Municipalities have also eliminated or significantly reduced impact fees. When Portland eliminated its System Development Charge, ADU construction increased considerably.³⁷ San Diego has also taken steps to reduce or eliminate public utility impact fees. However, many municipalities do not include impact fees. Kirkland, despite low permitting fees and no impact fees, has not seen a significant increase in ADU production.

Relaxing zoning regulations is the easiest and most cost effective strategy to increase ADU production. Vancouver and Portland have increased ADU supply

in part by considerably reducing barriers to construction. Similarly, Seattle and Olympia have both proposed amendments to current code to decrease regulatory hurdles to ADU production. While most ADU regulations appear to protect the safety of residents and the character of the neighborhood, they are often exclusionary. Exclusionary zoning discriminates against renters and small homeowners. Such zoning practices damage a neighborhood's resilience, eliminating the possibility of increasing density and other uses. Low-density single family neighborhoods that do not adapt to changing preferences may fail to thrive in the coming decades as aging baby boomers, home-buying millennials, and ethnic minorities seek dense and diverse neighborhoods. Examples of exclusionary zoning that apply to ADUs are size requirements that depend on FAR, large lot restrictions, owner-occupancy requirements, and provision of off-street parking.

Poor marketing and public education will also hinder ADU development. Private homeowners must often act as a first time contractor when deciding to build an ADU. The time consuming and technical process is often too onerous for some homeowners. Most ADU developers will have to navigate not only the construction of the ADU but the permitting process as well. The overwhelming process often discourages many homeowners who are considering constructing an ADU on their properties. Honolulu County has done an excellent job of promoting ADUs through their website. The success of the website led to a great interest in ADUs production. Also, many residents do not understand the benefits of ADU development and may fear that ADUs may lead to increased crime, problems associated with short-term rentals, and decreased street parking. Poor public perception of ADUs in the City of Seattle stalled ADU production, forcing the City of Seattle to conduct a comprehensive EIS.

Recommendations

The current ADU policy in the City of Kirkland reflects 1993 Washington State regulations that were implemented locally in 1995. As the region has grown significantly over the last 30 years, and rental and purchase housing prices have skyrocketed, Kirkland should update its ADU regulations to reflect regional precedents. Cities such as Seattle and Olympia have proposed updates to their ADU codes as an effort to increase the supply of affordable housing. However, simply reducing regulations may not encourage the private sector to construct more ADUs. The City of Kirkland must take a multi-faceted approach that includes not only decreasing exclusionary regulations, but working with other Eastside municipalities to expand financing options, improving educational materials, and streamlining the permitting process.

1) Decrease exclusionary regulations

a. Remove requirement that property owner must live on site.

Requiring an owner to live on site acts to alleviate fears about property speculation and to prevent negligent renters who may not maintain the property.³⁸ However, owner-occupancy requirements are not required for single-family residences. Thus, homeowners without ADUs can rent their properties or allow family members to inhabit the property if they travel for an extended period of time or even move. Owner occupancy requirements for ADUs force owners to sell the property if they plan to move or relocate for an extended amount of time. The City of Olympia is proposing to remove this requirement because it is difficult to enforce, and it allows homeowners more flexibility to construct ADUs.³⁹ The City of Kirkland should consider if the exclusionary regulation should be discontinued. Alternatively, as a more conservative option, eliminate owner occupancy requirements in specific overlay zones.

b. Remove off-street parking requirement.

The City of Kirkland requires one off-street parking spot for ADUs in addition to two off-street parking spaces for single family homes. The City of Kirkland also requires that maximum lot coverage, including driveways and garages, include no more than 50% of the lot, which constrains whether an owner can legally construct both an ADU and a required parking space on their lot. In the City of Seattle's Draft EIS, authors conclude that "ADU production would not have an adverse impact on the availability of on-street parking under any alternative."⁴⁰ The State of Oregon's 2014 Department of Environmental Quality Survey determined that ADUs impact on street parking was negligible, citing that only 2% of primary homes included an ADU, with 0.46 cars per ADU.⁴¹ In Vancouver, where off-street parking was eliminated for ADUs, the impact on residential streets has also been insignificant.⁴² The State of California ADU law does not require a parking space for an ADU if it is located within a half-mile of transit or car share location. The City of Kirkland should consider eliminating off-street parking requirements in all areas. Alternatively, as a more conservative option, Kirkland should consider eliminating off-street parking requirements in areas that are a half-mile from transit hubs.

c. Remove size requirements dependent on FAR

Size requirements dependent on FAR discriminate against residents who own small homes and want to construct an ADU. Olympia has proposed removing size requirements dependent on the size of the primary residence.⁴³ The City of Kirkland should eliminate size requirements based on FAR, allowing small homeowners to have more flexibility to build accessory units. Kirkland should consider limiting ADU size to 1,000 square feet, no matter the square footage of the primary unit. Based on the national average, the median new home is over 2,400 square feet,⁴⁴ ensuring that most ADUs will continue to appear secondary. Alternatively, as a more conservative choice, eliminate size restrictions based on FAR and retain regulations that cap unit size at 800 square feet.

