



Planning Commission Meeting:

First Wednesday of every Month @ 7:00pm

Planning & Community Development Department
1812 Main Street
Lake Stevens, WA 98258
(425) 377-3235

www.lakestevenswa.gov

Municipal Code

Available online:

www.codepublishing.com/WA/LakeStevens/

*Items attached

**Items previously distributed

Items to be distributed

2018 COMMISSION AGENDA

Regular Meeting Date: 03.21.2018

- A. **CALL TO ORDER:** 7:00pm
Pledge of Allegiance
- B. **ROLL CALL**
- C. **GUEST BUSINESS**
- D. **ACTION ITEMS-**
 - 1. Approval of February 07, 2018 Minutes
 - 2. Approval of March 07, 2018 Minutes
 - 3. Approval of February 13, 2018 Joint Council/Planning Commission Meeting
- E. **PUBLIC HEARING-**
 - 1. LUA2017-0148 Model Home Ordinance
 - 2. LUA2018-0030 Supervised Drug Sites

Public hearing presentation will follow the public hearing format listed below:

PUBLIC HEARING FORMAT

- 1. PC Chair Opens Public Hearing
- 2. Staff Presentation
- 3. Commission's questions for staff
- 4. Proponent's comments
- 5. Comments from the audience
- 6. Proponent rebuttal comments
- 7. Close public comments portion of hearing by motion
- 8. Re-open public comment portion of hearing for additional comments (optional)
- 9. Close Hearing by motion
- 10. **COMMISSION ACTION BY MOTION—Recommendation to Council**
 - A. Approve
 - B. Deny
 - C. Continue

F. **DISCUSSION ITEMS-**

G. **BRIEFINGS-**

1. ADU Code Amendment	D. Roth
2. Final Plat Approval Authority	J. Machen

H. **COMMISSIONER REPORTS**

I. **PLANNING DIRECTOR'S REPORT** R. Wright

J. **ADJOURN**

SPECIAL NEEDS

The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact City of Lake Stevens ADA Coordinator, at (425) 377-3227 at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service.

PLANNING COMMISSION REGULAR MEETING MINUTES

Community Center
1808 Main Street, Lake Stevens
Wednesday, February 7, 2018

CALL TO ORDER: 7:00 pm by Chair Janice Huxford

MEMBERS PRESENT: Janice Huxford, Jennifer Davis, Karim Ali, Vicki Oslund, Tracey Trout, Linda Hoult

MEMBERS ABSENT: None

STAFF PRESENT: Community Development Director Russ Wright, Senior Planner Josh Machen and Clerk Jennie Fenrich

OTHERS PRESENT: Councilmember McDaniel, Councilmember Petershagen

Excused Absence: None

Guest business: None

Action Items:

1. *Approve 01/03/2018 Meeting Minutes.* Commissioner Oslund made a motion to approve the minutes, Commissioner Ali seconded. Motion carried 5-0-0-0.

Discussion Items

Community Development Director Russ Wright gave a presentation on Planning Commissioner training, he provided a copy of the Planning Commissioner rules and procedures and the protocols for public hearings. A discussion ensued. Chair Huxford inquired if it a requirement that we have the public disclose their address when making a statement at a Public Hearing. Community Development Director Wright said he will ask our Risk Management officer for clarification on stating one's address. Commissioner Hoult said that at a recent training she attended that if citizens request emails from staff to commissioners that commissioner's personal email addresses could be given to the requestor. Community Development Director Wright said he would also check with the Risk Management officer for the possibility of Planning Commissioners having a city email address.

Senior Planner Machen brought a briefing on Model Home Ordinance. Surrounding cities have current ordinances that allow for multiple homes built before final plat. Our current ordinance allows for one model home to be allowed per parcel. This ordinance currently presented would allow up to 20% of the subdivision lots to be built prior to recording final plat not to exceed a maximum of 6 lots. Discussion followed. The Commissioners asked questions for understanding. Commissioner Oslund made a motion to move this for Public Meeting at next meeting. Commissioner Ali seconded. Motion passed 5-0-0-0.

Senior Planner Machen briefed the Commission on a code amendment for Final Plat

Approval Authority. This would allow the Planning Director and Public Works Director to have the authority to sign off the final plat. Currently, final plat goes through City Council for approval. All requirements would have had to have been met prior to getting to final plat. When the final plat goes to City Council for approval there is no option to make any changes at that point, and it is only a formality. Community Development Director Wright would like to take this to City Council Workshop and then bring back to Planning Commission.

Commissioner Reports

Commissioner Trout noted that the lake levels are extremely high currently and is concerned that the new impervious surface regulations may have an impact on drainage into the lake.

Commissioner Hoult thanked Commissioner Davis for serving as Chair for the prior year and Commissioner Huxford for serving this year, as well as Vicki Oslund for both last year and this year for serving as Vice Chair.

Planning Director Report:

Community Development Director Wright spoke about the accomplishments of 2017. He spoke about the draft work program for 2018, which will include Final Plat Administrative Authority and Model Home Ordinance, stormwater regulations will need to be finalized this year. New fence and new ADU code will be brought forth. Downtown Subarea Plan and a mandatory shoreline update are also on the schedule for this year. Senior Planner Machen reported this year's work will include working on a franchise agreement for small cell units, safe injection sites and zoning for the UGA.

Future Agenda Items:

1. ADU Code amendment will be introduced
2. Model home hearing will be at next meeting

Adjourn. Motion to adjourn by Commissioner Hoult, seconded by Commissioner Oslund. Motion carried 5-0-0-0. Meeting adjourned at 7:58 p.m.

Janice Huxford, Chair

Jennie Fenrich, Clerk, Planning & Community Development

PLANNING COMMISSION REGULAR MEETING MINUTES

Community Center
1808 Main Street, Lake Stevens
Wednesday, March 7, 2018

CALL TO ORDER: 7:00 pm by Chair Janice Huxford

MEMBERS PRESENT: Jennifer Davis, Janice Huxford, Vicki Oslund

MEMBERS ABSENT: Linda Hoult, Tracey Trout, Karim Ali

STAFF PRESENT: Community Development Director Russ Wright, Senior Planner Josh Machen and Clerk Jennie Fenrich

OTHERS PRESENT: Council Member Rauchel McDaniel, Council Member Gary Petershagen

Excused Absence: No quorum, could not vote.

Guest business. Dick Todd reported that he is concerned about lake levels and new regulations for stormwater will only make it worse. He expressed overall development in the City will degrade our water system.

Adjourn: Chair Janice Huxford called the meeting at 7:03 as there was not a quorum and invited the guests to come back to next meeting for Hearing on Model Homes.

Janice Huxford, Chair

Jennie Fenrich, Clerk, Planning & Community Development

**CITY OF LAKE STEVENS
CITY COUNCIL JOINT MEETING WITH PLANNING COMMISSION
MEETING MINUTES**

Tuesday, February 13, 2018

Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street N.E. Lake Stevens

CALL TO ORDER: 6:06 p.m. by Mayor John Spencer

ELECTED OFFICIALS PRESENT: Councilmembers Kim Daughtry, Gary Petershagen, Kurt Hilt (6:07 PM), Rauchel McDaniel, Brett Gailey and Marcus Tageant

ELECTED OFFICIALS ABSENT: Todd Welch

PLANNING COMMISSIONERS PRESENT: Janice Huxford, Tracey Trout, Vicki Oslund, Jennifer Davis and Karim Ali,

PLANNING COMMISSIONERS ABSENT: Linda Hoult

STAFF MEMBERS PRESENT: City Administrator Gene Brazel, Finance Director Barb Stevens, Community Development Director Russ Wright, Police Chief John Dyer, City Clerk Kathy Pugh, Economic Development Coordinator Jeanie Ashe, Permit Coordinator Jennie Fenrich, Senior Planner Josh Machen

OTHERS:

The meeting was called to order at 6:02 p.m. by Mayor Spencer

Director Wright provided an overview of the evening.

Commissioner Huxford introduced the members of the Planning Commission. She said the Planning Commission is currently short one member and they are looking forward to having the vacancy filled. Commissioner Huxford also commented the commission is proud of its 2017 accomplishments and is looking forward to the goals and challenges for 2018.

2018 Work Program: Senior Planner Machen distributed a proposed work program for 2018 and said that the Planning Commission and staff are looking for direction on the priorities, including whether any of them need to be reordered.

Responding to Councilmember McDaniel's question, Planner Machen clarified that the City would keep its High Urban Residential (HUR) zone, and would add a new zone called Compact Residential (CR). The CR zone is in the City's Comprehensive Plan, but it is not in the Zoning Code. Director Wright added that for areas currently in the urban growth area, the CR zone would increase the density. The CR zoning could be utilized within the current city limits but the thought process is to apply a CR zone to annexation areas. He added that lot sizes would be larger than the current lot size, but not as large as a rural lot.

Councilmember Petershagen asked about the reference to the Design Review Board and said that Council determined to do away with that board. Planner Machen replied this requires a code amendment, and Director Wright added that staff is working on tools to make design review an administrative process.

Commissioner Trout commented on the lake depth and asked how the increase in impervious surfaces from 40% to 60% impacts lake levels, roads and other infrastructure. Planner Machen replied that in theory with adoption of the 2012-2014 Stormwater Manual new development will not discharge any more water than what would be discharged from properties in an unaltered state. He added that not only new development needs to be compliant, but that existing infrastructure has high runoff that is discharged straight into the lake, and Council has identified this needs to be addressed.

Commissioner Huxford asked regarding the timeline for the Zoning Code section of the work program, and Director Wright explained these are placeholders and can be changed.

Planner Machen said in response to Councilmember Gailey's question, that an interim ordinance was passed late last year that prohibits safe injection sites. Planner Machen explained that this will need to go to the Planning Commission to complete the formal public process. There was consensus of Council to move this ordinance forward.

Responding to Councilmember Gailey's question regarding Temporary Encampments under the Zoning Code section, Director Wright explained that a WCIA audit found that Lake Stevens does not have regulations for Temporary Encampments and needs to put these in place. Following discussion it was decided to shift Temporary Encampments to the first quarter, and shift HUR and proposed zoning designations to the third quarter.

Councilmember Daughtry asked about city codes for tiny homes. Director Wright said this might fit under the accessory dwellings code if it were updated, or that innovative housing regulations might also apply. Discussion ensued, and Director Wright commented this can become a mobility issue if a tiny home is built on a chassis.

Councilmember McDaniel noted that the Planning Commissioners are volunteers and thanked them for their time.

Recap of City Council Retreat: Responding to Commissioner Huxford's question, Mayor Spencer explained that the process for filling the vacancy on the Planning Commission is underway. Commissioner Huxford said it has been helpful to have Council representation at the Planning Commission meetings as it provides continuity.

Administrator Brazel provided a recap of the City Council's recent retreat and said that a priority is to improve and fix problems with communications. Transportation projects were reviewed, including discussion about Highway 2 and utilizing a more global approach to improvements by partnering with Monroe, Snohomish and Sultan to press for improvements. Administrator Brazel reviewed the pending capital projects, noting they primarily consist of transportation and park improvements, particularly to Lundein Park and Cavelero Park. Also discussed were Public Works standards for road cuts, discontinuing the Design Review Board and utilizing the current members in another manner and the sidewalk program, with safe sidewalks for schools being a priority.

Regarding sidewalks, Director Wright commented there are areas the City can leverage tools such as multi-use, grants and safe pathways to promote sidewalk programs.

Administrator Brazel continued that the Council also discussed strengthening the relationship with the Chamber of Commerce, various city facility leases including with the Historical Society, Grimm House and Rowing Club. Specifically discussed was making new leases for one year to allow for the North Cove Park redevelopment. Administrator Brazel continued, saying that Council determined to move away from subcommittees, and instead will hold a workshop once a month as needed for in-depth discussion. Administrator Brazel said the Council also discussed attendance requirements and preparation for Boards and Commission members, as well as training opportunities for these volunteers. The Chapel Hill site was discussed, and there was discussion on how to on-board a Parks & Recreation Department.

Commissioner Huxford likes the increased communication, and appreciated the Rules & Regulations that were presented at the last Planning Commission meeting.

Returning to the work program, Commissioner Davis suggested moving consideration of the safe injection sites up for consideration in tandem with the encampment issue. Director Wright reviewed the ways to move forward for safe injection sites are take a wait and see approach or move forward with an outright ban. There was consensus to move forward with an outright ban.

Administrator Brazel reviewed the role of the Council liaison to boards and commissions is to be a resource to collect information and share it back to Council. Liaisons are not attending meetings to engage with boards and commissions.

Councilmember Daughtry said board and commission members have an important job and it is not the Council's role to sway the decision of the board, but to make a decision following the board's or commission's recommendation.

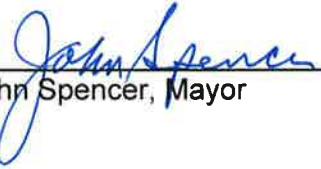
Mayor Spencer turned the conversation to annexations, and said that Council did discuss the petition vs. election processes of annexation with regard to the Urban Growth Area, and is in favor of moving forward with the election process. This will be brought forward to Council for a final decision.

Puget Sound Regional Council Vision 2050: Director Wright Russ said the Puget Sound Regional Council's Vision 2050 program is important as it impacts how the Planning Commission and City move forward. He reviewed the previous methodology used and said that it was an ineffective methodology for cities in Snohomish County. The group Snohomish County Tomorrow, and specifically the Planning Advisory Committee, has made early recommendations to the Steering Committee of the Puget Sound Regional Council, to use a methodology that is more specific to the environment and needs of cities in Snohomish County, and that establishes goals that are achievable.

Commissioner Davis commented it is important to communicate with the community as the community needs to understand the mandates.

Adjourn:

There being no further business the meeting was adjourned at 6:58 p.m.


John Spencer, Mayor


Kathy Pugh, City Clerk

Janice Huxford, Chair
Planning Commission

Jennie Fenrich, Secretary



Staff Report
City of Lake Stevens Planning
Commission

Public Hearing
Date: **March 21, 2018**

Subject: **LUA2017-0148:** Applicant initiated code amendment establishing a Model Home Ordinance.

