

THURSTON COUNTY RURAL ACCESSORY DWELLING UNITS

PLANNING COMMISSION – JUNE 17, 2020



DECISION MATRIX

Comparison Group

Development Standard

| Development Standard | State Guidance | Stakeholder Group Input | Legal Issues/Guidance | Implementation | Lacey Urban Growth Area | Tumwater Urban Growth Area | Olympia Urban Growth Area | Option A | Option B |
|---|----------------|--|---|---|---|---|---|--|---|
| Attached | Permitted | <ul style="list-style-type: none"> All agree to allow attached ADUs with one dissent to not allow them in the RRR 1/5 zones Need to define and clarify attached. | No known legal issue. | No Issue. | Permitted *Does not count towards density | Permitted Accessory Use * No Reference in 20.22 to counting towards density. Presumed to require minimum square footage for unit. | Permitted *If an ADU was built after initial occupancy of the principle structure, its not subject to density limits. | Permitted *ADUs shall only be permitted on parcels complying with density requirements of the zoning district. | Permitted *Internal conversion or conversion of existing detached structure does not count toward the density requirement of zoning district. For new detached ADUs, the minimum density shall apply. |
| Conversion (e.g., converting a detached structure like a garage to be an ADU) | Permitted | <ul style="list-style-type: none"> Conversions should count towards density. But they should still be allowed if underlying density allows. Others say that attached ADUs or conversions of existing structures should not count towards density. No additional "footprint" is being created, and even though the number of people could increase, impacts would be minimal compared to a new larger home. | No known legal issue. | No Issue. | Permitted *Does not count towards density | Permitted Accessory Use * No Reference in 20.22 to counting towards density. Presumed to require minimum square footage for unit. | Permitted *If an ADU was built after initial occupancy of the principle structure, its not subject to density limits. | Permitted *ADUs shall only be permitted on parcels complying with density requirements of the zoning district. | Permitted* - conversion of existing garage must ensure parking requirements are still met. |
| Detached | Permitted | <ul style="list-style-type: none"> Any legal lot should be allowed to have a detached ADU if they meet the density requirements. Concerns regarding the 1/5 zones and allowing ADUs at all. Some noted that detached ADUs are appropriate for the urban areas, but have concerns about the rural area. All detached versions, including accessory conversions, should count towards density. But they should still be allowed if zoning allows. Some argue that all ADUs in general, including attached, should count towards density, as they will have a greater impact on the lot and character. Thurston County ADU Focus Group: Meeting notes 2.15.18 | Detached Structures located in rural areas on parcels less than 10 acres is not consistent with rural character. (1000 Friends of Washington v. Snohomish County) | Would need affidavit filed in case of future subdivision. | Permitted *Does not count towards density | Permitted Accessory Use * No Reference in 20.22 to counting towards density. Presumed to require minimum square footage for unit. | Permitted *If an ADU was built after initial occupancy of the principle structure, its not subject to density limits. | Not Permitted | Permitted, but must comply with density requirement of zoning district. (e.g., allows in RRR 1/5 on 10 acre+ lots) |

COMPARISON GROUP

Existing Recommendations or Codes

- State Guidance
- Stakeholder Group Input
- Legal Issues / Guidance
- Implementation
- Lacey UGA
- Tumwater UGA
- Olympia UGA

Staff Provided Options

- Option A
- Option B

DEVELOPMENT STANDARD

- Attached
- Conversion
- Detached
- Owner Occupancy
- ADU Occupancy Requirement
- Max Square Feet
- Max Size % Requirement
- Parking
- Water / Septic
- Design Standards
- Additional Standards to Consider