2) Work with ARCH to expand financing options for Eastside

ADUs are expensive to build and ADU specific loans within Washington State do not exist. Homeowners who do not have access to liquid capital cannot finance an ADU project. Portland, Santa Cruz, and Honolulu have partnered with local credit unions to sponsor ADU-specific loans. The City of Kirkland should work with ARCH to identify financing options that are applicable to all ARCH cities. ARCH should build relationships with the Eastside lending community to provide loan services that take future rental income generated by ADUs into account. ARCH in conjunction with King County should explore eliminating increased property tax generated from the addition of the ADU if it is used for housing. Additionally, Kirkland should pursue extending affordable housing benefits such as property tax exemptions from multi-family apartment owners (KZC 112.20.6) to private homeowners if they provide an ADU rental unit to residents whose median income is 80% or less than the King County average income.

3) Improve user-experience

a. Provide technical assistance and create a Kirkland specific ADU Handbook

Building an ADU is a daunting task for most homeowners. Municipalities such as Santa Cruz, Vancouver, San Diego, and Honolulu have excellent websites that provide users with step-by-step checklists, links to contractors and architects who specialize in ADU construction, and access to technical assistance handbooks. The City of Kirkland should develop an attractive and easy-to-use ADU website linked through its main page that includes FAQs, the existing ADU checklist, embedded videos, code requirements, and a direct link to the ARCH website. Additionally, ARCH should strive to improve its ADU website by providing links to local architects and contractors who specialize in ADU

production, as well as available financing options. The City of Kirkland should create its own stand-alone handbook that includes design guidelines, information about the permitting and construction process, and outside resources. Additionally, both the website and handbook should include information about being a first-time landlord as well as templates for rental agreements and contracts.

b. Increase public education

Kirkland residents may not know how to get started building an ADU or whether an ADU is right for their family's needs. The City of Kirkland should consider hosting information sessions and workshops with local architects and contractors to walk homeowners through the ADU permitting and construction process. Information sessions could also serve to dispel fears about the perceived negative impacts of ADUs. Additionally, consider setting up an ADU open house or ADU tour hosted by volunteer homeowners who successfully constructed ADUs.

4) Streamline permitting process

a. Explore pre-approved designs

The City of Seattle is currently exploring implementing a set of pre-approved architectural design plans that would ease the permitting and construction process. The City of Kirkland should consider implementing a similar policy that would streamline a homeowners' experience and create more cost efficient options over time. Architectural design plans could be adapted from precedent cities such as Santa Cruz and Seattle, when designs become available. Alternatively, the City of Kirkland should hire architects to design a set of plans, which would be available on the Kirkland webpage for low or no cost. Other options include hosting a design competition and creating a database of existing design plans that homeowners could purchase along with private architectural services.

b. Consider providing incentives to homebuilders who include ADUs

Homeowners often opt for new construction and significant remodels of their single-family homes. The City of Kirkland should consider providing incentives in the form of decreased permitting costs for new construction if a homeowner builds an ADU structure on his or her property. The homeowner would need to ensure that the structure meets the requirements to be ADU ready, but would not be required to rent or use the property as a dwelling unit. The addition of the ADU will allow future homeowners the opportunity to easily convert the space into housing, if they desire. Alternatively, the City of Kirkland could consider providing incentives for homeowners who build new construction or significantly remodel their structure to ensure that the site is ADU-ready in terms of utilities and other city requirements. Homeowners will be able to build an ADU unit at a future date with decreased costs and a streamlined permitting process.

c. Implement an amnesty program for ADUs within recently annexed neighborhoods.

In 1995, Kirkland legalized ADUs and allowed existing ADUs to become permitted if they underwent a building inspection and conformed to zoning requirements. The City of Kirkland waived inspection fees for one year, and allowed amnesty to owners of pre-existing ADUs if owners could satisfy codified requirements. In 2011, the City of Kirkland annexed Finn Hill, North Juanita, and Kingsgate. The City of Kirkland should allow all ADUs permitted and registered by King County prior to the annexation to register without an inspection in the City of Kirkland, and the City should waive the \$77 recording fee. Additionally, Kirkland should implement a one-year amnesty program for preexisting ADUs in recently annexed areas, waiving inspection fees for one-year. Finally, if the preexisting ADUs meet life safety standards of the building and fire codes, the City should be flexible in its adherence to size and height restrictions.

Conclusion

Kirkland City Council identified increasing affordable housing options as one of its primary goals. Accessory Dwelling Units are a low-impact development strategy that increase housing affordability and diversity while maintaining the residential character of Kirkland's most desirable neighborhoods. To encourage the private market to increase the supply of ADUs, the City of Kirkland must reduce zoning and permitting regulations, increase financing options, and increase public education. This report examines the current regulatory framework of Kirkland in comparison to precedent cities that have successfully increased their supply of ADUs. In addition, this report identifies challenges that many Kirkland residents face when building an ADU as well as common issues that hinder ADU development overall. The recommendations presented here will enable the City of Kirkland to act as model for future ADU development in the Eastside as well as the Puget Sound region.



Portland ADU by Rainow Valley Construction. Sourced by Sightline Institute.

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CITY OF KIRKLAND
 PLANNING AND BUILDING DEPARTMENT
 123 5TH AVENUE, KIRKLAND, WA 98033
 425.587.3600 - www.kirklandwa.gov

The City of Kirkland is currently examining current policy regarding **Accessory Dwelling Units**. As a recent permit applicant, we'd very much appreciate your input to help make our Accessory Dwelling Unit rules better.

We are contacting you because you applied for an Accessory Dwelling Unit in the last three years.

The results of the survey will be anonymous, unless you choose to include additional contact information for follow-up opportunities. This survey should take less than 10 minutes to complete, and we'd like your response by **September 1, 2018**, if possible. Please use the addressed, stamped envelope (enclosed) to mail back your response.

