

# HOMEOWNER'S GUIDE TO ACCESSORY DWELLING UNITS

February 2002



In April, 1995, the Steilacoom Town Council passed Ordinance No. 1168, making it legal to have accessory dwelling units (ADUs) on a lot that has a single family home. Sometimes known as "mother-in-law" apartments, ADUs are intended to increase housing opportunities for Steilacoom residents while providing security and companionship for homeowners.

## ***What is an accessory dwelling unit?***

Accessory dwelling units are second dwelling units added to, created within or detached from an existing single-family detached dwelling, for use as a complete independent unit with provision for cooking, eating, heating, sanitation and sleeping.

## ***Who may live in an ADU?***

Anyone can live in an ADU. The only condition is that you, as the owner, must certify that you will be living on the property for at least six months out of the year.

## ***Can the ADU be separate from my home?***

Yes, but only if your lot is larger than 9600 square feet.

## ***Are there size limitations?***

Limiting ADU size is an important way to make sure ADUs have a positive affect on your neighborhood. For homes that are not designated as primary or secondary historic structures, ADUs can be up to 35% of the total square footage of your home and ADU combined after modification, excluding the garage and other non-living areas, or 950 square feet, whichever is smaller. Your ADU must be a minimum of 320 square feet.

If your home is a designated historic structure, the ADU can be up to 40% of the total square footage of your home and ADU combined after modification, excluding the garage and other non-living areas.

If you are not sure if your home is designated a historic structure, contact the Town Planning Department at 581-1912.

## ***Are there other design considerations I should be aware of?***

Yes. Unless it is absolutely necessary, the ordinance prevents two entrances to your home from facing the same street. The Town may allow some deviation from the standards of the ADU ordinance if the ADU is being designed for handicap accessibility. Finally, if your property is within the historic district and installing the ADU will require exterior modifications to the home, the plans for the ADU must be reviewed and approved by the Historic Preservation and Review Board before the ADU permit can be issued. Contact the Town Planning Department if you are not sure if your home is in the historic district. Finally, to receive an ADU permit, you must demonstrate that one off-street parking space is available for the resident of the ADU, in addition to the two parking spaces required for the principal home.

***What if I just want to put an extra kitchen in my basement? Do I need an ADU permit?***

Only if the basement is designed to be a complete independent living unit. This determination will be made when you apply for a building permit to put in the second kitchen with facilities for cooking, eating, heating, sleeping, and sanitation.

***Do I need an ADU permit to rent a spare bedroom?***

No. The Town permits “boarding houses” under a separate code provision. You would only need an ADU permit if the bedroom is designed as a separate living unit that has all the hallmarks of an ADU, that is, facilities for cooking, eating, heating, sleeping, and sanitation.

***What if I already have an ADU?***

If you were issued a building permit, or Town codes otherwise allowed the unit at the time it was installed, then you may continue to use the unit as permitted. No further permits or approvals are required by the April 1995 ordinance.

If on the other hand, your unit was installed without a building permit or in violation of Town codes, then the unit must be made legal. First, drop by the Steilacoom Public Works Building and complete an ADU permit application. There is a \$100 application fee. Your permit will receive final approval if the following requirements are met:

1. The ADU conforms with all applicable lot coverage, setback, building, plumbing, electrical, mechanical, fire and health codes;
2. The ADU is attached to, or part of your house, if your lot is 9,600 square feet or less;
3. You have only one ADU on the property;
4. You, as the owner, are living on the property at least six months a year;
5. There is one extra off-street parking space (for a total of 3 off-street spaces on the property);
6. Neighboring property owners are given an opportunity to appeal the preliminary approval of the unit; and,
7. A recording notice is filed with the Pierce County Auditor's Office.

Before the ADU permit is issued, the building inspector will visit your home to see to if your ADU meets these minimum standards.

***I am a builder constructing 10 new homes. Can I install ADUs in all of them?***

ADUs can be installed in new homes. However, the ADU permit can only be issued to the owners of the property. Although you may own the properties while the homes are being constructed, the Town will not be able to issue 10 ADU permits to you since you would not be able to meet the requirement of owner occupancy for all the homes. ADU permits may be issued to the 10 different property owners that will be living in the new homes.

### ***How do I apply for an ADU permit?***

Expect the ADU application process to go like this:

1. Review this handbook and a copy of Ordinance No. 1168 prior to designing the ADU. Town planning and building staff are available to answer questions.
2. Pick up and complete an ADU permit application, certificate of owner occupancy, recording notice, and a building permit application. These forms are available at the Town Public Works Building at 1030 Roe Street. Once completed, the application materials should be returned to the Planning Department at the Public Works Building.
3. Within 30 days of receiving these materials, the Town will either deny or give preliminary approval to your ADU permit. If the proposed ADU complies with the ordinance, the Town will notify adjacent property owners that an ADU has been given preliminary approval. This notice provides an opportunity for the neighborhood to appeal the ADU permit based on the grounds that your plans do not comply with the ADU ordinance. If no appeal is filed, the Town will issue a building permit so you can start constructing the ADU.
4. While the ADU is being constructed, provide a notarized copy of the recording notice to: Pierce County Auditor's Office; Recording Department; 2401 S. 35th Street, Room 200; Tacoma, WA 98409. (253-591-7440). This notice can be mailed in or dropped off in person. Its purpose is to alert prospective buyers that an ADU exists on the property.
5. After the unit is installed and the recording notice filed, your ADU will receive final inspection. If the unit passes final inspection, the ADU permit is issued by the Town.
6. You are now the proud owner of an accessory dwelling unit.
7. Each year the Town will request confirmation that you continue to live on the property for at least 6 months of the year.

### ***What if I sell my home after I install an ADU?***

The ADU permit issued to you is not transferable to anyone else and is invalidated by the sale of the property. A new ADU permit must be issued to new owner(s) if they would like to keep the ADU. This new ADU permit will be issued by the Town if, upon inspection, the ADU maintains conformance with the terms and requirements of the original permit and if the new owner(s) file a new recording notice with the Pierce County Auditor's Office.

### ***More Questions?***

Contact the Steilacoom Planning Department at 1030 Roe Street, 581-1912.

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