ATTACHED

| <i>State Guidance</i> | <i>Stakeholder Group Input</i> | <i>Legal Issues/Guidance</i> | <i>Implementation</i> |
|-----------------------|--|------------------------------|-----------------------|
| Permitted | <ul style="list-style-type: none"> • All agree to allow attached ADUs with one dissent to not allow them in the RRR 1/5 zones • Need to define and clarify attached. | No known legal issue. | No Issue. |

| <i>Lacey Urban Growth Area</i> | <i>Tumwater Urban Growth Area</i> | <i>Olympia Urban Growth Area</i> |
|---|---|---|
| Permitted *Does not count towards density | Permitted Accessory Use * No Reference in 20.22 to counting towards density. Presumed to require minimum square footage for unit. | Permitted *If an ADU was built after initial occupancy of the principle structure, its not subject to density limits. |

ATTACHED

Option A

- Permitted *ADUs shall only be permitted on parcels complying with density requirements of the zoning district.

Option B

- Permitted *Internal conversion or conversion of existing detached structure does not count toward the density requirement of zoning district. For new detached ADUs, the minimum density shall apply.

CONVERSION

| <i>State Guidance</i> | <i>Stakeholder Group Input</i> | <i>Legal Issues/Guidance</i> | <i>Implementation</i> |
|-----------------------|--|------------------------------|-----------------------|
| Permitted | <ul style="list-style-type: none"> • Conversions should count towards density. But they should still be allowed if underlying density allows. • Others say that attached ADUs or conversions of existing structures should not count towards density. No additional 'footprint' is being created, and even though the number of people could increase, impacts would be minimal compared to a new larger home. | No known legal issue. | No Issue. |

| <i>Lacey Urban Growth Area</i> | <i>Tumwater Urban Growth Area</i> | <i>Olympia Urban Growth Area</i> |
|---|---|---|
| Permitted *Does not count towards density | Permitted Accessory Use * No Reference in 20.22 to counting towards density. Presumed to require minimum square footage for unit. | Permitted *If an ADU was built after initial occupancy of the principle structure, its not subject to density limits. |

CONVERSION

Option A

- Permitted *ADUs shall only be permitted on parcels complying with density requirements of the zoning district.

Option B

- Permitted* - conversion of existing garage must ensure parking requirements are still met.

DETACHED

| <i>State Guidance</i> | <i>Stakeholder Group Input</i> | <i>Legal Issues/Guidance</i> | <i>Implementation</i> |
|-----------------------|--|--|---|
| Permitted | <ul style="list-style-type: none"> Any legal lot should be allowed to have a detached ADU if they meet the density requirements. Concerns regarding the 1/5 zones and allowing ADUs at all. Some noted that detached ADUs are appropriate for the urban areas, but have concerns about the rural area. All detached versions, including accessory conversions, should count towards density. But they should still be allowed if zoning allows. Some argue that all ADUs in general, including attached, should count towards density, as they will have a greater impact on the lot and character. Thurston County ADU Focus Group: Meeting notes 2.15.18 | Detached Structures located in rural areas on parcels less than 10 acres is not consistent with rural character. (<i>1000 Friends of Washington v. Snohomish County</i>) | Would need affidavit filed in case of future subdivision. |

| <i>Lacey Urban Growth Area</i> | <i>Tumwater Urban Growth Area</i> | <i>Olympia Urban Growth Area</i> |
|---|---|---|
| Permitted *Does not count towards density | Permitted Accessory Use * No Reference in 20.22 to counting towards density. Presumed to require minimum square footage for unit. | Permitted *If an ADU was built after initial occupancy of the principle structure, its not subject to density limits. |

DETACHED

Option A

- Not Permitted

Option B

- Permitted, but must comply with density requirement of zoning district. (e.g., allows in RRR 1/5 on 10 acre+ lots)

OWNER OCCUPANCY

| <i>State Guidance</i> | <i>Stakeholder Group Input</i> | <i>Legal Issues/Guidance</i> | <i>Implementation</i> |
|--|---|------------------------------|---|
| Owner shall reside on-site and at no time receive rent for the owner occupied section by providing an affidavit. | <p><u>In favor</u>: Owner occupancy would limit the noise impacts, traffic impacts etc. Concern with proliferation of ADUs in rural area.</p> <p><u>Not in favor</u>: hard to enforce, creates regulations without 'teeth'. Want to make it easier to allow ADUs.</p> | No known legal issue. | No Issue. Would need to comply with permitting process established. |

| <i>Lacey Urban Growth Area</i> | <i>Tumwater Urban Growth Area</i> | <i>Olympia Urban Growth Area</i> |
|--------------------------------|-----------------------------------|---|
| No Requirement | No Requirement | Property Owner must live on-site for six months. Property owner must sign an affidavit attesting occupancy. |