Contact Person/Department: Joshua Machen, *Senior Planner* / Russ Wright, *Community Development Director*

SUMMARY: In accordance with LSCM 14.16C.075 a private petitioner has requested that the City consider amending the municipal code to develop a model home ordinance.

ACTION REQUESTED OF PLANNING COMMISSION:

Take public comment and review proposed code amendments then forward a recommendation to the City Council.

BACKGROUND / HISTORY:

As proposed by the petitioner a model home ordinance would allow the construction of model homes within a proposed subdivision after preliminary plat approval was granted, but prior to the final recording of the plat. It could also be used to permit temporary sales offices within one of the model homes.

While model home ordinances are not prevalent throughout Western Washington, several cities do have model home ordinances, including Monroe, Marysville and Mill Creek. Attached is a comparison of other Western Washington jurisdictions that have model home ordinances and list the percentage of homes allowed to be constructed and the maximum number allowed (Attachment B). The drafted ordinance also contains provisions to protect the public interest, including required indemnification agreements and financial assurance prior to the construction of any model home (Attachment A).

On December 12, 2017, the City Council was briefed on the petitioners request to develop a model home ordinance and directed staff to develop a model home ordinance to be reviewed by the Planning Commission with a recommendation to the City Council.

On February 7, 2018, the Planning Commission was briefed on the proposed ordinance and expressed no concerns.

FINDINGS AND CONCLUSIONS FOR THE MODEL HOME CODE AMENDMENTS:

1. *Compliance with selected elements of the Comprehensive Plan:*

- LAND USE ELEMENT POLICY 2.3.1 - Review development standards and regulations to ensure that they possess an appropriate level of flexibility to promote efficient use of buildable land, balanced with the need for predictable decision-making.

Conclusions – The proposed code amendments are consistent with the Comprehensive Plan goals and policies as they relate to providing an appropriate level of flexibility and balance in the development regulations.

2. *Compliance with the State Environmental Policy Act (SEPA) (Chapter 97-11 WAC and Title 16 LSMC):*

- The applicant prepared an environmental checklist for the proposed code revisions, dated October 4, 2017.
- The SEPA official issued a threshold Determination of Non-Significance (DNS) on January 24, 2018.
- No comments or appeals were received.

Conclusions – The proposed code amendments will meet local and state SEPA requirements.

3. *Compliance with the Growth Management Act (RCW 36.70A.106)*

- The city requested expedited review from the Department of Commerce on January 22, 2018.
- The Department of Commerce sent granted approval on February 6, 2018
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

Conclusions – The proposed code amendments will meet Growth Management Act requirements.

4. *Public Notice and Comments*

- The city published a notice of SEPA determination in the Everett Herald on January 24, 2018. The notice was also posted at City Hall and on the City's website
- The city published a notice of Public Hearing in the Everett Herald on February 21, 2018 and February 28, 2018 and then again on March 12, 2018 and March 16, 2018 per LSMC 14.16B.

Conclusions – The City has met public noticing requirements per Chapter 14.16B LSMC.

Attachments

- A. Draft Model Home Regulation (New Section of LSMC 14.44.025 Model Homes).
- B. Model Home Comparison Chart
- C. Comments from applicant on draft regulations

(Note: Redlines are proposed revisions in response to applicants concerns.)

New Code Section - 14.44.025 Model Homes.

(a) Model Home Building permit applications for a limited number of model homes, in an approved preliminary subdivision, shall be granted by the Community Development Director or designee prior to final subdivision approval and recording in accordance with Chapter 14.18 LSMC.

(1) For short plats consisting of a subdivision of nine or fewer lots the maximum number of model home building permits allowed shall be two or 20% of the total number of single-family residences proposed, whichever is less. For all other subdivisions, the maximum number of model home permits allowed shall be six or 20% of the total number of single-family residences planned for the development, whichever is less. In cases where the application of the 20% restriction creates a fraction, the number of model homes permitted shall be rounded up to the nearest whole number.

(2) An applicant who has received preliminary subdivision approval is eligible to apply for one or more building permits for model homes upon demonstrating the following:

(i) The applicant for the model home, if different than the owner and applicant for the approved preliminary plat, shall provide a document signed by the owner demonstrating that the applicant has a real or possessory interest in the property on which the model home will be constructed.

(ii) The applicant shall have submitted and received approval of the construction plans, including water, sewer and storm sewer extensions to serve the model homes to be constructed.

(iii) Permanent or temporary retention/detention facilities that serve the lots where the model homes are to be constructed shall be in place or approved for construction.

(iv) Any street improvement required as a condition of preliminary subdivision approval, which is designed to provide access to the model home lots from an existing public street, shall be constructed to the final alignment and subgrade from such public street to the model lots (but not including the required curb, gutter, sidewalk or paving). The access street shall meet the requirements of Chapter 14.56 and be constructed in accordance with the current EDDS.

(v) All mitigation fees shall be due and payable at the time of issuance of a residential building permit for model homes, unless deferred pursuant to Chapter 14.124.

(vi) Fire protection must be available to any lot proposed for construction of a model home.

(vii) ~~No two adjacent model homes shall have the exact same building elevation and exterior design components. (For example, adjacent model homes should not be an exact match except for the placement of the garage on the opposite side. model homes in a subdivision shall have identical or nearly identical floor plans. Two model homes shall be considered to have nearly identical floor plans if they are only reversed.)~~

(viii) No two model homes with the same façade may be constructed in a subdivision.

(ixviii) The application for the model home must be submitted at least 60 days prior to the date of preliminary subdivision expiration.

(ix) Any amendment proposed to an approved preliminary subdivision due to the subsequent placement of a model home shall be processed as the original preliminary plat approval, with no variances allowed.

(b) The following information is required in addition to a residential building permit application:

(1) Title certificate demonstrating ownership interest in the property on which the model home will be constructed.

(2) Building site plan(s) showing the location(s) of the proposed model home(s); distances from the proposed final subdivision lot lines; all existing, required or proposed easements; and the separations required therein.

(3) One dark line print of the proposed final subdivision.

(4) A statement signed by the applicant in which the applicant agrees to indemnify and hold harmless the City from any damages, direct or indirect, as a result of its approval of the construction of model homes; and agreeing to restore the site to its condition prior to construction of the model home(s) and their associated structures and improvements should the plat not be recorded.

(5) The owners shall post a financial security bond in a form acceptable to the city attorney in an amount sufficient to remove said buildings or any portion thereof to the extent which the buildings are inconsistent with any the final subdivision approval, or if such subdivision is disapproved, or to bring about compliance with the applicable underlying zoning. Such financial security is to be released upon recording of final plat, if homes are found in compliance.

i. Exception: any single model home constructed within the boundaries of existing lots and conforming to existing codes shall be exempt from posting a financial security.

(6) Payment of a model home review fee as set forth in the City's adopted fee resolution in place at the time of application for a model home permit.

(c) Occupancy of model homes is limited as follows:

(1) No model home shall be occupied for residential use prior to the recording of the final plat.

(2) Model homes used as temporary real estate offices shall obtain a temporary use permit in accordance with Chapter 14.16C.110 subject to the conditions of Chapter 14.16C.110(c)(3).

(3) One additional preliminarily approved lot may be used to furnish off street parking provided a hard surface approved by the Public Works Director or designee is installed. This provision is

not intended to increase the total number of model homes permitted under Chapter 14.44.025(a)(1).

Model Home Ordinance Comparison

<u>Jurisdiction</u>	<u>Percentage Allowed</u>	<u>Max Number of Units Allowed</u>	
Snohomish County		9	
Monroe	20%	7	
Marysville		9	
Mill Creek		4	
Renton	20%	5	
Auburn		4	(2 for less than 20 lots)
Mt. Vernon	20%	9	
North Bend		5	(At director discretion)
Poulsbo		4	(Per phase, if previous phase is completed)
Tumwater		4	
Average:	20%	6	
Applicant request	30%	7 - formal subdivisions 3 - short subdivisions	(Any subdivision containing 21 lots or more would be allowed 7-model homes, and any short plat containing 7 lots or more would be allowed 3-model homes, based on rounding rule)
Lake Stevens Staff Recommendation	20%	6 - formal subdivisions 2 - short subdivisions	(Any subdivision containing 25 lots or more would be allowed 6-model homes, and any short plat containing 5 lots or more would be allowed 2-model homes, based on rounding rule)



February 26, 2018

Lake Stevens Planning Commission
City of Lake Stevens
PO Box 257
Lake Stevens, WA 98258

RE: PROPOSED MODEL HOMES ORDINANCE

Dear Commissioners,

On behalf of several of our clients, Toyer Strategic Consulting submitted a citizen-initiated code amendment last October, which requested the City of Lake Stevens consider adoption of a model homes ordinance in accordance with LSMC 14.16C.075(c)(2).

Having prepared and submitted the proposal for model homes regulations, we support their approval. However, the language of the proposed ordinance that we submitted has since been amended and we would request the Planning Commission address several areas where the proposed new language concerns our clients.

Concerns

1. Our original proposal did not include language requiring a bond or financial security as a condition for a model homes permit. Only one jurisdiction, Monroe, currently has this requirement. While we understand that the City may be concerned about model homes being constructed and abandoned prior to final plat approval, we have not been able to identify any such examples that took place in the last housing recession.
 - We do not support the requirement for bonding or financial security.
 - Should the Planning Commission and City Council disagree and require a security, we request the following changes:
 - Delete the requirement for a bond and replace with a general requirement for financial security, which could include a letter of credit.
 - Add language to exempt model homes on existing, established lots from the requirement to post security.
 - Clarify that financial security for model homes is released upon recording of final plat.
2. Our original proposal did not include language placing restrictions on model homes that limit similar floor plans adjacent to each other because floor plans can often be similar, but the exteriors of homes very different. The purpose of model homes is to allow builders to showcase their design and upgrade options, speeding up the sales process. Design standards and variations in design is already covered by the City's design guidelines with which developers/builders must already comply.
 - However, should the Planning Commission and City Council desire to include restrictions or limitations on the design of model homes, we'd ask for revised language along the lines of:

"No two adjacent model homes shall have the exact same building elevation and exterior design components. For example, adjacent model homes should not be an exact match except for the placement of the garage on the opposite side."

Model Homes Explained

The proposed code amendment would add a new section to the City's code, allowing the construction of model homes in subdivisions prior to final plat approval. However, the City does not presently have code adopted that specifically applies to the permitting of model homes and criteria for approval.

Our proposed model homes ordinance is similar to that of jurisdictions around Lake Stevens, including Monroe, Marysville and Snohomish County. One of the main benefits to enacting this code amendment is that it creates a consistent standard the building industry can rely on to utilize model homes while providing planning staff with clear guidance on the requirements for approval of model home permits.

Home builders, especially those who construct larger subdivisions, have for many years have requested jurisdictions approve the construction of a number of "model" homes during the site development process as a mechanism to expedite home sales and build-out of the project. These model homes are used as sales models to show potential home buyers the floor plans, features and upgrades available in that subdivision. Additionally, one of the homes is typically used as a temporary sales office in lieu of locating temporary modular office buildings – a practice that is more aesthetically pleasing.

Many jurisdictions in the area, including Monroe, Marysville and Snohomish County, have moved away from permitting these model homes as temporary uses, choosing to establish specific codes allowing their approval subject to conditions. Such conditions address when model homes can be construction, the number of models allowed, the process and requirements for fire protection, and etc. This provides clarity for the city, the builder and residents of the community.

Thank you in advance for your time and consideration.

Should you have any questions, or should we be able to be of assistance in researching additional information, please do not hesitate to contact us at any time.

TOYER STRATEGIC CONSULTING, LLC.



BY: DAVID K. TOYER
ITS: FOUNDER/AUTHORIZED AGENT



Staff Report
City of Lake Stevens Planning
Commission
Public Hearing
Date: **March 21, 2018**

Subject: **LUA2018-0030:** City initiated code amendment prohibiting the siting of Supervised Drug Consumption Facilities.

Contact Person/Department: Joshua Machen, *Senior Planner* / Russ Wright, *Community Development Director*

SUMMARY:

The proposed code amendments define “Supervised Drug Consumption Facilities:” and prohibit the siting of such facilities within the City of Lake Stevens

ACTION REQUESTED OF PLANNING COMMISSION:

Take public comment and review proposed code amendments then forward a recommendation to the City Council.

BACKGROUND / HISTORY:

In 2016, King County and the cities of Seattle, Renton, and Auburn convened a Heroin and Opioid Addiction Task Force, which released a report in September 2016. The report included recommendations to prevent opioid addiction and improve opioid use disorder outcomes in King County, including a recommendation to establish, on a pilot program basis, at least two sites for supervised opioid consumption in King County.

Marysville and other jurisdictions within the state are and have enacted ordinances prohibiting the siting of supervised drug consumption facilities within their jurisdictions.

The recommendation to establish supervised drug consumption facilities in the region highlights the lack of regulation of such facilities within the City of Lake Stevens. Concerns have been expressed about negative impacts to the community that would occur if such a facility were to be sited within City.

On December 12, 2017, the Lake Stevens City Council passed an interim ordinance prohibiting the siting of such facilities. During the Joint Council/Planning Commission work session on February 13, 2018, the City Council directed staff to prepare code amendments to the Lake Stevens Municipal Code that address the siting of Supervised Drug consumption facilities within the City of Lake Stevens.

FINDINGS AND CONCLUSIONS FOR THE SUPERVISED DRUG CONSUMPTION FACILITY CODE AMENDMENTS:

1. *Compliance with selected elements of the Comprehensive Plan:*

- LAND USE ELEMENT POLICY 2.10.2 - Preserve and promote a safe, clean living environment.

Conclusions – The proposed code amendments are consistent with the Comprehensive Plan goals and policies as they relate to ensuring a safe and clean living environment within the City of Lake Stevens.

2. *Compliance with the State Environmental Policy Act (SEPA) (Chapter 97-11 WAC and Title 16 LSMC):*

- The SEPA Official determined that the proposed development regulations were exempt per WAC 197-118-800 (19) – Relating solely to governmental procedures, and containing no substantive standards respecting use or modification of the environment.
- The SEPA official issued an exemption determination on February 20, 2018.