GENERAL

- 1) Is your Accessory Dwelling Unit completed or under construction? If currently under construction or incomplete, skip to question 15.

14 Completed Under construction Incomplete

- 2) How would you best describe your Accessory Dwelling Unit?

Within the primary structure Addition to the primary unit

Stand-alone detached unit **4** Addition to a detached garage

Garage conversion Other: _____

- 3) Why did you choose to build an Accessory Dwelling Unit? **Many checked more than 1 option**

Opportunity to earn rental income Provide guesthouse to visitors

Provide housing for family Provide a personal studio or workspace

Other:

(Comments): We wanted the flexibility and we thought it would be a good investment.

To live in and rent house

- 4) What year was your primary home built?

1942

1949

1955

1960
1961
1970
1973
1998
2003
2010
2016 II
2017
2018

5) What year did you build the Accessory Dwelling Unit?

2010 II

2016 IIIII II

2017 II

2018 III

6) Approximately how many square feet is your Accessory Dwelling Unit?

Under 400 400 - 500 500 - 600

600 - 700 700 - 800 Above 800

USE

7) What is the primary use of your Accessory Dwelling Unit? **Many checked more than one option**

Someone's primary residence Guesthouse

Storage Studio or workspace

Other: **Air bnb, owner to live in**

8) In the past, how have you used your Accessory Dwelling Unit? **Many checked more than one option**

Someone's primary residence Guesthouse

Storage Studio or workspace

Other: **vacant land II, new building no past history, ADU was primary home 2010-2018 – new home built 2017. N/A**

9) In the future, how do you plan to use your Accessory Dwelling Unit?

Someone's primary residence

Guesthouse

- [1] Storage [3] Studio or workspace
 [2] Other: *Any of the above depending on the circumstance. Owner to live in*

OCCUPANCY (Answer only if your Accessory Dwelling Unit has occupants)

10) How many people currently live in your Accessory Dwelling Unit?

- [3] None [5] 1 [5] 2 [1] 3 [] More than 3

11) What is your relationship with the occupants of the Accessory Dwelling Unit?

N/A: 3

- [6] Rental tenant(s) [2] Family member(s)
 [2] Friend(s) [1] Other: *Self and spouse*

If family member(s), what is their relation? *Mom, son*

12) How much do you charge for monthly rent? *N/A: 4*

13)

- [2] I do not charge rent [] Under \$600 [] \$600 - \$800
 [] \$800 - \$1000 [] \$1000 - \$1200 [] \$1200 - \$1400
 [] \$1400 - \$1600 [4] \$1600 - \$1800 [4] Over \$1800

14) In total, how many vehicles do the current occupant(s) own? *N/A: 3*

- [] None [7] 1 [4] 2 [] 3 [] More than 3 [] Don't know

15) Where do the current occupant(s) park their vehicles? *N/A: 3*

- [2] On the street [10] Off the street (garage, parking strip, driveway)
 [] Don't know [] Other: _____

CONSTRUCTION

16) Who designed the Accessory Dwelling Unit? (*check all that apply*) *Many checked more than one option*

- [4] A paid contractor [9] Paid architect or designer [] Friend or relative

Myself Other: _____

17) Who did the physical construction of the Accessory Dwelling Unit? (*check all that apply*)

A paid contractor Friend or relative

Myself Other _____

18) What was the total cost to design and construct the Accessory Dwelling Unit? (include costs for design, labor, materials) Your best estimate is fine. \$

Don't know (previous owner built it)

20,000 for kitchenette (this is a converted basement/lower level of our house)

30,000

40,000 (within primary structure)

125,000

135,000

150,000 III

170,000

175,000

400,000 II

500,000

19) What was the total cost of permitting fees? Your best estimate is fine.

Don't know b/c contractor handled III

Don't know (previous owner built it)

500

800

1,000

2,000

5,000

6,500

7,000

10,000

25,000

20) How long did it take from the time you applied for a permit until the Accessory Dwelling Unit was built?

Don't know (previous owner built it)

3-4 months

4 months

6 months

8 months II

9 months

12 months III

15 months

24+ months III

21) How did you finance your Accessory Dwelling Unit? **Some answered more than one**

- [11] Cash savings
- [4] Home equity line of credit
- [] Refinance and cash out option based on main home value
- [] Personal Loan from family member(s) or friends
- [1] Personal Loan from bank
- [1] Other: **Don't know (previous owner built it)**

DEMOGRAPHICS

22) What neighborhood do you live in? **Lakeview**

- East of Market**
- West of Market**
- Moss Bay**
- Norkirk**
- Juanita**
- North Juanita**
- Highlands II**
- Rose Hill**
- North Rose Hill**
- South Rose Hill**
- Bridle Trails**
- Woodgate**

23) What is your age?

- No answer**
- 33**
- 48**
- 50+**
- 52 II**
- 55 II**
- 56**
- 58 III**
- 66**

70

24) How many people make up the household of the primary unit?

- 2 IIIII I
 3 IIIII
 5
 7

25) What is your approximate household annual income? Your best estimate is fine.

