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City Manager's Office

Cindy Dittbrenner  
15833 11<sup>th</sup> Ave NE  
Shoreline, WA 98155

August 8, 2016

Re: Development Code Amendment Application – ADU owner-occupancy requirement

Dear Rachael Markle:

Thank you for considering my attached Development Code Amendment Application. I had intended to submit this two months ago but had my son, Peter, two weeks early so wasn't able to complete it. My husband and I are just not coming out of our sleep deprived haze so I was able to take the time to research the information I thought you might find relevant in making your decision. I'm hoping you will consider this amendment in this year's batch of code amendment requests but understand I have missed the deadline.

On a personal level, this amendment would allow my husband and I to retain ownership of our home if we have to leave the area for him to complete a post-doc position after earning his PhD. We anticipate needing to rent out both units for two years before we return to live in the main house as we are now.

On a broader community level, this amendment would remove barriers that discourage many from building ADUs. The City of Seattle is considering similar code amendments to incentivize the construction of ADUs to address a housing shortage, increase urban density, increase diversification of neighborhoods, and provide low-income housing options in single-family residential areas. They have completed research into this issue including a public opinion survey and have proposed a comprehensive package of code amendments that they are currently reviewing. We have the opportunity to take advantage of the resources our neighboring city has put into this issue, allowing us to make informed changes to our code while not expending large staff resources.

The link to the City of Seattle's documents is provided in the amendment form. I'm happy to find additional information for you if you have any more questions.

Thank you for considering this request!

Sincerely,



Cindy Dittbrenner

# City of Shoreline Development Code Amendment Application

Applicant: Cindy Dittbrenner

Revision to Development Code 20.40.210

## Describe proposal:

Remove the owner-occupancy requirement for accessory dwelling units (ADUs; mother-in-law apartments). Current code requires that the owner of the property must reside in either the main house or the ADU. Consider either removal of this requirement or amending it to require the owner to occupy one of the residences for at least one year after the ADU is constructed (City of Seattle is considering amending it to one year).

Consider also removing the requirement for off-street parking.

## Reason for amendment:

Accessory Dwelling Units (ADUs) provide many benefits to neighborhoods including an increase in affordable housing. In order to encourage more ADU construction, the City of Seattle completed a survey in 2015 of 160 homeowners that had built ADUs to assess the barriers they faced. Nearly half reported that the requirement to reside in either the main house or ADU was a barrier to their decision to construct. This data suggests that others may have been deterred from constructing an ADU because of the future restrictions they would have faced if they chose not to reside on the property.

The proposed amendment would remove this owner occupancy requirement within the City of Shoreline and therefore encourage construction of detached and attached ADUs. We have the opportunity to act on this now using the public opinion research completed by our neighbor, the City of Seattle, without expending a lot of city resources researching this issue within Shoreline.

ADU's provide the following benefits to the City and its residents:

- ADUs increase the availability of housing in urban areas, addressing a rental shortage as well as allowing for more efficient use of current housing and infrastructure.
- ADUs can provide a more affordable housing option for people who would otherwise not be able to afford a home in a particular area. This can help diversify neighborhoods and address housing shortages.
- ADUs provide housing options for multi-generational families wishing to reside together.
- Additional income from renting out ADUs can allow homeowner's to afford to remain in their homes.
- ADU's provide a feasible way to increase density while maintaining the character and aesthetic of single-family neighborhoods.

Based on the research conducted by Seattle, Councilmember O'Brien is proposing similar code amendments to Seattle's development code. The proposal is more comprehensive than what is

proposed here. Justification and additional information can be found in the May, 2016 Directors report on this website (scroll down to report icon):

<http://www.seattle.gov/council/meet-the-council/mike-obrien/backyard-cottages>

The City of Shoreline may wish to include some of the additional code amendments Seattle is considering as well, although they are outside the scope of what I have proposed here.

#### **How this amendment is in accordance with Comprehensive Plan:**

This code amendment is in accordance with the following goals and policies in “Element 3: Housing” of the Comprehensive Plan, in particular, Policy H6 below:

#### **Goals**

Goal H I: Provide sufficient development capacity to accommodate the 20 year growth forecast and promote other goals, such as creating demand for transit and local businesses through increased residential density along arterials; and improved infrastructure, like sidewalks and stormwater treatment, through redevelopment.

Goal H II: Encourage development of an appropriate mix of housing choices through innovative land use and well-crafted regulations.

Goal H III: Preserve and develop housing throughout the city that addresses the needs of all economic segments of the community, including underserved populations, such as households making less than 30% of Area Median Income.

Goal H VI: Encourage and support a variety of housing opportunities for those with special needs, specifically older adults and people with disabilities.

#### **Policies**

H1: Encourage a variety of residential design alternatives that increase housing choice.

H3: Encourage infill development on vacant or underutilized sites.

**H6: Consider regulations that would allow cottage housing in residential areas, and revise the Development Code to allow and create standards for a wider variety of housing styles.**

H7: Create meaningful incentives to facilitate development of affordable housing in both residential and commercial zones, including consideration of exemptions from certain development standards in instances where strict application would make incentives infeasible.

H8: Explore a variety and combination of incentives to encourage market rate and non-profit developers to build more units with deeper levels of affordability.

H27: Support opportunities for older adults and people with disabilities to remain in the community as their housing needs change, by encouraging universal design or retrofitting homes for lifetime use.

**How the amendment will not adversely affect the public health, safety and general welfare:**

A report completed by the City of Seattle concluded that proposed code amendments to encourage ADU construction would likely not result in so much construction as to overwhelm single family neighborhoods. Further code amendments could be considered in the future if needed.

Other nearby cities have adopted similar code amendments to encourage ADU construction after concluding these structures did not adversely affect the public.

- Portland has removed the owner-occupancy requirement and the requirement for additional parking as well as other permit restrictions which has resulted in an increase in ADU construction.
- Vancouver, B.C. and Los Angeles do not have owner-occupancy requirements in an attempt to encourage construction of ADUs.

**How the amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline:**

This amendment provides the following benefits to current citizens and property owners:

- Diversification of neighborhoods provides many cultural benefits to current residents.
- Alternative housing allows for multi-generational families to reside together.
- ADUs provide additional income allowing homeowners to afford to remain in their homes.

Opponents may be concerned that adding density changes the character of single-family neighborhoods and want to avoid the construction of duplexes. Current code limits the size of the ADU to half the size of the existing house, thus already addressing part of this concern. ADUs are a way to increase density of existing single-family neighborhoods while maintaining the character and aesthetic. To further address this concern, the City of Seattle is proposing to change the perpetual owner-occupancy requirement to one-year. This would prevent speculative developers from acquiring property and building additional housing that doesn't fit the character of the neighborhood while also allowing the owner flexibility to continue living on site in the future or not.