Conclusions – The proposed code amendment is exempt from SEPA requirements.

3. *Compliance with the Growth Management Act (RCW 36.70A.106)*

- The city requested expedited review from the Department of Commerce on February 15, 2018.
- The Department of Commerce sent granted approval on March 6, 2018
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

Conclusions – The proposed code amendments will meet Growth Management Act requirements.

4. *Public Notice and Comments*

- The city published a notice of Public Hearing in the Everett Herald on March 12, 2018 and March 16, 2018 per LSMC 14.16B.

Conclusions – The City has met public noticing requirements per Chapter 14.16B LSMC.

Attachments

A Draft Supervised Drug Consumption Sites Prohibition Code Amendments.

Attachment A

Proposed Amendments to the Lake Stevens Municipal Code to Prohibit Supervised Drug Consumption Facilities.

1. Lake Stevens Municipal Code Section 14.08.010 Definitions of Basic Terms is amended to add the following definition for “Supervised drug consumption facility”:

Supervised Drug Consumption Facility. A facility designed to provide a location where individuals are able to consume illicit drugs under professional supervision.

All other definitions set forth in LSCM 14.08.010 shall remain in full force and effect, unchanged.

Lake Stevens Municipal Code Section 14.40.090 “More Specific Use Controls” (Table 14.40-I: Table of Permissible Uses by Zones) is hereby amended to read as follows:

2. **14.40.090 More Specific Use Controls.**

Whenever a development could fall within more than one use classification in the Table of Permissible Uses (referenced in Section [14.40.010](#) and found at the end of this chapter), the classification that most closely and most specifically describes the development controls. For example, a small doctor’s office or clinic clearly falls within the 3.110 classification (office and service operations conducted entirely indoors and designed to attract customers or clients to the premises). However, classification 3.130, “office or clinics of physicians or dentists with not more than 10,000 square feet of gross floor area” more specifically covers this use and therefore is controlling.

TABLE 14.40-I: TABLE OF PERMISSIBLE USES BY ZONES¹⁶

A blank box indicates a use is not allowed in a specific zone. Note: Reference numbers within matrix indicate special conditions apply.

P - Permitted Use; A - Administrative Conditional Use; C - Conditional Use (See Section [14.40.020](#) for explanation of combinations)

USE DESCRIPTIONS		SR	WR	UR	HUR	MFR	NC ⁴	LB	CBD	MU ¹	PBD ⁵	SRC	LI	GI	P/SP
1.000	RESIDENTIAL														
1.100	Single-Family Residences														
1.110	Single-family detached, one dwelling unit per lot														
1.111	Site-built & modular structures	P	P	P	P	P					P				
1.112	Class A mobile home	P	P	P	P	P									
1.113	Class B mobile home	P	P	P	P	P									
1.114	Class C mobile home														
1.115	Class A, B, or C mobile home or apartment used exclusively for a night watchman and his/her family												A	A	
1.116	Single-family apartment above permitted nonresidential use						P	P	PA	PA	P				
1.120	Single-family detached, more than one dwelling unit per lot ³														
1.121	Site-built and modular structures					PAC					P				
1.122	Class A, B or C mobile home parks	PAC	PAC	PAC	PAC	PAC									
1.123	Single-family apartment above permitted nonresidential use						PA	PA	PA	PA	P	P			
1.124	Cottage housing developments ¹¹	PAC	PAC	PAC	PAC					PAC	P				

1.500	Miscellaneous, Rooms for Rent Situations													
1.510	Rooming houses, boarding houses					A		PA	PA	PA	P			
1.520	Tourist homes and other temporary residences renting by the day or week	A	A	A	A	A		PA	PA	PA	P			
1.530	Hotels, motels, and similar businesses or institutions providing overnight accommodations					C		PA	PC	PC	P	C		
1.600	In-Home Day Care	P	P	P	P	P		P	P	P				
1.700	Temporary Emergency, Construction, and Repair Residences	P	P	P	P	P	P	P	P	P	P	P	P	P
1.800	Home Occupations	P	P	P	P	P	P	P	P	P	P	P	P	P
1.900	Planned Residential Developments	C		C	C	C								
2.000	SALES AND RENTAL OF GOODS, MERCHANDISE AND EQUIPMENT ²													
2.100	No Storage or Display of Goods Outside Fully Enclosed Building (except for sidewalk displays, occasional/temporary sales, or horticultural sales occupying less than 200 square feet)													
2.110	High-volume traffic generation													
2.111	Miscellaneous ²						PA	PA	PA	P	P	PA	PC	PA
2.112	Convenience stores ²						A	PA	PA	P	P	PA	PC	PA
2.120	Low-volume traffic generation ²						PA	PA		P	PA	PC	PC	PA
2.130	Wholesale sales ²										PA	PC	PC	PA

2.200	Storage and Display of Goods Outside Fully Enclosed Building Allowed													
2.210	High-volume traffic generation ²							PA	PA		P	PA	PC	PC
2.220	Low-volume traffic generation ²							PA	PA		P	PA	PC	PC
2.230	Wholesale sales ²										PA	PC	PC	PA
2.300	Mobile Sales and Delivery (Vending Carts, Ice Cream Trucks, Mobile Delivery, Peddlers, and Similar Uses) (See Section 14.44.080) ²	P	P	P	P	P	P	P	P	P	P	P	P	P
2.400	Any Retail Sales, Rental, or Services Compatible with Regional Recreation Facilities and Primarily Intended to Cater to Users of Such Facilities ²							PC	PC		P		PC	PC
3.000	OFFICE, CLERICAL, RESEARCH AND SERVICES NOT PRIMARILY RELATED TO GOODS OR MERCHANDISE ²													
3.100	All Operations Conducted Entirely Within Fully Enclosed Building													
3.110	Operations designed to attract and serve customers or clients on the premises, such as the offices of attorneys, physicians, other professions, insurance and stock brokers, travel agencies, government office buildings, etc. ²							PA	PA	PA	P	PA		PA

3.120	Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use ²							PA	PA	PA	P	PA			PA
3.130	Office or clinics of physicians or dentists with not more than 10,000 square feet of gross floor area ²						PA	PA	PA	PA	P	PA			PA
3.200	Operations Conducted Within or Outside Fully Enclosed Building														
3.210	Operations designed to attract and serve customers or clients on the premises ²										P	PC	PC		
3.220	Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use ²										P	PC	PC		
3.230	Banks with drive-in windows ^{2,9}						PA	PA		P	PC				
4.000	MANUFACTURING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, ASSEMBLING OF GOODS, MERCHANDISE AND EQUIPMENT ⁶														
4.100	All Operations Conducted Entirely Within Fully Enclosed Building														
4.110	Majority of dollar volume of business done with walk-in trade ⁶						PA	PA	PA	P	PC	PC	PC	PC	
4.120	Majority of dollar volume of business not done with walk-in trade ⁶						PA				PC	PC	PC		

4.200	Operations Conducted Within or Outside Fully Enclosed Building ⁶									P	PC		PC	
5.000	EDUCATIONAL, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL, FRATERNAL USES													
5.100	Schools													
5.110	Elementary and secondary (including associated grounds and athletic and other facilities)	C	C	C	C	C								C
5.120	Trade or vocational schools					C		PA	PA	PA		A	A	A
5.130	Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)	C	C	C	C	C					C	PC	PC	C
5.200	Churches, Synagogues, and Temples (Including Associated Residential Structures for Religious Personnel and Associated Buildings but Not Including Elementary School or Secondary School Buildings)	A	A	A	A	A		PA	PA	PA	P	A		
5.300	Libraries, Museums, Art Galleries, Art Centers, and Similar Uses (Including Associated Educational and Instructional Activities)													
5.310	Located within a building designed and previously legally occupied as a residence or within a building having a gross floor area not exceeding 3,500 square feet	A	A	A	A	A		PA	PA	PA	P	P		PA
5.320	Located within any permissible structure					A		PA	PA	PA	P	P		PA

5.400	Social, Fraternal Clubs and Lodges, Union Halls, and Similar Uses						A		PA	PA	PA	P	P			PA
6.000	RECREATION, AMUSEMENT, ENTERTAINMENT															
6.100	Activity Conducted Primarily Within Building or Substantial Structure, Except Those Uses Described in 6.300															
6.110	Bowling alleys, skating rinks, indoor tennis and squash courts, billiard and pool halls, indoor athletic and exercise facilities and similar uses								PA	PA	PA	P	PA	PC	PC	PA
6.120	Movie theaters															
6.121	Seating capacity of not more than 300								PA	PA	PA	P	P			PA
6.122	Unlimited seating capacity								PA	PA	PA	P	P			PA
6.130	Coliseums, stadiums, and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people											P	P	PC	PC	C
6.200	Activities Conducted Primarily Outside Enclosed Buildings or Structures, Except Those Uses Described in 6.300, 6.400, or 6.500															
6.210	Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development	C	C	C	C	C		PA	PA	PA	P		PA	PA	PA	

6.600	Over-Water or In-Water Structures, Other Than Boathouses or Boat Shelters, Inaccessible from Shore ^{18, 19}													
6.610	Privately owned, used by owner(s) of property only		P											
6.620	Publicly owned, used by public			A										A
6.700	Marina ¹⁸							C						
6.800	Accessory Uses to a Boating Facility ^{18, 20}							C						
7.000	SECURE COMMUNITY TRANSITION FACILITIES AND CONFINEMENT FACILITIES													
7.100	Secure Community Transition Facilities											C	C	
7.400	Penal and Correctional Facilities, Work Release, Pre-Release or Similar Facilities											C	C	C
8.000	RESTAURANTS, BARS, NIGHT CLUBS													
8.100	No Substantial Carry-Out or Delivery Service, No Drive-In Service, No Service or Consumption Outside Fully Enclosed Structure							PA	PA	PA	P	P	P	PA
8.200	No Substantial Carry-Out or Delivery Service, No Drive-In Service, Service or Consumption Outside Fully Enclosed Structure Allowed							PA	PA	PA	P	P	P	PA
8.300	Carry-Out and Delivery Service, Consumption Outside Fully Enclosed Structure Allowed							PA	PA	PA	P	P	P	PA

8.400	Carry-Out and Delivery Service, Drive-In Service ⁹ , Service or Consumption Outside Fully Enclosed Structure Allowed							PA	PA		P	P	P	P	
8.500	Any Restaurant, Bar, or Night Club Except 8.600 Uses Compatible with Regional Recreation Facilities and Primarily Intended to Cater to Users of Such Facilities										P	P	P		
8.600	Public Places of Adult Entertainment											C	A		
9.000	MOTOR VEHICLE-RELATED SALES AND SERVICE OPERATIONS														
9.100	Motor Vehicle Sales or Rental; Mobile Home Sales							P ¹⁷	PA ²¹			P	P	P	
9.200	Sales with Installation of Motor Vehicle Parts or Accessories (e.g., Tires, Mufflers, Etc.)											P	P	P	
9.300	Motor Vehicle Repair and Maintenance, Not Including Substantial Body Work							PA	PA		P	P	P	P	P
9.400	Motor Vehicle Painting and Body Work										P	P	P		
9.500	Gas Sales							PA	PA		P	P	P	P	
9.600	Car Wash							A ¹⁷			P	P	P	P	
10.000	STORAGE AND PARKING														
10.100	Automobile Parking Garages or Parking Lots Not Located on a Lot on Which There Is Another Principal Use to Which the Parking Is Related							PA	PA	PA	P	P	P	P	P

10.200	Storage of Goods Not Related to Sale or Use of Those Goods on the Same Lot Where They Are Stored													
10.210	All storage within completely enclosed structures										P	P	P	P
10.220	Storage inside or outside completely enclosed structures										A		P	P
10.300	Parking of Vehicles or Storage of Equipment Outside Enclosed Structures Where: (1) Vehicles or Equipment Are Owned and Used by the Person Making Use of Lot, and (2) Parking or Storage Is More Than a Minor and Incidental Part of the Overall Use Made of the Lot										A	P	P	P
11.000	SCRAP MATERIALS SALVAGE YARDS, JUNKYARDS, AUTOMOBILE GRAVEYARDS											PC		
12.000	SERVICES AND ENTERPRISES RELATED TO ANIMALS													
12.100	Veterinarian							PA	PA	PA	P	P		
12.200	Kennel										A	P	P	
13.000	EMERGENCY SERVICES													
13.100	Police Stations	C	C	C	C	C		C	C	C	P	C	P	C
13.200	Fire Stations	C	C	C	C	C		C	C	C	P	C	P	C
13.300	Rescue Squad, Ambulance Service	C	C	C	C	C		C	C	C	P	C	P	C
13.400	Civil Defense Operation										A	P	P	C

	Services, Public Health Centers, Emergency Response Centers, Etc.) (See Section 14.44.048)														
16.000	DRY CLEANER, LAUNDROMAT								P	P	P	P	P		
17.000	UTILITY FACILITY														
17.100	Neighborhood	P	P	P	P	P		PA	PA	PA	P	P	P	P	P
17.200	Community or Regional											PC	PC	PC	PC
18.000	TOWERS AND RELATED STRUCTURES														
18.100 ¹²	Towers and Antennas 50 Feet Tall or Less	P	P	P	P	P		P	P	P	P	P	P	P	P
18.200 ¹²	Towers and Antennas More Than 50 Feet Tall and Receive-Only Earth Stations	A	A	A	A	A		A	A	A		A	A	A	A
18.300	Wireless Communications Facilities ¹³	C	C	C	C	C	A	A	A	A		A	A	A	A
19.000	OPEN AIR MARKETS AND HORTICULTURAL SALES														
19.100	Open Air Markets (Farm and Craft Markets, Flea Markets, Produce Markets)							PA	PA	PA	P	PA	P	PC	PA
19.200	Horticultural Sales with Outdoor Display							PA	PA		P	P	P	P	PA
20.000	FUNERAL HOME							PA				P	P	P	
21.000	CEMETERY AND CREMATORIUM														
21.100	Cemetery											P	P	C	
21.200	Crematorium											P	C		

22.000	COMMERCIAL NURSERY SCHOOLS; DAY CARE CENTERS	A	A	A	A	P	PA	PA	PA	PA	P	PA			
23.000	TEMPORARY STRUCTURES USED IN CONNECTION WITH THE CONSTRUCTION OF A PERMANENT BUILDING OR FOR SOME NONRECURRING PURPOSE	P	P	P	P	P	P	P	P	P	P	P	P	P	P
24.000	BUS STATION, TRAIN STATION							PA			A	P	P	PA	
25.000	COMMERCIAL GREENHOUSE OPERATIONS														
25.100	No On-Premises Sales										P	P	P		
25.200	On-Premises Sales Permitted										P	P	P		
26.000	EVENTS	Allowed in all zones. Level 3 and 4 events in all residential zones require public notice and a public hearing may be requested pursuant to Section 14.16C.065 (Events).													
27.000	STATE-LICENSED MARIJUANA FACILITIES ²³														
27.100	Marijuana Processing Facility - Indoor Only											A	A		
27.200	Marijuana Production Facility - Indoor Only											A	A		
27.300	Marijuana Retailer ²⁴											P	P		

Footnotes to the Permissible Use Table

¹ Subject to Section [14.44.010](#) (Mixed Use).