- | | | |
|---|---|--|
| <input type="checkbox"/> \$0 - \$19,999 | <input type="checkbox"/> \$20,000 - \$29,000 | <input type="checkbox"/> \$30,000 - \$39,000 |
| <input type="checkbox"/> \$40,000 - \$49,000 | <input type="checkbox"/> \$50,000 - \$59,000 | <input type="checkbox"/> \$60,000 - \$69,000 |
| <input checked="" type="checkbox"/> \$70,000 - \$79,000 | <input checked="" type="checkbox"/> \$80,000 - \$89,000 | <input type="checkbox"/> \$90,000 - \$99,000 |
| <input checked="" type="checkbox"/> \$100,000 - \$109,999 | <input checked="" type="checkbox"/> \$110,000 - \$119,000 | <input checked="" type="checkbox"/> Over \$120,000 |
| <input checked="" type="checkbox"/> Prefer not to answer | | |

CHALLENGES

22) What were the two biggest challenges you faced in building your Accessory Dwelling Unit?

(Check up to two)

- | | |
|---|--|
| <input checked="" type="checkbox"/> Obtaining financing | <input type="checkbox"/> Paying for the cost of construction |
| <input checked="" type="checkbox"/> Permitting Fees | <input checked="" type="checkbox"/> Utility connections |
| <input checked="" type="checkbox"/> Minimum parking requirements | <input checked="" type="checkbox"/> Design constraints or challenges |
| <input checked="" type="checkbox"/> Lot setbacks or height limits | <input type="checkbox"/> Neighbors |
| <input checked="" type="checkbox"/> Other: Architect delay, | |

permitting times

lot coverage

I had no challenges II

Permitting process

23) Would you like to describe any specific challenges you faced when building your Accessory Dwelling Unit? Unreasonable building restrictions on %, entry, etc.

None

24) Anything you would like to add? We're interested in how Kirkland might change its policies and regulations to make it easier for people to build Accessory Dwelling Units.

1) Housing is highly constrained in Kirkland and ADU flexibility is critical to sustaining growth and commerce. Basements should qualify for ADU in addition to separate dwelling (existing ADU) provided parking is available. Lot coverage is not an issue with existing basements.

2) We were pleased with our builder, his subcontractors, and Kirkland permit and inspection process.

3) I almost did not convert to an ADU status. When I initially talked to the city, the bar was higher and I decided not to do an ADU. When I returned a year later, the standards had been adopted to match the City of Seattle and the staff encouraged me to do an ADU along with the kitchenette permits. They were very helpful. High permit fees and too many hoops are daunting. My best recommendation is simplify!

4) 25K is quite a lot for permits – reduce?

5) I think its great how helpful the city was in helping me obtain all the correct permits and Tim Dunnigan was very patient with me since I was an owner/builder, he made sure I did everything to code and design build.

6) I do not believe the city should restrict an ADU to 800sf on a 35,000sf lot !! I actually had to reduce an existing structure from 1700sf to 800sf

Thank you for your time, your input will be used to improve future policies.

If you would like to be interviewed about your experience, please check here [] and provide your phone number and/or email: _____

If you would like a photograph of your Accessory Dwelling Unit to appear within city publications, please check here [] and provide the address of your Accessory Dwelling Unit: _____

If you have any questions regarding this survey please contact Rose Haas, Planning Intern at City of Kirkland, (425) 587-3642 or email rhaas@kirklandwa.gov.

Red text indicates proposed code change	Kirkland	Mercer Island	Seattle	Olympia	Portland	Vancouver, BC	State of CA: Santa Cruz	State of CA: San Diego	Honolulu
Number of ADUs allowed per lot	1	1	1 2	1	1	2	1	1	1
Off-street parking for ADU	1	Based on combined FAR	1 Unless lot is in an Urban Village None	1 None	No	1 total required for all units on lot Must be permeable surface ADU: Must have 1 paved space (does this still apply?)	ADU: No DADU: 1 2 if unit has 2 bedrooms. Not required if lot is located 0.5miles from public transit, lot is located in historic district, within one block of car share station Tandem parking allowed	1 Not required if lot is located 0.5miles from public transit, lot is located in historic district, within 1 block of a car share/bike share station, or it is <500sq ft Tandem parking allowed	1 Not required if lot is located 0.5 miles of a rail station.
Owner-occupancy required	Yes Either unit	Yes Owner or Immediate family member in either unit 6mo/yr	Yes Either unit 6mo/year No	Yes No	No	No	Yes Property owner or adult immediate family member must occupy either unit	Yes Either unit	Yes Property owner or family member must live on Property as long as one of the units is occupied. Exceptions for 'unforeseen circumstances.'
Maximum Square Footage (sq ft)	800	900	ADU: 1000 DADU: 800 ADU/DADU: 1000	800	800	DADU: 900	1200	1200	400 If lot is 3,500 – 4,999 sq ft 800 If lot is over 5,000 sq ft
Unit Size	40% Of primary unit and ADU areas combined	80% Of primary unit ONLY	40% Of rear yard 60% Of rear yard (if less than 15' tall)	40% Of primary unit and ADU areas combined No size requirement based on primary unit	75% Of primary unit and ADUs areas combined. Excluding garage, basement, and low ceiling height	DADU: Site must be at least 32.5' wide and 32' inward from the rear of the property (variance allowed 24' wide/ 26'inward from rear if 1.5 level)	10% Of net lot area ADU: 50% of primary unit 30% of rear yard	50% of primary unit	50% of zoning lot.