OWNER OCCUPANCY

Option A

- Owners required to live on-site for minimum of six months and shall submit an affidavit prior to issuance of building permit certifying occupancy.

Option B

- Owner not required to live on-site.

ADU OCCUPANCY REQUIREMENT

| <i>State Guidance</i> | <i>Stakeholder Group Input</i> | <i>Legal Issues/Guidance</i> | <i>Implementation</i> |
|-----------------------|--------------------------------|------------------------------|--|
| No Comment | No Comment | No known legal issue. | Would be difficult for staff to monitor. |

| <i>Lacey Urban Growth Area</i> | <i>Tumwater Urban Growth Area</i> | <i>Olympia Urban Growth Area</i> |
|--------------------------------|-----------------------------------|----------------------------------|
| No Requirement | No Requirement | No Requirement |

ADU OCCUPANCY REQUIREMENT

Option A

- Only family members may reside in unit.

Option B

- No requirement.

MAX SQUARE FEET

| <i>State Guidance</i> | <i>Stakeholder Group Input</i> | <i>Legal Issues/Guidance</i> | <i>Implementation</i> |
|-----------------------|--|------------------------------|--|
| 800 Square Feet | Combination of both Max SQFT and % could be a middle ground (i.e. max 1,500 sf or 40% of primary residence, whichever is less) | No known legal issue. | Varying size requirements increases review time and difficult to review. Flat square footage is easier to monitor and implement. |

| <i>Lacey Urban Growth Area</i> | <i>Tumwater Urban Growth Area</i> | <i>Olympia Urban Growth Area</i> |
|--------------------------------|-----------------------------------|----------------------------------|
| 800 Square Feet | 800 Square Feet | 800 Square Feet |

MAX SQUARE FEET

Option A

- 800 Square Feet

Option B

- 1,500 Square Feet

MAX SIZE % REQUIREMENT

| <i>State Guidance</i> | <i>Stakeholder Group Input</i> | <i>Legal Issues/Guidance</i> | <i>Implementation</i> |
|---------------------------------------|---|------------------------------|---|
| 40% of the building total floor area. | No size limit for internal conversion (such as a basement), as the footprint of the house already exists. | No known legal issue. | Varying size requirements increases review time and difficult for review staff. Flat square footage is easier to monitor and implement. |

| <i>Lacey Urban Growth Area</i> | <i>Tumwater Urban Growth Area</i> | <i>Olympia Urban Growth Area</i> |
|--------------------------------|-----------------------------------|----------------------------------|
| N/A | N/A | N/A |

MAX SIZE % REQUIREMENT

Option A

- Sliding scale based on size of parcel.

Option B

- Internal ADU cannot exceed 40% of principle structure flood area

PARKING

| <i>State Guidance</i> | <i>Stakeholder Group Input</i> | <i>Legal Issues/Guidance</i> | <i>Implementation</i> |
|-------------------------|--------------------------------|--|-----------------------|
| 1 Parking Stall per ADU | n/a | SB 6671 prohibited cities from requiring parking within 1/4 transit. | No known issue. |

| <i>Lacey Urban Growth Area</i> | <i>Tumwater Urban Growth Area</i> | <i>Olympia Urban Growth Area</i> |
|--------------------------------|-----------------------------------|----------------------------------|
| 1 Parking Stall | 1 Parking Stall | 1 Parking Stall |