² A retail or office use in a commercial zone is permitted, except adjacent to or across the street from a residential zone will require an administrative or conditional use permit.

³ Subject to Section [14.48.010](#) (Minimum Lot Size Requirements).

⁴ Subject to Section [14.44.095](#) (Neighborhood Commercial).

⁵ Subject to Section [14.44.090](#) (Planned Business District).

⁶ A manufacturing or industrial use in an industrial zone is permitted, except adjacent to or across the street from a residential zone will require an administrative or conditional use permit.

⁷ For future use.

⁸ For future use.

⁹ Subject to Section [14.44.350](#) (Drive-Through Windows).

¹⁰ Subject to Section [14.44.015](#) (Residential Transition in the Central Business District).

¹¹ Developments pursuant to Chapter [14.46](#) require a administrative conditional use permit for less than 13 dwelling units and a conditional use permit for 13 or more dwelling units.

¹² Excludes wireless communication facilities. See Use Class 18.300.

¹³ No land use permit is required in certain situations. See Section [14.44.360](#)(d) and (e).

¹⁴ Existing multi-family structures, located in the Suburban Residential Zoning District, annexed into the City on or after January 1, 2006, are allowed and considered conforming land uses, so long as the structure is not expanded and/or replaced.

¹⁵ Any requests to expand and/or replace (regardless of reason) an existing multi-family structure, located in the Suburban Residential Zoning District, annexed into the City on or after January 1, 2006, shall require a conditional use permit and comply with the supplemental regulations found in Part V of Chapter [14.44](#), Supplementary Use Regulations.

¹⁶ Permissible and prohibited uses for subarea zoning districts are listed in Section [14.38.020](#). For development within adopted subareas, see Section [14.44.030](#).

¹⁷ Only permitted in the Local Business Zone on a road designated as a State route or State highway.

¹⁸ These structures are regulated by the Shoreline Master Program, Shoreline Management Act and Title [14](#).

¹⁹ Allowed structures are jet ski lifts, boatlifts, and boatlift canopies. Temporary inflatable recreational equipment is allowed between May 1st and September 30th. New recreational floats and swimming platforms are prohibited.

²⁰ Accessory uses in support of boating facilities may include fuel docks and storage, boating equipment sales and rental, wash-down facilities, fish cleaning stations, repair services, public launching, bait and tackle shops, potable water, waste disposal, administration, parking, groceries, and dry goods.

²¹ Only allowed in the Central Business District on properties north of 20th Street NE.

²² Only allowed as an essential public facility pursuant to Section [14.16C.060](#).

²³ Subject to Section [14.44.097](#) (State-Licensed Marijuana Facilities).

²⁴ Medical marijuana/cannabis can be sold at licensed retail facilities with endorsements from the Liquor and Cannabis Board pursuant to RCW [69.50.375](#).



Staff Report
City of Lake Stevens Planning Commission

Planning Commission Briefing
Date: **March 21, 2018**

SUBJECTS: Accessory Dwelling Unit (ADU) Code Amendment (LUA2017-0171)

CONTACT PERSON/DEPARTMENT: Dillon Roth, *Associate Planner*

SUMMARY: Code amendment to update ADU regulations

ACTION REQUESTED OF PLANNING COMMISSION: Review and make recommendations on the proposed regulations.

What are ADUs?

An Accessory Dwelling Unit (ADU) is a small, self-contained residential unit built on a residential lot with an existing single-family home. ADUs are also commonly known as accessory apartments, mother-in-law units, backyard cottages or granny flats. ADUs can be attached to or detached from the primary home, but are always a subordinate structure in relation. Typically, a homeowner will build an ADU on their property to be used as permanent housing for one occupant, while the owner lives in the primary home and receives rental income.

Purpose of Code Amendment

This is a city initiated code amendment, because the city currently lacks clear regulations governing ADUs and ADUs can provide several important advantages to a wide range of residents. The advantages of ADUs and flexible ADU regulations include an expansion of property rights for current residential property owners; increase property values by adding site improvements to properties; provide homeowners a means of obtaining rental income, companionship, security and services; make it possible for adult children to care for a parent or other relative in need of assisted living within their own homes; protect neighborhood stability, property values and the single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the conditions of the new ordinance; and build a more diverse housing stock to accommodate a wider variety of housing demands.

By building an ADU a homeowner can reinvest in their residential property and capitalize on the current conditions of the housing market without selling their homes. The affordability crisis negatively impacts owners as well as renters. While owners may be able to sell their homes at large profits, buying another home in the same area can be prohibitively expensive. However, building an ADU and collecting rental income can give homeowners an opportunity to take advantage of the housing market and remain in their homes despite rising costs and taxes.

This code amendment is intended to benefit residential property owners, senior citizens wishing to age in place, multigenerational households, young adults, single parents and those seeking housing alternatives to owning single-family detached homes.

ADU Data, Impacts and Housing Context

Attached to this staff report is a well cited survey of ADU owners in three Oregon cities from 2013 (Attachment 2). This survey provides insight into who lives in ADUs, how they are used, how much they cost to rent and build and the biggest challenges to construction. Based on this survey, ADUs are typically built by a home owner to obtain extra income (41% of the time) or provide housing for a friend or relative (24% of the time). An ADU is usually a permanent residence (79% of the time) for one person (64% of the time) without children (90% of the time).

The impacts of ADUs are felt most directly by the property owners that build them. However, the development of an ADU often requires compliance with design standards, dimensional standards and impact fees to mitigate the impacts of new construction. Many of these requirements are also standard for other types of residential development. When creating the ADU code, we should aim to keep the ADU regulations consistent with the existing context of residential regulations.

Framework for Proposed Regulations

Attached to this staff report is a table comparing other cities' ADU regulations to the existing and proposed regulations of Lake Stevens (Attachment 1). The proposed regulations are a first draft only and are intended to be discussed and edited as applicable. Vancouver, BC and Portland, OR are included in the table to illustrate what an ADU-friendly code may look like. The proposed regulations were drafted in part based on other cities in our area. However, compared to ADU-friendly jurisdictions, the proposed regulations are restrictive and do not promote ADUs to the maximum extent possible.

Next steps

The purpose of this briefing is to discuss the issues and advantages of ADUs, discuss the proposed regulations and determine how ADU-friendly Lake Stevens should be. Based on the outcomes of the briefing at Planning Commission, a briefing at City Council may be the next step forward to discuss similar topics. Once consensus is reached on the framework for the ADU code, specific code language will be drafted to articulate the regulations and taken back to the Planning Commission.

ATTACHED:

- 1) City Comparison Matrix
- 2) Portland State University ADU Survey
- 3) Optional Supplemental Reading

City Comparison Matrix: Selected Restrictions and Requirements for ADUs

City, State	ADU or DADU ¹	Design Requirements	Minimum Lot Size	Impact Fee Required	Zoning	Owner Occupied	Parking	Size Limit, Whichever is Smaller	Land Use Action
Lake Stevens <i>Current</i>	ADU only	No	150% of minimum by zone	Yes, park and traffic	All SF zones	No	Two additional, unless 1 bed	750 SF or 25% of existing home, whichever is smaller	No
Lake Stevens <i>Proposed</i>	Either, but only 1 per lot	Yes, prescriptive requirements in ADU code	No	Yes, reduced park and traffic	All SF zones	Yes, with affidavit	One additional	800 SF or 50% of existing home, whichever is smaller	No
Snohomish, WA. SMC 14.207.075	Either, but only 1	Yes, with limited applicability	No	Exempt (all)	All SF zones. Also, Commercial, NB, and MU	Yes, guarantee of owner occupancy	One additional	DADU 800 SF or 50% of existing home, no size limit on attached.	No
Marysville, WA. MMC 22C.180.030	Either, but only 1	Yes, prescriptive	No	Exempt (all)	All SF zones	Yes, with recorded covenant	One additional. Garages count.	Bigger than 300 SF, smaller than 35% of home, not more than 2 bdrm	No
Monroe, WA MMC 18.40	Either, but only 1	Yes, prescriptive	No	Exempt (all)	All residential zones and MU	Yes, with affidavit and covenant	One additional	800 SF or 40% of home, up to 50%	Yes, with public notice, \$450
Mukilteo, WA MMC 17.30	Either, but only 1	Yes, prescriptive	5,000 SF for ADU and 10,000 SF for DADU	Yes, Parks and Traffic, no school	All residential	Yes, affidavit	Two additional, garages count	700 SF or 60% of existing home, not more than 1 BRDM	Yes, renewed annually, \$200, public notice on adjacent properties and posting
Everett, WA EMC 19.07.030	Either, but only 1	Yes, ADU design manual and prescriptive	No	2 bed trigger school, no traffic, reduced system development fee	All SF zones	Yes, affidavit and covenant	One additional, zero if other conditions met.	800 SF or 75% of existing home	Yes, type 1. Type 2 if deviates from regulations
Vancouver, BC	Either, 2 per lot	No	No	?	All SF zones	No	No additional	0.16 x Site Area or 900 SF	No
Portland, OR	Either, but only 1	Yes	No	Exempt (all)	All SF zones	No	No additional	800 SF or 75% of existing home	No

¹ ADU = Accessory Dwelling Unit; DADU = Detached Accessory Dwelling Unit

Accessory Dwelling Unit Survey for Portland, Eugene, and Ashland, Oregon

Final Methodology and Data Report September, 2013



Survey Research Lab



**State of Oregon
Department of
Environmental
Quality**

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Methodology

The Portland State University (PSU) Survey Research Lab (SRL) conducted a combined mail and web survey of owners of Accessory Dwelling Units (ADUs), on behalf of the Green Building Program at the Oregon Department of Environmental Quality (DEQ), Portland's Metro regional government (Metro), and AccessoryDwellings.org. The goal of this survey was to learn about how ADUs are being used by owners in Portland, Eugene, and Ashland, Oregon. The survey was conducted from June 5 to August 11, 2013, and resulted in a total of 369 completed surveys, with 290 completed surveys from Portland, 49 completed surveys from Eugene, and 30 completed surveys from Ashland.

Background

The purpose of conducting this survey was to gain a better understanding of how ADUs are being used, who is using them, the financing mechanisms for them, and some energy usage and structural characteristics of them. Prior to conducting the survey, the SRL assisted representatives of DEQ, the City of Portland, Metro, AccessoryDwellings.org, Energy Trust of Oregon, the City of Eugene, and the City of Ashland with finalizing the survey instrument to ensure the items were accurately worded, skip patterns would correctly guide respondents through the survey, and the collected data would provide them with the information they needed to understand the current status of ADUs in Portland, Eugene and Ashland.

The survey included questions about past, current, and future ADU use; current occupant demographics and rental logistics; construction; energy use; and owner demographics. The final mail survey instrument can be found in Appendix C of this report. The survey instrument was also programmed into Qualtrics¹ web survey software, and testing was conducted to ensure appropriate wording of questions, correct functioning of all skip patterns, and the accurate recording of data.

Respondent Sampling

The target population for the survey included owners of ADUs in Portland, Eugene, and Ashland, Oregon. This included both owners who lived on the property where the ADU is located, owners who lived off the property, and registered businesses or property developers who owned properties with an ADU. Each city provided a list of names and contact information for ADU owners as found in building permit and tax records. There were initially 701 records for Portland, 104 records for Eugene, and 67 records for Ashland, for a total of 872 records. Because some individuals owned multiple properties with ADUs, each record in the list represented a single property with an ADU. From the original 872 records, 12 were removed due to incomplete addresses, or because the property was owned by a bank or city government, resulting in a final sample of 860 ADUs owned by 839 owners. The breakdown of the 860 total records included 689 from Portland, 104 from Eugene, and 67 from Ashland. Of those 860 ADU records, 68.8% were identified in the building permit and tax records as "owner-occupied", meaning they were located on properties where the owner lived. Within each city, the proportion of owner-occupied ADU records (i.e., prospective respondents who received the survey) was 64.7% (n=446) in Portland, 100% (n=104) in Eugene (where owner occupancy is required by code), and 62.7% (n=42) in Ashland.

¹ <http://qualtrics.com>

Targets were set for the number of completed surveys that would be large enough to confidently generalize the findings to the total population of ADUs in each of the three cities. These were calculated based on the total population size (Portland=689, Eugene=104, Ashland=67), the degree of accuracy desired in the results (i.e., sampling error, usually at +/-5%), the level of confidence that the data gathered from the sample is representative of the entire population (usually 95%) and how varied the population is expected to be (usually set at 50/50 to represent the widest variation). Using these factors, the targets for completed surveys were 248 for Portland, 82 for Eugene, and 57 for Ashland.

Respondent Recruitment

Target respondents were initially mailed an introductory letter informing them of the purpose of the survey and inviting them to participate. Respondents were told that the survey would be arriving in the mail a few weeks later, but that they could complete the survey immediately online by going to www.ADUSurvey.org and logging on with their Survey ID. This initial letter was mailed to the full sample of 839 owners. A total of three mailings were sent to potential respondents. The first mailing included the introductory letter, the second mailing included a cover letter and the survey instrument, and the third mailing included a reminder postcard. Each mailing also provided the link to take the survey online. If an introductory letter or survey mailing was returned with a forwarding address, it was resent to the correct address. As responses came in to each round of mailing, they were tracked accordingly so the survey mailing and reminder postcards were sent only to those owners who had not yet completed the survey on paper or online.