Red text indicates proposed code change	Kirkland	Mercer Island	Seattle	Olympia	Portland	Vancouver, BC	State of CA: Santa Cruz	State if CA: San Diego	Honolulu
Maximum height (ft)	15 Above primary unit or max allowed in zone	no higher than primary unit	15-23 Proportional to lot width	16	15-20 Depending on setbacks	1 story: 12-15 1.5 story: 18-20	15-22	ADU: 21-30 DADU: 15-17	25-30
			1-3 ft higher Proportional to lot width or addition of green roof.	24					
Design Standards	None	Yes with existing façade, roof pitch, siding, windows of primary unit Conform to primary unit setbacks	None	Yes Design Review required. Consistent with primary dwelling unit – windows, roof pitch, building materials, color Must be 5’ from any interior side property, 10’ from flanking street yard. 10’ from rear property line, unless abutting an alleyway	Yes Windows, roof pitch, trim, finishes must match primary house if primary unit >15ft in height or in historic district 40 ft setback from lot line	Yes DADU: “allow for full range of architectural approaches and building forms” -size of upper floor 60% of lower floor to reduce scale and massing -Site must have access to open lane -16 ft separation between ADU and primary residence to ensure open space to provide for green space. -Must preserve existing trees -must have canopy over main entry	Yes Consistent with primary dwelling unit- materials, windows, trim, roof Setbacks consistent with primary dwelling unit	Yes Consistent with primary unit – color, windows, roof pitch, massing Tree must exist in front yard or abutting parkway	Minimal Front yard must be 10’ and side/rear yards must be 5.’
Location of entry-way can be street-facing if primary entrance in also street-facing	Yes Must appear secondary	No	No Only one entrance may be located on each street-facing facade	No	ADU: No, unless balcony DADU: Yes	ADU: No DADU: Location of entry way should be on the alleyway	Yes Entrance of ADU shall face interior of lot unless is it accessible from an alley, public street, scenic trail	No	Not addressed

Red text indicates proposed code change	Kirkland	Mercer Island	Seattle	Olympia	Portland	Vancouver, BC	State of CA: Santa Cruz	State of CA: San Diego	Honolulu
Safety	Walls and floors must have one hour fire separation unless sprinklers installed			Must have fire sprinklers. Must have well-lit paved sidewalk to building entryway		DADU: Must have fire access (3ft path) connecting to primary street		Fire sprinklers if required in primary unit.	
Maximum household size unrelated (any number of related people) in ADU and primary unit combined	5	6	8 12	6 Excluding servants	5	15	Not addressed	Not addressed	Not addressed
Home Occupation allowed in ADU	Yes	Yes	Yes	Yes	Yes Only if primary unit is not a home occupation site in which 1 or more people travel to the site (counseling, tutoring)	Yes	Yes	Yes With some restrictions	Yes

CURRENT ADU POLICIES in Precedent Cities

Red text indicates proposed code change	Kirkland	Mercer Island	Seattle	Olympia	Portland	Issaquah	Vancouver, BC	State of CA: Santa Cruz	State of CA: San Diego	Honolulu
Number of ADUs allowed per lot	1	1	1 2 (one ADU and one DADU), if owned by the same person or persons for 12 months prior to permit application.	1	1	1	2	1	1	1
Off-street parking for ADU	1	Based on combined FAR	1 Unless lot is in an Urban Village, or circumstances make it impossible None	1 Only if there are not 2 parking stalls already on property	No	1 Tandem parking allowed	1 total required for all units on lot Must be permeable surface ADU: Must have 1 paved space (does this still apply?)	ADU: No DADU: 1 2 if unit has 2 bedrooms. Not required if lot is located 0.5miles from public transit, lot is located in historic district, within one block of car share station Tandem parking allowed	1 Not required if lot is located 0.5miles from public transit, lot is located in historic district, within 1 block of a car share/bike share station, or it is <500sq ft Tandem parking allowed	1 Not required if lot is located 0.5 miles of a rail station.

CURRENT ADU POLICIES in Precedent Cities

Owner-occupancy required	Yes Either unit	Yes Owner or Immediate family member in either unit 6mo/yr	Yes Either unit 6mo/year, may waive requirement for 3 years if good cause can be shown to director	No	No	Yes Owner or Immediate family member in either unit More than 6mo/yr	No	Yes Property owner or adult immediate family member must occupy either unit	Yes Either unit	Yes Property owner or family member must live on Property as long as occupied of the units is occupied. Exceptions for 'unforeseen circumstances.'
Maximum Square Footage (sq ft)	800	900	ADU: 1000 in SF 650 in rowhouse DADU: 800 in SF, 650 in lowrise zone	800 No limit on size of adu contained within a sf home, if the dwelling is not expanded	800	1000 Not gross area	DADU: 900	1200	1200	400 If lot is 3,500 – 4,999 sq ft 800 If lot is over 5,000 sq
Unit Size	40% Of primary unit and ADU areas combined	80% Of primary unit ONLY	40% Of rear yard	No size requirement based on primary unit	75% Of primary unit and ADUs areas combined. Excluding garage, basement, and low ceiling height	None	DADU: Site must be at least 32.5' wide and 32' inward from the rear of the property (variance allowed 24' wide/ 26'inward from rear if 1.5 level)	10% Of net lot area ADU: 50% of primary unit 30% of rear yard	50% of primary unit	50% of zoning lot.
Red text indicates proposed code change	Kirkland	Mercer Island	Seattle	Olympia	Portland	Issaquah	Vancouver, BC	State of CA: Santa Cruz	State if CA: San Diego	Honolulu
Maximum height (ft)	15 Above primary unit or max allowed in zone	no higher than primary unit	15-23 Proportional to lot width	24	15-20 Depending on setbacks	No separate criteria	1 story: 12-15 1.5 story: 18-20	15-22	ADU: 21-30 DADU: 15-17	25-30
Design Standards	None	Yes with existing façade, roof pitch, siding,	None	Yes Design Review required.	Yes Windows, roof pitch, trim, finishes must	shall be designed to conform with	Yes DADU: "allow for full range of	Yes Consistent with primary dwelling	Yes Consistent with primary unit –	Minimal Front yard must be 10' and side/rear yards must be 5.'