PARKING

Option A

- 1 off street parking stall

Option B

- No off street parking requirement

WATER / SEPTIC

| <i>State Guidance</i> | <i>Stakeholder Group Input</i> | <i>Legal Issues/Guidance</i> | <i>Implementation</i> |
|---|--|------------------------------|--|
| Must have adequate access to water and sewer. | Hold ADUs to the same standards as all other development including permits and health standards. | No known legal issue. | Tamoshan (Beverly Beach development), Olympic View, and Boston Harbor are restricted by their existing sewer and or water system for further |

| <i>Lacey Urban Growth Area</i> | <i>Tumwater Urban Growth Area</i> | <i>Olympia Urban Growth Area</i> |
|--|--|--|
| Must connect with existing water or sewer system if capacity or it is permitted to share existing well and septic. | Permitted to share existing well and septic. | Permitted to share existing well and septic. |

DESIGN STANDARDS

Option A

- Create a new separate service for ADU.

Option B

- ADU must connect to existing water and sewer service and or redesign to meet minimum Health Department Requirements.

DESIGN STANDARDS

| <i>State Guidance</i> | <i>Stakeholder Group Input</i> | <i>Legal Issues/Guidance</i> | <i>Implementation</i> |
|--|---|------------------------------|-----------------------|
| ADU Design: ADU shall be designed when feasible to resemble principle structure. Bedroom: No more than two bedrooms. Front Door: Shall not be located on the same view as the principle structure. | ADU Placement: Lot setbacks should apply. | No known legal issue. | No known issue. |

DESIGN STANDARDS

| <i>Lacey Urban Growth Area</i> | <i>Tumwater Urban Growth Area</i> | <i>Olympia Urban Growth Area</i> |
|--|--|--|
| Maximum Height: 20 Feet Setbacks: Same as Zoning District | <u>Entrance</u> : Entrance shall not be visible from the yard on the same side of the primary entrance. <u>Bedroom</u> : No more than two bedrooms. | <u>Design Placement</u> : The ADU shall be oriented in a way that maintains, to the extent practical, the privacy of residents in adjoining dwellings. <u>Screening</u> : Screen view from windows on adjacent property owners. <u>Building Design</u> : Use Same roof form and roof pitch and exterior materials. |

DESIGN STANDARDS

Option A

- Setback: ADUs must meet minimum setback of zoning district.
- Building Height: Must not exceed the zoning district maximum height or principle structure, whichever is less.
- Building Placement: Building addition or detached structure shall be placed to the side or rear of the principle structure.
- Driveway: ADU shall share the existing driveway.

Option B

- Setback: ADUs have reduced setbacks compared to the existing residential structure.
- Building Height: ADUs shall not exceed 20 feet in height.
- Building Placement: ADU placement shall not be closer to the front and side property line than the principle structure.
- Driveway: ADU may have a sperate driveway.
- Building Design: No building design standards.

DESIGN STANDARDS CONT.

Option A

- Building Design: Similar roof pitch and building materials to the principle structure shall be used.
- Front Door: The front door shall not have the same frontage of the principle structure.

Option B

- Front Door: No front door standards. Front door can be placed anywhere on the structure.

ADDITIONAL STANDARDS TO CONSIDER

Option A

- Subdivision Plats: Long and short plats that are granted after 2020 shall be marked specifically designating lots allowed to be developed with an accessory apartment or detached accessory dwelling unit.
- ADU Existence: Property owners shall record a notice against the property acknowledging the existence of the ADU.
- Detached Structure Type: All building types are permitted as ADUs.

Option B

- Subdivision Plats: No notice shall be placed on the subdivision plat designating lots permitted to contain an ADU.
- ADU Existence: No notice needed to be recorded against the property.
- Detached Structure Type: Only new "stick built" ADUs permitted.

PUBLIC PARTICIPATION OPPORTUNITY

Project Page

<https://www.thurstoncountywa.gov/planning/Pages/comp-plan-adu.aspx>

QUESTIONS?

Project Contact:

Andrew Boughan, Associate Planner

andrew.boughan@co.thurston.wa.us