Mailings were sent on the following dates:

Survey Mailings

Introductory Letter: Wednesday, June 5, 2013

Cover Letter & Survey Instrument: Friday, June 21, 2013

Reminder Postcard: Monday, July 8, 2013

There were 11 owners who owned multiple ADUs. These owners were sent modified introductory and survey cover letters that contained the Survey IDs for all of their ADUs, and received a separate paper survey for each ADU they owned in a single mailing packet. These mailings to multiple owners were sent a few days after the mailings for the individual owners. Due to printing and space constraints, these multiple ADU owners did not receive a reminder postcard.

The online survey went live on June 5, 2013, and concluded on August, 11, 2013. A total of 390 people responded to the survey by mail or online. Of those, 20 were removed from the final dataset because they did not provide complete data, resulting in a final count of 369 completed surveys across all three cities.

To help maximize the response rate, potential respondents were offered the opportunity to enter a drawing to win an Apple iPad Mini or a \$350 store gift card upon completion of the survey. Respondents could enter the drawing by filling out a separate slip of paper to be returned with the mailed survey instrument. Respondents who completed the survey online were automatically redirected to a separate form where they could enter their contact information to be entered in the drawing. The drawing was held on September 8, 2013.

Response Rates

The response rate is calculated by dividing the number of completed surveys by the total number of records that were eligible and deliverable. Table 1 below includes a list and frequencies of all final record dispositions for each city, and for all cities combined. The dispositions “Paper Complete” and “Web Complete” represent all completed surveys that are included in the results presented later in this report. “Paper Partial or Incomplete” include surveys that had one or more applicable sections of the survey left blank; these are excluded from the data results. The dispositions “Ineligible”, “Not current owner of property”, and “Mail returned to sender” are excluded from the response rate calculations. Table 2 presents the response rates for each city, and the total response rate for all cities combined. For additional context, Table 3 lists the proportion of completed surveys from owner-occupied properties by city.

Table 1: Final Record Dispositions

Disposition	Portland		Eugene		Ashland		Total	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Paper Complete	119	17.4%	29	27.9%	22	32.8%	170	19.9%
Web Complete	171	24.8%	20	19.2%	8	11.9%	199	23.1%
Paper Partial or Incomplete	16	2.2%	1	1.0%	4	6.0%	21	2.3%
Refusal	1	0.1%	-	-	-	-	1	0.1%
Survey submitted after data collection period	2	0.3%	-	-	-	-	2	0.2%
Ineligible: No ADU at listed property	5	0.7%	-	-	-	-	5	0.6%
Not current owner of property	1	0.1%	-	-	1	1.5%	2	0.2%
Mail returned to sender	10	1.5%	13	12.5%	-	-	23	2.7%
No Response	364	52.8%	41	39.4%	32	47.8%	437	50.8%
Total	689	100%	104	100%	67	100%	860	100%

Table 2: Final Response Rates

	Target Completes	Total Completes	Valid Sample	Response Rate
Portland	248	290	673	43.2%
Eugene	82	49	91	53.8%
Ashland	57	30	66	45.5%
Total	369		830	44.6%

Table 3: Completed Surveys for Owner-occupied ADUs by City (n=369)

	Count	Percent
Portland	204	70.3%
Eugene	49	100.0%
Ashland	24	80.0%

Sampling Error

When estimating the sample size needed for a survey, one of the criteria included is the sampling error, also known as the margin of error. The sampling error is the level of accuracy we would like to have in the results. Once the survey is completed, though, the actual sampling error can be calculated. For this calculation, we used a confidence interval of 95%, maximum variation (50/50), and the sample sizes achieved. Based on those figures and the size of the population, the sampling error for the results of all cities combined and for each city are as follows:

Table 4: Sampling Error

City	Sampling Error
Portland	±4.38%
Eugene	±10.22%
Ashland	±13.43%
All Cities	±3.87%

These figures indicate the range we would expect the “actual” findings for the entire population of ADUs in each of the three cities, as well as all the cities combined. For example, we found that 91.0% of the Portland respondents had a completed ADU (Table 5). Using the sampling error in Table 4, we would expect the actual percentage of ADUs in Portland to be within ±4.38% of 91.0%, or within the range of 86.62% to 95.38%. This sampling error can be applied to each of the items within the survey for the Portland respondents; whereas, ±3.87% can be applied to the findings in this report for all three cities combined. Both of these sampling errors are small and within a reasonable range for generalizing to the respective populations. However, the sampling errors for Eugene and Ashland are much larger and suggest that the sample sizes for those two cities are not large enough to generalize to the respective populations with sufficient confidence. This commonly occurs with such small population sizes as we had with these two cities.

Notes on Data

The data presented on the following pages in this report include descriptive statistics for the City of Portland for all survey questions, as well as descriptive statistics for selected set of questions for all three cities combined. Due to the small final Ashland and Eugene sample sizes and relatively large margins of error, separate results for Ashland and Eugene are not included in this report.

This report is not intended to present any interpretation of the survey results. While reviewing these results, understand that further analyzing the data (e.g., intersecting selected items with each other using crosstabs) may provide a more detailed explanation of the results. It is also important to consider other information available that can provide context and further explain the findings. As needed and as more staff time comes available, DEQ will offer additional interpretation of these findings.

In this report, statistical tables are presented for each survey question. The header above each table includes the text of the original question, followed in parentheses by the question number and the “n” of each question. The “n” indicates the applicable sample size for each question – that is, the number of

respondents for whom the question was applicable. For questions where a numeric average is presented, the “n” represents the number of respondents who provided a valid response to that question.

A number of items in the survey instructed respondents to “check all that apply” from a series of options. For those items, all of the options are presented in one table, along with the respective frequencies and percentage of respondents who selected each option. Those tables do not include “total” frequency and percentage figures because they sum to totals beyond the sample size and greater than 100%.

Some survey questions were open-ended, or had “other” options where respondents could enter an open-ended response. These text responses are, for the most part, presented as they were written in by respondents. Where any text has been edited in these responses, it is presented as text in [brackets]. Editing was done in the following cases: To remove potentially personal or identifying information; to give similar answers across respondents the same wording to allow more accurate frequency counts; to shorten long or redundant responses for brevity and clarity. The original responses, excluding identifying information, are preserved in the final survey data file.

Portland Data Results

Section A: ADU Use – Portland

Table 5: Is your ADU currently completed or still under construction? (Q1—Portland) (n=290)

	Frequency	Percent
Completed	264	91.0%
Under construction	26	9.0%
Total	290	100.0%

Table 6: How is your ADU currently being used? (Q2—Portland) (n=264)

	Frequency	Percent
As someone's primary residence, and is currently occupied	205	77.7%
As someone's primary residence, but is currently vacant	5	1.9%
For short-term housing (less than 1 month stays)	12	4.5%
By the main house occupants as an extra room or workspace	30	11.4%
Not currently being used for anything	2	0.8%
Other	10	3.8%
Total	264	100.0%

Table 7: “Other” Responses: How is your ADU currently being used? (Q2—Portland) (n=10)

	Frequency
[For short-term housing (less than 1 month stays) and By the main house occupants as an extra room or workspace]	1
4/12 - 6/13 ADU used by someone whose house is under construction.	1
Family member	1
preschool	1
rented as secondary residence	1
Short term housing, more than one month	1
Sometime part year residence, otherwise as a guest house	1
Vacation rental of 28 days minimum	1
Visitors that come to visit short stay	1

Table 8: If used as a primary residence, what best describes your situation? (Q2a—Portland) (n=210)

	Frequency	Percent
ADU is used as a primary residence year-round	201	95.7%
ADU is used as a primary residence seasonally or for only part of the year	6	2.9%
Other	1	0.5%
Missing/Refused	2	1.0%
Total	210	100.0%

Table 9: "Other" Responses: If used as a primary residence, what best describes your situation? (Q2a—Portland) (n=1)

	Frequency
Private space for grandparents who also use our house	1

Table 10: Regardless of current use, in the past 12 months, how many months has your ADU been occupied as someone's primary residence? (Q3—Portland) (n=264)

	Frequency	Percent
0 months	40	15.2%
1-6 months	29	11.0%
7-11 months	29	11.0%
12 months	161	61.0%
Missing/Refused	5	1.9%
Total	264	100.0%

Table 11: How have you used your ADU in the past? [check all that apply] (Q4—Portland) (n=264)

	Frequency	Percent
As someone's primary residence	208	78.8%
For short-term housing (less than 1 month stays)	34	12.9%
By the main house occupants as an extra room or workspace	61	23.1%
Other	14	5.3%
Missing/Refused	4	1.3%

Table 12: "Other" Responses: How have you used your ADU in the past? (Q4—Portland) (n=14)

	Frequency
[New Construction]	6
Family member	1
Four months per year residence for out-of-state person	1
Free housing	1
Guest house for visiting relatives for 3 months	1
Prior to year was vacant and process of completion to an ADU	1
Short term housing, more than one month	1
Vacant	1
Missing/Refused	1

Table 13: How are you planning to use your ADU in the future? [check all that apply] (Q5—Portland) (n=290)

	Frequency	Percent
As someone's primary residence	235	81.0%
For short-term housing (less than 1 month stays)	43	14.8%
By the main house occupants as an extra room or workspace	56	19.3%
Other	17	5.9%
Missing/Refused	3	1.0%

Table 14: “Other” Responses: How are you planning to use your ADU in the future? (Q5—Portland) (n=17)

	Frequency
[Planning to or in process of selling property]	4
28 day or more vacation rentals	1
Don't know	1
Family member	1
Host artist residencies	1
Long term stays - one month or longer	1
Montessori classroom	1
Preschool	1
Private space for grandparents who also use our house	1
Rental unit	1
Rented as someone's secondary residence	1
Short term housing, more than one month	1
We are moving in two months, so I'm not sure how the ADU will be used.	1
Missing/Refused	1

Section B: ADU Occupancy – Portland

Table 15: If your ADU is currently being occupied, how many adults age 18 or older live there? (Q6—Portland) (n=205)

	Frequency	Percent
1	132	64.4%
2	70	34.1%
3	2	1.0%
Missing/Refused	1	0.5%
Total	205	100.0%

Table 16: How many children under age 18 live there? (Q7—Portland) (n=205)

	Frequency	Percent
0	182	88.8%
1	13	6.3%
2	3	1.5%
Missing/Refused	7	3.4%
Total	205	100.0%

Table 17: In the table below, please fill in how many of the current ADU occupants are female and male in each age range. (Q8—Portland) (n=202)

	18-24 years	25-34 years	35-55 years	Over 55 years	Don't know	Totals by Gender	
						Frequency	Percent
Female	10	71	38	33	5	157	56.9%
Male	9	58	33	16	3	119	43.1%
Total	19	129	71	49	8	276	100.0%

Table 18: How long has the current occupant been living in the ADU? If there is more than one occupant, please think about the person who has lived there the longest. (Q9—Portland) (n=205)

	Frequency	Percent
Less than 1 year	75	36.6%
1 to less than 2 years	48	23.4%
2 to less than 3 years	27	13.2%
3 years or more	49	23.9%
Missing/Refused	6	2.9%
Total	205	100.0%

Table 19: If there was not an ADU on your property, where would the current occupant(s) most likely live? (Q10—Portland) (n=205)

	Frequency	Percent
In the main house	24	11.7%
In housing somewhere else in the city	146	71.2%
Other	6	2.9%
Don't know	28	13.7%
Missing/Refused	1	0.5%
Total	205	100.0%

Table 20: "Other" Responses: If there was not an ADU on your property, where would the current occupant(s) most likely live? (Q10—Portland) (n=6)

	Frequency
Dorm	1
In an assisted living community	1
Milwaukie or Wilsonville	1
Salem	1
Senior Assisted Living	1
With family elsewhere	1

Table 21: In total, how many cars do the current ADU occupant(s) own? (Q11—Portland) (n=205)

	Frequency	Percent
None	39	19.0%
1	130	63.4%
2	24	11.7%
3	3	1.5%
Don't know	7	3.4%
Missing/Refused	2	1.0%
Total	205	100.0%

Table 22: If the occupants do own cars, where do they usually park? (Q11a—Portland) (n=159)

	Frequency	Percent
On the street	73	45.9%
Off the street (e.g. garage, driveway, parking pad)	79	49.7%
Other	5	3.1%
Missing/Refused	2	1.3%
Total	159	100.0%

Table 23: "Other" Responses: If the occupants do own cars, where do they usually park? (Q11a—Portland) (n=5)

Frequency
[On the street and Off the street (e.g. garage, driveway, parking pad)]
Either on the street or in the driveway

Table 24: Which of the following options best describes your relationship to the current occupant when they first moved into the ADU? (Q12—Portland) (n=205)

	Frequency	Percent
Family member	35	17.1%
Friend	18	8.8%
Acquaintance	14	6.8%
We didn't know each other	117	57.1%
ADU is occupied by myself	18	8.8%
Other	2	1.0%
Missing/Refused	1	0.5%
Total	205	100.0%

Table 25: “Other” Responses: Which of the following options best describes your relationship to the current occupant when they first moved into the ADU? (Q12—Portland) (n=2)

	Frequency
Ecovillage resident and renter	1
Friend of an acquaintance. Acquaintance lived there with the friend for first month.	1

Table 26: Do you charge the current occupant(s) of your ADU rent? (Q13—Portland) (n=192)

	Frequency	Percent
Yes	148	77.1%
No	21	10.9%
Don't know	2	1.0%
Missing/Refused	21	10.9%
Total	192	100.0%

Table 27: How much rent do you receive monthly for your ADU? If rent includes utilities, how much is the rent without utilities? (Q13a and Q13b—Portland)

	N	Minimum	Maximum	Mean	Std. Deviation
How much rent do you receive monthly for your ADU?	143	\$385	\$1800	\$880.20	\$239.42
If rent includes utilities, how much is the rent without utilities?	78	\$200	\$1700	\$811.85	\$248.09