CURRENT ADU POLICIES in Precedent Cities

		windows of primary unit Conform to primary unit setbacks		Consistent with primary dwelling unit – windows, roof pitch, building materials, color Must be 5' from any interior side property, 10' from flanking street yard. 10' from rear property line, unless abutting an alleyway	match primary house if primary unit >15ft in height or in historic district 40 ft setback from lot line	all applicable development standards	architectural approaches and building forms” -size of upper floor 60% of lower floor to reduce scale and massing -Site must have access to open lane -16 ft separation between ADU and primary residence to ensure open space to provide for green space. -Must preserve existing trees -must have canopy over main entry	unit- materials, windows, trim, roof Setbacks consistent with primary dwelling unit	color, windows, roof pitch, massing Tree must exist in front yard or abutting parkway	
Location of entry-way can be street-facing if primary entrance in also street-facing	Yes Must appear secondary	No	No Only one entrance may be located on each street-facing facade	No	ADU: No, unless balcony DADU: Yes	Yes Must be screened from frim the street or the visual impact mitigated	ADU: No DADU: Location of entry way should be on the alleyway	Yes Entrance of ADU shall face interior of lot unless is it accessible from an alley, public street, scenic trail	No	Not addressed
Red text indicates proposed code change	Kirkland	Mercer Island	Seattle	Olympia	Portland	Issaquah	Vancouver, BC	State of CA: Santa Cruz	State of CA: San Diego	Honolulu
Safety	Walls and floors must have one hour fire separation unless sprinklers installed			Must have fire sprinklers. Must have well-lit paved sidewalk to building entryway			DADU: Must have fire access (3ft path) connecting to primary street		Fire sprinklers if required in primary unit.	
Maximum household size unrelated (any number of related people) in ADU and primary unit combined	5	6	8 12, If approved for 2 ADUs.	6 Excluding servants	5	Not addressed	15	Not addressed	Not addressed	Not addressed

CURRENT ADU POLICIES in Precedent Cities

<p>Home Occupation allowed in ADU</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes Only if primary unit is not a home occupation site in which 1 or more people travel to the site (counseling, tutoring)</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes With some restrictions</p>	<p>Yes</p>
<p>Floor Area Ratio – applies to ADU</p>		<p>Yes</p>	<p>ADUs exempt from FAR limits.</p>							

ACCESSORY DWELLING UNITS (ADUs) PROPOSED AMENDMENTS – KZC AND KMC

TOPIC	KIRKLAND CURRENT STANDARD	POTENTIAL AMENDMENTS TO KZC/KMC	BOLDER OPTION	SOURCE OF AMENDMENT/ POLICY SUPPORT	STAFF COMMENTS	PC DIRECTION FOR FUTURE STUDY 6/13/19
Floor Area Ratio (FAR) and size restrictions for <i>detached</i> ADUs (DADUs).	<p>Square footage of detached ADU must be \leq 800 s.f. of gross floor area or 40% of ADU and primary residence combined.ⁱ</p> <p>DADU: When located more than 20' from and behind the main structure, the first 500 s.f. (lots \leq 8,500 s.f.) or the first 800 s.f. (lots \geq 8,500 s.f.) of an ADU in an accessory structure is not included in FAR. (Accessory structures may not exceed 1,200 s.f., plus 10% of lot area)ⁱⁱ</p>	Eliminate restriction that detached ADU not exceed 40% of size of ADU and primary residence combined. (Maximum size of detached ADU would be 800 feet.)	<p>In addition:</p> <ul style="list-style-type: none"> • Exempt entire size of DADU from FAR calculation. • Expand maximum size of DADU to 1,000 s.f., while retaining maximum size of accessory structures to 1,200 s.f. • Reduce 20' separation to 10 or 15 feet. 	<p>ADU reportⁱⁱⁱ recommendation: Remove size requirements dependent on the size of the primary residence.</p> <p>Policy BT-1, Policy BT-4, Policy RH-4^{iv}</p>	Size requirements dependent on the size of the primary residence limit options for residents with smaller homes. Retention of maximum size requirement for accessory structures (includes garages and other outbuildings) would provide flexibility for ADUs, while maintaining overall mass of structures on site.	<p>Support to study bolder option, with the following:</p> <ul style="list-style-type: none"> • Yes, exempt DADU from FAR calculation • Expand max size of DADU to 1,200 s.f., while retaining max square footage of all accessory structures of 1,200 s.f. • Reduce separation to 10-15'
Floor Area Ratio (FAR) and size restrictions for <i>attached</i> ADUs.	ADU (attached): \leq 40% of primary residence and ADU combined.	<ul style="list-style-type: none"> • Eliminate restriction that attached ADU not exceed 40% of size of ADU and primary residence combined. • Add maximum size for attached ADU, such as 1,000 s.f. 	No limit on size of attached ADU, if dwelling is not expanded.	<p>ADU report recommendation: Remove size requirements dependent on the size of the primary residence.</p> <p>Policy BT-1, Policy BT-4, Policy RH-4</p>	Size requirements dependent on the size of the primary residence limit options for residents with smaller homes.	Support to study bolder option, to eliminate the limit on size of attached ADU, if dwelling is not expanded.