Table 28: Do you receive any services from the ADU occupant(s) in exchange for all or part of the rent (e.g. childcare, lawn maintenance)? (Q14—Portland) (n=192)

	Frequency	Percent
Yes	19	9.9%
No	153	79.7%
Don't know	1	0.5%
Missing/Refused	19	9.9%
Total	192	100.0%

Table 29: What service(s) do you receive? (Q14a—Portland) (n=19)

	Frequency
Assistance with lawn maintenance	1
Childcare, pet sitting	1
Childcare, use of building as an occasional workspace	1
Childcare, yard maintenance	1
Consultation on other projects	1
Free dinner out occasionally	1
Handyman, security, yard care	1
Help with childcare	1
Help with yard care, some childcare, transportation for younger children.	1
Helps some with yard	1
House sitting while we are away	1
If I'm away for weekend or more, I reduce rent by \$10-15 for next month as occupant takes in mail, may water, rolls garbage cans back after collection. A casual arrangement.	1
Light gardening	1
Occasionally takes care of garden when we are gone.	1
Pet care, garden care and maintenance, handyman services	1
Sporadic maintenance	1
They take care of the lawn and are making the garden.	1
Will start to receive childcare next month, up until then, no services for rent	1
Yard work	1

Section C: Construction – Portland

Table 30: Which of the following best describes how you acquired your ADU? I purchased the house... (Q15—Portland) (n=290)

	Frequency	Percent
with ADU already completed	50	17.2%
without any intent to build the ADU, but decided to build it later	135	46.6%
with the specific intent to build an ADU	80	27.6%
Other	24	8.3%
Missing/Refused	1	0.3%
Total	290	100.0%

Table 31: “Other” Responses: Which of the following best describes how you acquired your ADU? I purchased the house... (Q15—Portland) (n=24)

	Frequency
[Built the ADU along with a new house]	10
[With the ADU partially complete]	5
'ADU' is the original building on plot. Later added main house that was not originally planned.	1
ADU showed approved when purchased, but there was an error in reporting by the county and had to go through process of ADU approval	1
Forced by city to get 4 additional lots	1
Let family build on over lot	1
Partnered with previous house owner to collaborate on building of the ADU	1
With a completely screwed up, turned-out-not-to-be-legal set of apartments in the garage. Had to do giant unexpected remodel 3 months after buying; took 18 months.	1
With the ADU partially completed, with specific intent to complete ADU	1
With unpermitted ADU that I later upgraded	1
Missing/Refused	1

Table 32: Who did the actual physical labor construction on your ADU? [check all that apply] (Q16—Portland) (n=240)

	Frequency	Percent
A paid contractor	197	82.1%
An unpaid contractor	1	0.4%
A paid friend or relative	22	9.2%
An unpaid friend or relative	22	9.2%
Myself or another owner of the property	94	39.2%
Other	6	2.5%
Don't Know	2	0.8%
Missing/Refused	8	3.3%

Table 33: “Other” Responses: Who did the actual physical labor construction on your ADU? (Q16—Portland) (n=6)

	Frequency
[Previous property owner]	2
Employees	1
I am a licensed contractor; hired a licensed plumber and electrician	1
Paid sub-contractors, including a relative	1
Sub-contractors	1

Table 34: Who designed your ADU? [check all that apply] (Q17—Portland) (n=240)

	Frequency	Percent
A paid contractor	56	23.3%
An unpaid contractor	1	0.4%
A paid friend or relative	8	3.3%
An unpaid friend or relative	15	6.3%
A paid architect or designer	98	40.8%
An unpaid architect or designer	8	3.3%
Other	10	4.2%
Don't Know	1	0.4%
Missing/Refused	4	1.7%

Table 35: "Other" Responses: Who designed your ADU? (Q17—Portland) (n=10)

	Frequency
[Previous property owner]	3
[Designer]	1
[My wife and a designer]	1
Builder collaboration with me with architect and engineer input	1
My husband, a master builder in Oregon.	1
My partner is trained as an architect and has worked as a designer, she designed it	1
Spouse, designer	1
The primary resident	1

Table 36: Approximately how many unpaid hours were spent, by you or anyone else, constructing your ADU? (Q18—Portland) (n=200)

	Minimum	Maximum	Mean	Std. Deviation
Unpaid hours spent constructing ADU	0	11,640	386.84	1001.15

Table 37: How much did you or someone else pay for your ADU to be constructed? Please include the costs for design, labor, materials, and permits. Your best estimate is fine. (Q19—Portland) (n=211¹)

	Minimum	Maximum	Mean	Std. Deviation
Amount paid to construct ADU	\$3,500	\$300,000	\$77,802.84	\$53,351.28

¹This smaller sample size reflects those respondents who provided a dollar amount and excludes Don't Know, Not Applicable, or Missing/Refused responses.

Table 38: How much did you or someone else pay for your ADU to be constructed? Please include the costs for design, labor, materials, and permits. Your best estimate is fine. (Q19—Portland) (n=290)

	Frequency	Percent
Less than \$40,000	52	17.9%
\$40,000 to \$79,999	76	26.2%
\$80,000 to \$119,999	43	14.8%
\$120,000 to \$159,999	23	7.9%
\$160,000 to \$199,999	7	2.4%
\$200,000 or more	10	3.4%
Don't Know	7	2.4%
Not Applicable	52	17.9%
Missing/Refused	20	6.9%

Table 39: How did you finance the construction cost? [check all that apply] (Q20—Portland) (n=240)

	Frequency	Percent
Cash Savings	143	59.6%
Home equity line of credit	66	27.5%
Refinance and cash out option based on main home value only	26	10.8%
Refinance and cash out option based on main home and future ADU value	2	0.8%
Purchased main home and constructed ADU with cash out option based on future property value	1	0.4%
Loan from family member	31	12.9%
Credit cards	28	11.7%
Construction loan from bank	10	4.2%
Personal loan from bank	12	5.0%
Trade of services	8	3.3%
Other	28	11.7%
Missing/Refused	3	1.3%

Table 40: “Other” Responses: How did you finance the construction cost? (Q20—Portland) (n=28)

	Frequency
Inheritance	2
[ADU already completed when property was purchased]	1
[ADU partially complete when property was purchased]	1
[Family member sold house and paid for ADU]	1
[Funds from sale of prior residence]	1
[Structured retirement savings from parents who live in the ADU]	1
[Unable to finance completion of ADU]	1
Equity line of credit on a different property	1
FHA Title 1 Home Improvement Loan	1
Gift from family	1
Insurance policy from fire loss	1
Liens until I could pay contractors/city	1
Loan from professional money lender	1
PDC loan	1
Personal loan from my own retirement savings	1
Private investors	1
Refinance and cash out on other properties	1
Refinanced another rental property	1
Refinanced main home	1
Refinanced my car	1
Refinanced post-completion	1
Rehab mortgage (ADU financed along with purchase of property)	1
Retirement account	1
Some work trade but primarily sweat equity and HELOC for hard costs	1
Took out a primary mortgage - prior to construction there was no mortgage on the house.	1
Missing/Refused	2

Table 41: What is the approximate square footage of your ADU? (Q21—Portland) (n=270)

	Minimum	Maximum	Mean	Std. Deviation
Approximate square footage of ADU	200	1,500	664.66	202.42

Table 42: What is the approximate square footage of your ADU? (Q21—Portland) (n=290)

	Frequency	Percent
200 to 400 square feet	28	9.7%
401 to 500 square feet	45	15.5%
501 to 600 square feet	37	12.8%
601 to 700 square feet	39	13.4%
701 to 800 square feet ¹	88	30.3%
Over 800 square feet	33	11.4%
Don't Know	0	0.0%
Missing/Refused	20	6.9%

¹Of these respondents, 46 (15.9%) reported exactly 800 square feet.

Table 43: How many bedrooms does your ADU have? (Q22) (n=290)

	Frequency	Percent
0 (studio)	77	26.6%
1	144	49.7%
2	63	21.7%
3 or more	4	1.4%
Missing/Refused	2	0.7%
Total	290	100.0%

Table 44: Which of the following best describes the type of ADU you have? (Q23—Portland) (n=290)

	Frequency	Percent
ADU is <u>attached</u> to the main house as a/an:		
basement unit	90	31.0%
attached garage conversion	8	2.8%
attached addition to house	19	6.6%
converted attic or other internal space (not the basement)	13	4.5%
Subtotal – ADU is attached	130	44.8%
ADU is <u>detached</u> from the main house as a/an:		
detached garage conversion	41	14.1%
addition above or beside an existing detached garage	38	13.1%
addition above or beside a new detached garage	36	12.4%
stand-alone detached unit	42	14.5%
Subtotal – ADU is detached	157	54.1%
Missing/Refused	3	1.0%
Total	290	100.0%

Table 45: Regardless of how the ADU is currently being used, what was your primary reason for building the ADU or purchasing the property with an existing ADU? (Q24—Portland) (n=290)

	Frequency	Percent
Potential rental income allowed us to buy a house we could not otherwise afford	25	8.6%
Extra income from ADU rent	125	43.1%
Separate living space for household member or helper (e.g. adult child, nanny, or elder family member)	66	22.8%
Planned on building additional living space and decided to permit space as ADU to provide flexibility for future use	26	9.0%
Existing ADU was not a factor in our decision to buy the property	7	2.4%
Other	40	13.8%
Missing/Refused	1	0.3%
Total	290	100.0%

Table 46: “Other” Responses: Regardless of how the ADU is currently being used, what was your primary reason for building the ADU or purchasing the property with an existing ADU? (Q24—Portland) (n=40)

	Frequency
[To rent the main house and live in the ADU]	3
[To provide office or studio space]	3
[Extra income from ADU rent; Separate living space for household member or helper]	2
[Extra income, flexible space, maximizing density on lot, sense of community]	1
[Income, potential extra living space, future living space]	1
[Personal use; To provide housing for aging in place; To increase property value for child's inheritance]	1
[Rental income and potential living space for family]	1
[Rental income and separate living space for family and friends]	1
[Rental income and to have a close neighbor]	1
[Seasonal residence for older friend]	1
[To provide ADA unit for aging in place]	1
[To provide separate office space; Rental income after retirement]	1
[To rent the main house and live in the ADU; Captured view of downtown]	1
[To retain as a rental after purchasing home with illegal ADU reported by neighbors]	1
[Work space for our business]	1
Anticipate living in it at some point as we age but saw it as potential income source to allow us to continue living at our current location	1
Community	1
Forced to do it by city to get four additional lots	1
Garage needed to be rebuilt. I was living overseas and wanted a place to live on vacations.	1
Guest house and office	1
Housing for a friend who has building skills and needed a job.	1
I love the 'small house movement' and have wanted to build one.	1
It's my primary residence.	1
Montessori classroom	1
Nice having the flexibility of having a unit that can be rented out.	1
Potential as a retirement home	1
Replaced a dilapidated shed	1

	Frequency
Self	1
Separate living space for me	1
So my elderly mom and dad could come visit	1
To split property and only own the ADU as a single family residence and share common space with main home owner (in doing so, we created a 3-house intentional community along with a 3rd adjacent home)	1
Upstairs was not an option, so made basement into ADU so we did not have to buy second house.	1
Wanted more family space	1
Wanted option to move there when I am retired and rent out main house	1
Missing/Refused	1

Table 47: What were the two biggest challenges you faced in building your ADU? [check up to two] (Q25—Portland) (n=290)

	Frequency	Percent
Obtaining financing	16	6.7%
Paying for the cost of construction	78	32.5%
Permitting fees	66	27.5%
Lot setbacks or height limits	48	20.0%
Utility connections	36	15.0%
Minimum parking requirements ¹ (Eugene and Ashland only)	1	0.4%
Design constraints or challenges	83	34.6%
Don't know	11	4.6%
Other	62	25.8%
Missing/Refused	1	0.4%

¹Although there are not minimum parking requirements in Portland, one respondent selected this response.

Table 48: “Other” Responses: What were the two biggest challenges you faced in building your ADU? (Q25—Portland) (n=62)

	Frequency
[No challenges]	4
[Never getting the same answer twice while applying for permits. It took many trips and 6-8 months to get the permits.]	1
[Working with the contractor]	1
Adhering to code	1
Appraisal valuation	1
BDS	1
Being abroad while building in Portland	1
City demanded separate water and sewer for coach house. I have to pay 2 water bills every month for 1 person!	1
City of Portland fees, planning criteria and process	1
City of Portland! They are crazy and disconnected with reality.	1
City permitting was slow	1
Code compliance	1
Contractor went bankrupt and stole \$80K	1
Contradictory/unclear building codes	1
Coordinating construction with contractor	1
Cost of new construction overall was a challenge, but not specifically to ADU	1
Crummy contractor, other code/regulations	1
Dealing with the City of Portland and neighbors	1
Dealing with, and getting straight answers from, Portland's Bureau of	1

	Frequency
Developmental Services.	
Deciding to do this big project, or move. But [we] love our neighborhood.	1
Designing an attractive space at grade for my current life style	1
Difficult relationship with general contractor	1
Disruption to our lives [because] we work at home	1
Final approval after it showed it was approved ADU when the county made a mistake in reporting as approved	1
Financing/construction cost and permitting were big factors. The project was also complicated by being on a zero setback against neighbor's garage (built concurrently) with design review requirements.	1
Getting the [redacted] City of Portland to approve it - took nearly two years.	1
Historic review (permit) not practical	1
Historical restrictions	1
I had to pay over \$6,000 to city to construct. Horrible! Also my ADU is in [redacted]. Even though it couldn't be seen by street, had to conform to historic standards; adds lots of money.	1
Inspector from BDS made up nonexistent rules. BDS sucks!!	1
Lags and run-arounds at city regarding permits and inspections.	1
Limitation of ceiling height - was later successfully appealed- limitation of height should be more flexible especially with plenty of windows. Also, was not able to separate meter.	1
Making existing unit meet all the code requirements and dealing with the city offices (Portland) and changing inspectors with differing opinions	1
Meeting code requirements given existing structure	1
Neighbor resistance	1
Neighborhood association	1
Neighbors unhappy with increase in density	1
New tax increases; my single family residence is now a duplex???? Taxwise.	1
Number of folks on total property and sewer issues, i.e., city requiring unrealistic sewer information on total of 2 persons in ADU and home.	1
Parking space requirement	1
Paying for the extra costs associated with appliances and utility hookups	1
Percentage of land to building ratio	1
Permit process	1
Permitting delays by Portland BDS	1
Permitting process - we received conflicting advice from people within the permitting office	1
Permitting requirements (The basement was too large so we had to get a variance. This delayed the project by months.)	1
Personal Time Commitment	1
Portland Building dept. not helpful, limited knowledge	1
Property taxes excessive - assume full rental market value	1
Required a variance to exceed SF design standard (the lot is just shy of 10,000 SF)	1
Retrofitting utility service of older home and other hoops I was required to meet added to cost, time and effort	1
Separate water/sewer and gas, and [loss of view] for existing living room and master bedroom	1
Septic tank and drain field limitations	1
The crack house next door	1
Time (It's taken longer to complete)	1