TOPIC	KIRKLAND CURRENT STANDARD	POTENTIAL AMENDMENTS TO KZC/KMC	BOLDER OPTION	SOURCE OF AMENDMENT/ POLICY SUPPORT	STAFF COMMENTS	PC DIRECTION FOR FUTURE STUDY 6/13/19
Number of ADUs allowed per lot	1	2 Allow two ADUs per primary residence. Options: <ul style="list-style-type: none"> • When two ADUs exist, require property owner occupancy on site. • Allow no more than one detached ADU. 	2 No restrictions on owner occupancy.		Of the cities surveyed (see “Precedent” table), only Vancouver, BC allows more than 1 ADU per lot.	Interest in allowing two: one attached and one detached. Consider issues such as parking and separation of primary residence and detached ADU (DADU).
Owner Occupancy required	Yes (either unit)	No. Eliminate requirement that property owner reside in one of the units (allow both the primary residence and the ADU to be rental units).		ADU report recommendation: Remove requirement that property owner must live on site.		Retain existing requirement.
Ownership of detached ADU	Not allowed – ADU may not be sold separately from primary residence.		Allow separate ownership of detached ADU as a condominium.		Allowing a detached ADU to be owned as a condominium would be similar to the ownership options available for cottages, carriages and two/three-unit homes.	Interest in exploring this concept.

TOPIC	KIRKLAND CURRENT STANDARD	POTENTIAL AMENDMENTS TO KZC/KMC	BOLDER OPTION	SOURCE OF AMENDMENT/ POLICY SUPPORT	STAFF COMMENTS	PC DIRECTION FOR FUTURE STUDY 6/13/19
					This change would promote entry-level ownership housing.	
Off-street parking for ADU	1 space	<p>Options:</p> <ul style="list-style-type: none"> • Provide exemption from off-street parking requirement for: <ol style="list-style-type: none"> a. ADUs within .5 mile of defined business districts and neighborhood centers (Comprehensive Plan, Figure LU-2) <i>and</i> transit service. b. ADUs with fewer than 2 bedrooms. c. ADUs located within 600 feet of available on-street parking. 	0	<p>Rose Hill Neighborhood Plan, Policy RH-5^v</p> <p>ADU report recommendation: Eliminate off-street parking requirement in areas that are .5 mile from transit hubs^{vi}, citing support for the reliance on on-street parking in Seattle, Oregon and Vancouver, BC. The report also recommends that Kirkland eliminate the off-street parking requirement in areas that are .5 mile from transit hubs.</p>	<ul style="list-style-type: none"> • Proximity to transit is considered in several other jurisdictions (see “Precedent” table). Seattle (in Urban Villages), Santa Cruz, San Diego and Honolulu provide an exemption for ADUS within .5 mile of transit. • Smaller ADUs will typically have fewer residents and less demand for parking (Santa Cruz reduces parking requirement if under 2 bedrooms). 	Interest in eliminating parking requirement, possibly only in areas with transit access, in 10-minute neighborhoods, etc. Interested in studying options.

TOPIC	KIRKLAND CURRENT STANDARD	POTENTIAL AMENDMENTS TO KZC/KMC	BOLDER OPTION	SOURCE OF AMENDMENT/ POLICY SUPPORT	STAFF COMMENTS	PC DIRECTION FOR FUTURE STUDY 6/13/19
					<ul style="list-style-type: none"> • KZC 105.20.3.a provides an exemption from guest parking requirement (for multifamily use) where less than one stall is required, and on-street parking is available within 600 feet. 	
Building height	Same as maximum height of detached dwelling units in underlying zoning. However, the height of an accessory structure may not exceed the maximum height allowed by the underlying zone or 15 feet above the existing height of the primary residence, whichever is less. ^{vii}		Eliminate restriction that the ADU not extend 15 feet above the primary residence.		On sloped sites, the current restriction may pose challenges to developing a detached ADU.	Support for eliminating restriction related to height of primary residence.
Number of unrelated people in ADU and primary unit combined (and number of related people may reside in the units).	5	Expand number of unrelated people to 7. If two ADUs are allowed on site, expand number to 9.	Eliminate restriction on number of unrelated people to reside on site.		Expanding the number to 7 for one ADU and 9 for two, would enable two unrelated people to reside in each ADU without affecting the total	Support for eliminating restriction on number of people allowed to reside on the property.

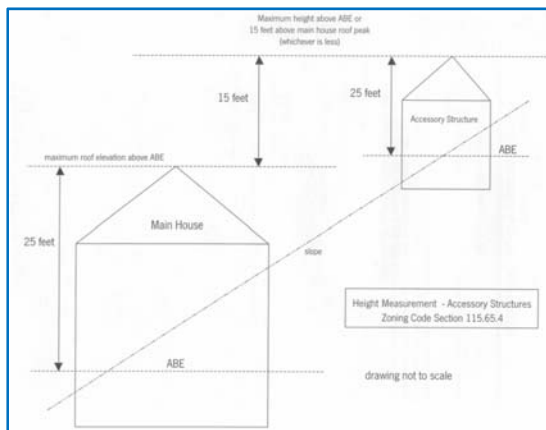
TOPIC	KIRKLAND CURRENT STANDARD	POTENTIAL AMENDMENTS TO KZC/KMC	BOLDER OPTION	SOURCE OF AMENDMENT/ POLICY SUPPORT	STAFF COMMENTS	PC DIRECTION FOR FUTURE STUDY 6/13/19
					for the primary residence. However, it may be desirable to eliminate the regulation.	
Small Lot Single-Family and Historic Preservation	ADUs are prohibited on lots smaller than the required minimum lot size (small lot single family and historic preservation), as approved via Small lot subdivision regulations .	Revise to allow attached ADUs on lots approved through small lot and historic preservation provisions, where FAR restrictions are met (30-35% of lot size for small lots, 50% for historic).	Allow detached ADUs, subject to FAR requirements.	Policy BT-1, Policy BT-4, Policy RH-4	The proposed change (not “bold option”) would not affect the overall FAR for approved small lots.	Support for studying bold option.
Reduced setbacks for detached ADUs (DADUs)	Detached ADUs must conform with setbacks for single family dwelling units.	Reduce or eliminate rear yard setback adjacent to an alley	In addition, reduce rear yard setback from 10’ to 5’ on all lots.			Interest in studying this topic.
Cottage, carriage and two/three-unit home	ADUs allowed under proposed Missing Middle Housing (MMH) regulations.	No proposal for this housing type.			These amendments will be considered separately, within the MMH study of amendments to KZC Chapter 113.	NA
Registration Requirement	A registration form is required and includes a property covenant filed by the property owner.	If owner occupancy is not required, remove registration requirement, while			The registration requirement has been cited as a barrier.	NA

TOPIC	KIRKLAND CURRENT STANDARD	POTENTIAL AMENDMENTS TO KZC/KMC	BOLDER OPTION	SOURCE OF AMENDMENT/ POLICY SUPPORT	STAFF COMMENTS	PC DIRECTION FOR FUTURE STUDY 6/13/19
		ensuring that ADUs can still be tracked.				
Tiny Homes ^{viii} and Care Pods or "Med Cottages" ^{ix}	Not allowed when on wheels, as the home may be considered an oversized vehicle. Utility issues may also prevent approval of this type of unit.	Consider adding to scope of study.			Study of ADUs could be expanded to include these additional concepts. *Vehicles larger than 9' in height and 22' in length (all parts) may not be stored on a lot in a residential zone.	Added to project scope to study further.
Short-term rentals ^x	Short-term rentals are permitted in single family residences, when the property owner (or agent) occupies the property at least 245 days per year. ADU regulations do not address short-term rentals.					Added to project scope. Interest in studying the impact of short-term rentals on affordability.

ⁱ The square footage of the detached ADU shall not exceed the lesser of 800 square feet of gross floor area or 40 percent of the primary residence and accessory unit combined. Garages, sheds and outbuildings are excluded from the square footage calculation for the primary residence and the ADU. When calculating the square footage of the ADU see KZC 5.10.340, definition of "gross floor area." The gross floor area shall not include:

- Area with less than five (5) feet of ceiling height, as measured between the finished floor and the supporting members for the roof.
- Covered exterior elements such as decks and porches; provided, the total size of all such covered exterior elements does not exceed 200 square feet. See KZC 115.08 for additional size and height limitations.

- ii KZC 115.08: Structures, to be used as a tool shed, greenhouse, private garage, accessory dwelling unit, barn or similar use are permitted. The total size of all such structures may not exceed the gross floor area of 1,200 square feet plus 10 percent of the lot area that exceeds 7,200 square feet. An accessory structure which contains an accessory dwelling unit must also comply with KZC [115.07](#) which may further limit its size.
- iii “Strategies to Increase the Supply of Accessory Dwelling Units”, Summer 2018
- iv Policy BT 1: Retain and preserve the low density residential and equestrian character of the neighborhood while accommodating compact new housing opportunities where consistent with equestrian uses.
Policy BT 4: Incorporate accessory dwelling units (ADUs) into new and existing development in single-family neighborhoods where consistent with keeping horses and there is adequate sanitary sewer infrastructure, to expand the supply of affordable-by-design housing.
Policy RH 4: Encourage ADUs in all new and existing single family development to expand the supply of affordable-by-design housing.
- v Incentivize compact housing within areas that are in close proximity to neighborhood centers (i.e., multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable urban living).
- vi To be consistent with amendments considered in “Missing Middle” cottage housing discussion, requirement could state, “Eliminate parking requirement within ½ mile of transit service with 15-minute headways during commute hours.
- vii KZC 115.08: The height (roof peak elevation) of an accessory structure may not exceed the maximum height allowed by the underlying zone or 15 feet above the existing height (roof peak elevation) of the primary residence, whichever is less. See image below:



- viii “Tiny homes” are generally considered to be mobile residential structures, containing about 400 square feet. See [Wikipedia](#) and [Senate Bill 5383](#), effective 7/28/19, which provides flexibility to Washington cities and counties to authorize tiny house developments.
- ix ADUs designed with on-site medical equipment. Companies such MEDCottage supply backyard cottages or units that may be located within a garage, providing wheelchair accessible showers and toilets, rail systems, etc. available to rent for approximately \$750/month. See [MEDCottage](#).
- x Rentals of less than 30 days.