	Frequency
Time of labor	1
Unhappy neighbor	1
Was not allowed to expand footprint [or] height of very small garage	1
Water service requirements	1
Working with the contractor	1
Zoning issues	1

Section D: Energy Use – Portland

Table 49: Which utilities are metered separately, so the ADU gets its own bill? [check all that apply] (Q26—Portland) (n=290)

	Frequency	Percent
Electricity	172	59.3%
Natural gas	80	27.6%
Water	47	16.2%
None	74	25.5%
Don't know	0	0.0%
Other	17	5.9%
Missing/Refused	20	6.9%

Table 50: “Other” Responses: Which utilities are metered separately, so the ADU gets its own bill? (Q26—Portland) (n=17)

	Frequency
[Cable]	4
Cable/Internet	2
[Electricity and water included in main house bill, meter is installed for manual calculation of ADU portion]	1
[Internet and TV]	1
Cable TV	1
Heating oil tank	1
Internet	1
None billed separate but water is personally metered at ADU	1
Phone	1
Phone/Data	1
Sewer	1
Telecom	1
TV	1

Table 51: Which of the following systems are shared between the ADU and the main house? [check all that apply] (Q27—Portland) (n=290)

	Frequency	Percent
Heating	46	15.9%
Hot water	94	32.4%
None	77	26.6%
Don't know	1	0.3%
Other	117	40.3%
Missing/Refused	30	10.3%

Table 52: “Other” Responses: Which of the following systems are shared between the ADU and the main house? (Q27—Portland) (n=117)

	Frequency
[Water/Sewer]	27
[Water]	26
Electricity	10
[Gas, electricity]	4
Garbage	4
Internet	3
[Sewer]	2
[Water and gas]	2
Electricity, garbage, water	2
Electricity, sewer	2
Water supply	2
Water, garbage	2
Wireless Internet	2
[Garbage, internet]	1
[Gas]	1
[Water and electric]	1
[Water, sewer, electricity]	1
Communications	1
Electric, garbage	1
Electric, water, sewer	1
Electricity and water	1
Electricity costs	1
Electricity, gas, water	1
Electricity, water	1
Electricity, water, sewer	1
Electricity; same meter, separate boxes.	1
Garbage, internet, water/sewer, electricity	1
Garbage/recycling and cable TV/internet	1
Garbage/recycling and laundry room	1
Heating and hot water are by gas, which is separately metered. Water and electricity come off the house meters for those utilities.	1
Internet, garbage	1
Internet, gas	1
Natural Gas	1
Phone and Cable, and Garbage/Recycling	1
Sewer drain	1
Unit is partially heated by steam pipes for the house	1
Waste management	1
Water, electricity	1
Water, hot water has own tank	1
Water, sewer, some exterior lighting	1
Water/Sewer and cable	1
Water/Sewer shared, but separate hot water tanks	1

Table 53: What types of energy-using appliances are located inside your ADU? [check all that apply] (Q28—Portland) (n=290)

	Frequency	Percent
Washer	182	62.8%
Water heater	204	70.3%
Central heating system (e.g., furnace)	62	21.4%
Dryer	178	61.4%
Gas fireplace	39	13.4%
Dishwasher	174	60.0%
Wall heaters (e.g., electric space heat, ductless heat pump)	179	61.7%
Refrigerator	263	90.7%
Stovetop or oven	250	86.2%
Don't know	3	1.0%
Other	32	11.0%
Missing/Refused	5	1.7%

Table 54: “Other” Responses: What types of energy-using appliances are located inside your ADU? (Q28—Portland) (n=32)

	Frequency
[Microwave]	7
[Air conditioner]	6
[ERV]	2
[Radiant floor heating]	2
[Wood-burning stove]	2
[Ductless heat pump/AC unit]	1
[Radiant floor heating from on-demand gas heater]	1
[Radiant floor heating from tankless water heater; Energy Star chest freezer]	1
[Radiant floor heating, gas boiler shared]	1
Air purification system	1
Bath and stove exhaust fans	1
Heat recovery ventilation unit (mini)	1
HRV - Passive house	1
Instant wall water heater	1
Pellet stove	1
Portable A/C unit	1
Radiant hot water heat and heated water	1
Whirlpool tub	1

Table 55: What is your ADU’s primary source of energy for heating? (Q29—Portland) (n=290)

	Frequency	Percent
Electricity	174	60.0%
Solar	4	1.4%
Natural gas	96	33.1%
Wood or Pellets	4	1.4%
Fuel oil (kerosene)	2	0.7%
Other	5	1.7%
Don't know	1	0.3%
Missing/Refused	4	1.4%
Total	290	100.0%

Table 56: “Other” Responses: What is your ADU’s primary source of energy for heating? (Q29—Portland) (n=5)

	Frequency
[Electricity and Natural Gas]	1
[Electricity and Wood or Pellets]	1
Electric ground source heat pump & solar	1
Heat pump hydronic	1
Radiant floor heating	1

Table 57: What is your ADU’s primary source of energy for hot water? (Q29—Portland) (n=290)

	Frequency	Percent
Electricity	147	50.7%
Solar	2	0.7%
Natural gas	128	44.1%
Fuel oil (kerosene)	1	0.3%
Other	5	1.7%
Don't know	3	1.0%
Missing/Refused	4	1.4%
Total	290	100.0%

Table 58: “Other” Responses: What is your ADU’s primary source of energy for hot water? (Q29—Portland) (n=5)

	Frequency
[Tankless heater]	2
[Electricity and Solar]	1
Electric ground source heat pump & solar	1
Instant exterior gas shared	1

Table 59: When the ADU was being built, what energy efficient features or equipment, beyond what was required by code, did you install? [check all that apply] (Q30—Portland) (n=290)

	Frequency	Percent
Did not incorporate any energy efficient features or equipment	18	6.2%
Weatherization (e.g. air sealing, duct sealing, extra insulation)	158	54.5%
Lighting (e.g. compact fluorescent lights, CFLs, LEDs)	126	43.4%
Windows	154	53.1%
Water heating	84	29.0%
Solar electric or photovoltaic (PV)	12	4.1%
Energy Star appliances	156	53.8%
Heating equipment	72	24.8%
Other	23	7.9%
Don't know	38	13.1%
Missing/Refused	7	2.4%
Total	290	100.0%

Table 60: “Other” Responses: When the ADU was being built, what energy efficient features or equipment, beyond what was required by code, did you install? (Q30—Portland) (n=23)

	Frequency
[Passive solar design]	2
[Eco-roofs over shed and porch]	1
[Pre-wired for future solar]	1
[Skylights]	1
Adding split source heat, R 40+ walls, R60 ceiling, R20 slab, triple glazed windows, .67ACH 50, passive solar	1
Advanced framing	1
Air gap between siding and outside wall	1
Below ground 4-5 feet integrated in design	1
Cooling system	1
Extra insulation	1
Heat Pump/AC	1
HRV System	1
I made it small!	1
LEED Platinum, low-flow faucets reduce hot water usage, deep eaves and reflective roof	1
Net-zero API - lots of EE design and mechanics	1
Passive house design	1
Planning on future solar	1
SIP roof, advanced framing on walls	1
Solar hot water, super-efficient straw bale wall constructions,	1
Solar orientation	1
Solatube	1
Washer/dryer	1

Table 61: Approximately how many total light bulbs are installed in your ADU? (Q31—Portland) (n=272)

	Minimum	Maximum	Mean	Std. Deviation
Total light bulbs installed in ADU	0	64	14.41	7.92

Table 62: How many of these are compact fluorescent light bulbs (i.e., CFLs or twisty bulbs) or LED light bulbs? (Q32—Portland) (n=249)

	Minimum	Maximum	Mean	Std. Deviation
Number of CFLs or LED light bulbs	0	30	8.74	6.78

Section E: Demographics – Portland

Table 63: What is your gender? (Q33—Portland) (n=290)

	Frequency	Percent
Female	145	50.0%
Male	138	47.6%
Prefer not to answer	5	1.7%
Missing/Refused	2	0.7%
Total	290	100.0%

Table 64: What is your age? (Q34—Portland) (n=288)

	Minimum	Maximum	Mean	Std. Deviation
Respondent's age	23 years	83 years	52.18 years	12.51 years

Table 65: What is your age? (Q34—Portland) (n=288)

	Frequency	Percent
23 to 34 years	27	9.3%
35 to 44 years	58	20.0%
45 to 54 years	69	23.8%
55 to 64 years	82	28.3%
65 to 74 years	47	16.2%
75 years or older	5	1.7%
Missing/Refused	2	0.7%

Table 66: How many people, including adults and children, live in the main house on the property? (Q35—Portland) (n=290)

	Minimum	Maximum	Mean	Std. Deviation
How many people, including adults and children, live in the main house on the property?	0	7	2.70	1.207

Table 67: How many people, including adults and children, live in the main house on the property? (Q35—Portland) (n=290)

	Frequency	Percent
0 people	3	1.0%
1 person	35	12.1%
2 people	108	37.2%
3 people	74	25.5%
4 people	48	16.6%
5 people	16	5.5%
6 or more people	6	2.1%
Missing/Refused	0	0.0%

Table 68: What was your approximate annual household income for 2012? Your best estimate is fine. (Q36—Portland) (n=290)

	Frequency	Percent
\$0 - \$14,999	7	2.4%
\$15,000 - \$24,999	5	1.7%
\$25,000 - \$34,999	19	6.6%
\$35,000 - \$49,999	17	5.9%
\$50,000 - \$74,999	62	21.4%
\$75,000 - \$99,999	52	17.9%
\$100,000 - \$149,999	52	17.9%
\$150,000 or more	39	13.4%
Prefer not to answer	29	10.0%
Missing/Refused	8	2.8%
Total	290	100.0%

Combined Cities Data Results

Section A: ADU Use – Combined Cities

Table 69: How is your ADU currently being used? (Q2—All Cities) (n=337)

	Frequency	Percent
As someone's primary residence, and is currently occupied	265	78.6%
As someone's primary residence, but is currently vacant	9	2.7%
For short-term housing (less than 1 month stays)	14	4.2%
By the main house occupants as an extra room or workspace	35	10.4%
Not currently being used for anything	2	0.6%
Other	12	3.6%
Total	337	100.0%

Table 70: "Other" Responses: How is your ADU currently being used? (Q2—All Cities) (n=12)

	Frequency
[For short-term housing (less than 1 month stays) and By the main house occupants as an extra room or workspace]	1
4/12 - 6/13 ADU used by someone whose house is under construction.	1
Family member	1
Friends' summer vacation rental	1
preschool	1
rented as secondary residence	1
Short term housing, more than one month	1
Sometime part year residence, otherwise as a guest house	1
Vacation rental of 28 days minimum	1
Vacation rentals by owner/monthly rental	1
Visitors that come to visit short stay	1
Missing/Refused	1

Table 71: If used as a primary residence, what best describes your situation? (Q2a—All Cities) (n=274)

	Frequency	Percent
ADU is used as a primary residence year-round	259	94.5%
ADU is used as a primary residence seasonally or for only part of the year	10	3.6%
Other	2	0.7%
Missing/Refused	3	1.1%
Total	274	100.0%

Table 72: "Other" Responses: If used as a primary residence, what best describes your situation? (Q2a—All Cities) (n=2)

	Frequency
Monthly rental: primary at times	1
Private space for grandparents who also use our house.	1

Table 73: How are you planning to use your ADU in the future? [check all that apply] (Q5—All Cities) (n=369)

	Frequency	Percent
As someone's primary residence	301	81.6%
For short-term housing (less than 1 month stays)	53	14.4%
By the main house occupants as an extra room or workspace	67	18.2%
Other	22	6.0%
Missing/Refused	5	1.4%

Table 74: “Other” Responses: How are you planning to use your ADU in the future? (Q5—All Cities) (n=22)

	Frequency
[Planning to or in process of selling property]	5
28 day or more vacation rentals	1
Aging parents' residence	1
By a family member with a mental disability	1
Depends on pending changes in city regulations	1
Don't know	1
Family member	1
Host artist residencies	1
Long term stays - one month or longer	1
Montessori classroom	1
Not sure	1
Preschool	1
Private space for grandparents who also use our house	1
Rental unit	1
Rented as someone's secondary residence	1
Short term housing, more than one month	1
We are moving in two months, so I'm not sure how the ADU will be used.	1
Missing/Refused	1

Section B: ADU Occupancy – Combined Cities

Table 75: If your ADU is currently being occupied, how many adults age 18 or older live there? (Q6—All Cities) (n=265)

	Frequency	Percent
1	170	64.2%
2	91	34.3%
3	3	1.1%
Missing/Refused	1	0.4%
Total	265	100.0%

Table 76: How many children under age 18 live there? (Q7—All Cities) (n=265)

	Frequency	Percent
0	238	89.8%
1	13	4.9%
2	5	1.9%
Missing/Refused	8	3.0%
Total	265	100.0%

Table 77: In the table below, please fill in how many of the current ADU occupants are female and male in each age range. (Q8—All Cities) (n=263)

	18-24 years	25-34 years	35-55 years	Over 55 years	Don't know	Totals by Gender	
						Frequency	Percent
Female	18	83	49	54	5	209	58.2%
Male	12	66	41	27	4	150	41.8%
Total	30	149	90	81	9	359	100.0%

	18-24 years	25-34 years	35-55 years	Over 55 years	Don't know
Female	18	83	49	51	5
Male	12	66	41	27	4
Total	30	149	90	81	9

NOTE: Two respondents who reported that their ADU had 1 occupant (in Q6) did not answer Q8; therefore, only 263 respondents are included in the above table.

Table 78: If there was not an ADU on your property, where would the current occupant(s) most likely live? (Q10—All Cities) (n=265)

	Frequency	Percent
In the main house	34	12.8%
In housing somewhere else in the city	186	70.2%
Other	6	2.3%
Don't know	38	14.3%
Missing/Refused	1	0.4%
Total	265	100.0%

Table 79: "Other" Responses: If there was not an ADU on your property, where would the current occupant(s) most likely live? (Q10—All Cities) (n=6)

	Frequency
Dorm	1
In an assisted living community	1
Milwaukie or Wilsonville	1
Salem	1
Senior Assisted Living	1
With family elsewhere	1

Table 80: In total, how many cars do the current ADU occupant(s) own? (Q11—All Cities) (n=265)

	Frequency	Percent
None	47	17.7%
1	165	62.3%
2	39	14.7%
3	5	1.9%
Don't know	7	2.6%
Missing/Refused	2	0.8%
Total	265	100.0%

Table 81: If the occupants do own cars, where do they usually park? (Q11a—All Cities) (n=211)

	Frequency	Percent
On the street	79	37.4%
Off the street (e.g. garage, driveway, parking pad)	120	56.9%
Other	10	4.7%
Missing/Refused	2	0.9%
Total	211	100.0%

Table 82: "Other" Responses: If the occupants do own cars, where do they usually park? (Q11a—All Cities) (n=10)

	Frequency
[On the street and Off the street (e.g. garage, driveway, parking pad)]	9
Either on the street or in the driveway	1

Table 83: Which of the following options best describes your relationship to the current occupant when they first moved into the ADU? (Q12—All Cities) (n=265)

	Frequency	Percent
Family member	49	18.5%
Friend	22	8.3%
Acquaintance	19	7.2%
We didn't know each other	141	53.2%
ADU is occupied by another property owner	1	0.4%
ADU is occupied by myself	30	11.3%
Other	2	0.8%
Missing/Refused	1	0.4%
Total	265	100.0%

Table 84: "Other" Responses: Which of the following options best describes your relationship to the current occupant when they first moved into the ADU? (Q12—All Cities) (n=2)

	Frequency
Ecovillage resident and renter	1
Friend of an acquaintance. Acquaintance lived there with the friend for first month.	1

Table 85: Do you charge the current occupant(s) of your ADU rent? (Q13—All Cities) (n=244)

	Frequency	Percent
Yes	183	75.0%
No	30	12.3%
Don't know	3	1.2%
Missing/Refused	28	11.5%
Total	244	100.0%

Table 86: How much rent do you receive monthly for your ADU? If rent includes utilities, how much is the rent without utilities? (Q13a and Q13b—All Cities)

	N	Minimum	Maximum	Mean	Std. Deviation
How much rent do you receive monthly for your ADU?	177	\$375	\$1800	\$851.80	\$240.00
If rent includes utilities, how much is the rent without utilities?	95	\$200	\$1700	\$769.04	\$243.69

Table 87: Do you receive any services from the ADU occupant(s) in exchange for all or part of the rent (e.g. childcare, lawn maintenance)? (Q14—All Cities) (n=244)

	Frequency	Percent
Yes	24	9.8%
No	193	79.1%
Don't know	2	0.8%
Missing/Refused	25	10.2%
Total	244	100.0%

Table 88: What service(s) do you receive? (Q14a—All Cities) (n=24)

	Frequency
[Occupant is family, have informal arrangement to share resources and help each other out where needed]	1
Assistance with lawn maintenance	1
Childcare, pet sitting	1
Childcare, use of building as an occasional workspace	1
Childcare, yard maintenance	1
Consultation on other projects	1
Free dinner out occasionally	1
Handyman, security, yard care	1
Help with childcare	1
Help with yard care, some childcare, transportation for younger children.	1
Helps some with yard	1
House sitting while we are away	1
If I'm away for weekend or more, I reduce rent by \$10-15 for next month as occupant takes in mail, may water, rolls garbage cans back after collection. A casual arrangement.	1
Light gardening	1

	Frequency
Occasional help with pet care when we are out of town (2 or 3 times a year)	1
Occasionally takes care of garden when we are gone.	1
Pet care, garden care and maintenance, handyman services	1
Security, gardening	1
Sporadic maintenance	1
They take care of the lawn and are making the garden.	1
Watering garden plants	1
Will start to receive childcare next month, up until then, no services for rent	1
Yard maintenance	1
Yard work	1

Section C: Construction – Combined Cities

Table 89: Which of the following best describes how you acquired your ADU? I purchased the house... (Q15—All Cities) (n=369)

	Frequency	Percent
with ADU already completed	62	16.8%
without any intent to build the ADU, but decided to build it later	175	47.4%
with the specific intent to build an ADU	93	25.2%
Other	38	10.3%
Missing/Refused	1	0.3%
Total	369	100.0%

Table 90: "Other" Responses: Which of the following best describes how you acquired your ADU? I purchased the house... (Q15—All Cities) (n=38)

	Frequency
[Built the ADU along with a new house]	11
[With the ADU partially complete]	6
'ADU' is the original building on plot. Later added main house that was not originally planned.	1
[ADU was original residence, was converted to ADU after main house was newly constructed]	1
[With an illegal ADU]	1
ADU showed approved when purchased, but there was an error in reporting by the county and had to go through process of ADU approval	1
As primary residence	1
Built a shop, then converted	1
Built ADU whole remodeled	1
Completely rebuilt after fire. ADU was a possibility because of the shape of the attic.	1
Existing ADU grandfathered but could not adapt to current building codes, so had to tear down.	1
Forced by city to get 4 additional lots	1
Let family build on over lot	1
New main house and ADU	1
Partnered with previous house owner to collaborate on building of the ADU	1
Small study expanded to 198 square foot unit	1
We built the ADU when living in main house	1
We converted a shop into an ADU	1
With a completely screwed up, turned-out-not-to-be-legal set of apartments in the garage. Had to do giant unexpected remodel 3 months after buying; took 18 months.	1
With an illegal ADU which I then improved and legalized.	1
With the ADU partially completed, with specific intent to complete ADU	1
With unpermitted ADU that I later upgraded	1
Missing/Refused	1

Table 91: How much did you or someone else pay for your ADU to be constructed? Please include the costs for design, labor, materials, and permits. Your best estimate is fine. (Q19—All Cities) (n=272)

	Minimum	Maximum	Mean	Std. Deviation
Amount paid to construct ADU	\$3,500	\$300,000	\$81,766.54	\$57,643.42

Table 92: How much did you or someone else pay for your ADU to be constructed? Please include the costs for design, labor, materials, and permits. Your best estimate is fine. (Q19—All Cities) (n=369)

	Frequency	Percent
Less than \$40,000	62	16.8%
\$40,000 to \$79,999	93	25.2%
\$80,000 to \$119,999	62	16.8%
\$120,000 to \$159,999	30	8.1%
\$160,000 to \$199,999	9	2.4%
\$200,000 or more	16	4.3%
Don't Know	8	2.2%
Not Applicable	65	17.6%
Missing/Refused	24	6.5%

Table 93: How did you finance the construction cost? [check all that apply] (Q20—All Cities) (n=307)

	Frequency	Percent
Cash Savings	186	60.6%
Home equity line of credit	92	30.0%
Refinance and cash out option based on main home value only	31	10.1%
Refinance and cash out option based on main home and future ADU value	4	1.3%
Purchased main home and constructed ADU with cash out option based on future property value	2	0.7%
Loan from family member	34	11.1%
Credit cards	33	10.7%
Construction loan from bank	16	5.2%
Personal loan from bank	14	4.6%
Trade of services	11	3.6%
Other	32	10.4%
Missing/Refused	6	2.0%

Table 94: "Other" Responses: How did you finance the construction cost? (Q20—All Cities) (n=32)

	Frequency
Inheritance	2
[ADU already completed when property was purchased]	2
[ADU partially complete when property was purchased]	1
[Family member sold house and paid for ADU]	1
[Funds from sale of prior residence]	1
[Structured retirement savings from parents who live in the ADU]	1
[Unable to finance completion of ADU]	1
401k cash out	1
Equity line of credit on a different property	1
FHA Title 1 Home Improvement Loan	1
Gift from family	1

	Frequency
Insurance policy from fire loss	1
Liens until I could pay contractors/city	1
Loan from professional money lender	1
Money from sale of ADU occupant's previous residence	1
PDC loan	1
Personal loan from my own retirement savings	1
Private investors	1
Refinance and cash out on other properties	1
Refinanced another rental property	1
Refinanced main home	1
Refinanced my car	1
Refinanced post-completion	1
Rehab mortgage (ADU financed along with purchase of property)	1
Retirement account	1
Some inheritance	1
Some work trade but primarily sweat equity and HELOC for hard costs	1
Took out a primary mortgage - prior to construction there was no mortgage on the house.	1
Missing/Refused	2

Table 95: What is the approximate square footage of your ADU? (Q21—All Cities) (n=346)

	Minimum	Maximum	Mean	Std. Deviation
Approximate square footage of ADU	200	1,600	668.19	205.04

Table 96: What is the approximate square footage of your ADU? (Q21—All Cities) (n=369)

	Frequency	Percent
200 to 400 square feet	33	8.9%
401 to 500 square feet	60	16.3%
501 to 600 square feet	51	13.8%
601 to 700 square feet	47	12.7%
701 to 800 square feet ¹	112	30.4%
Over 800 square feet	43	11.7%
Don't Know	0	0.0%
Missing/Refused	23	6.2%

¹Of these respondents, 64 (17.3%) reported exactly 800 square feet.

Table 97: How many bedrooms does your ADU have? (Q22—All Cities) (n=369)

	Frequency	Percent
0 (studio)	91	24.7%
1	193	52.3%
2	76	20.6%
3 or more	6	1.6%
Missing/Refused	3	0.8%
Total	369	100.0%

Table 98: Which of the following best describes the type of ADU you have? (Q23—All Cities) (n=369)

	Frequency	Percent
ADU is attached to the main house as a/an:		
basement unit	96	26.0%
attached garage conversion	13	3.5%
attached addition to house	29	7.9%
converted attic or other internal space (not the basement)	18	4.9%
Subtotal – ADU is attached	156	42.3%
ADU is detached from the main house as a/an:		
detached garage conversion	48	13.0%
addition above or beside an existing detached garage	66	17.9%
addition above or beside a new detached garage	43	11.7%
stand-alone detached unit	53	14.4%
Subtotal – ADU is detached	210	56.9%
Missing/Refused	3	0.8%
Total	369	100.0%

Table 99: Regardless of how the ADU is currently being used, what was your primary reason for building the ADU or purchasing the property with an existing ADU? (Q24—All Cities) (n=369)

	Frequency	Percent
Potential rental income allowed us to buy a house we could not otherwise afford	32	8.7%
Extra income from ADU rent	154	41.7%
Separate living space for household member or helper (e.g. adult child, nanny, or elder family member)	90	24.4%
Planned on building additional living space and decided to permit space as ADU to provide flexibility for future use	30	8.1%
Existing ADU was not a factor in our decision to buy the property	10	2.7%
Other	52	14.1%
Missing/Refused	1	0.3%
Total	369	100.0%

Table 100: "Other" Responses: Regardless of how the ADU is currently being used, what was your primary reason for building the ADU or purchasing the property with an existing ADU? (Q24—All Cities) (n=52)

	Frequency
[To rent the main house and live in the ADU]	4
[Extra income from ADU rent; Separate living space for household member or helper]	3
[To provide office or studio space]	3
[Rental income and potential living space for family]	2
[Extra income, flexible space, maximizing density on lot, sense of community]	1
[Had to rebuild existing ADU; Permitted as legal separate house to increase land value]	1
[Income, potential extra living space, future living space]	1
[Personal use; To provide housing for aging in place; To increase property value for child's inheritance]	1
[Rental for family member now, extra room and space for caregiver in the future]	1
[Rental income and separate living space for family and friends]	1
[Rental income and to have a close neighbor]	1
[Seasonal residence for older friend]	1
[To provide ADA unit for aging in place]	1
[To provide separate office space; Rental income after retirement]	1
[To rent the main house and live in the ADU; Captured view of downtown]	1
[To retain as a rental after purchasing home with illegal ADU reported by neighbors]	1
[Work space for our business]	1
Added income so I could afford to remain in the house I built, due to divorce.	1
Anticipate living in it at some point as we age but saw it as potential income source to allow us to continue living at our current location	1
Community	1
Could no longer manage the existing house	1
Forced to do it by city to get four additional lots	1
Garage needed to be rebuilt. I was living overseas and wanted a place to live on vacations.	1
Guest house and office	1
Housing for a friend who has building skills and needed a job.	1
I love the 'small house movement' and have wanted to build one.	1
It's my primary residence.	1
Montessori classroom	1
Nice having the flexibility of having a unit that can be rented out.	1
Potential as a retirement home	1
Rental income to help cover the cost of replacing the foundation and remodeling the original house	1
Replaced a dilapidated shed	1
Resale	1
Safe - level - handicapped features for senior property owner	1
Self	1
Separate living space for a friend	1
Separate living space for me	1
So my elderly mom and dad could come visit	1
To split property and only own the ADU as a single family residence and share common space with main home owner (in doing so, we created a 3-house intentional community along with a 3rd adjacent home)	1
Upstairs was not an option, so made basement into ADU so we did not have to buy second house.	1

	Frequency
Wanted more family space	1
Wanted option to move there when I am retired and rent out main house	1
We wanted to downsize. Sold our bigger house, moved into our existing rental house and built the ADU. Now we live in ADU and rent our house again.	1
Missing/Refused	1

Table 101: What were the two biggest challenges you faced in building your ADU? [check up to two] (Q25—All Cities) (n=307)

	Frequency	Percent
Obtaining financing	22	7.2%
Paying for the cost of construction	99	32.2%
Permitting fees	89	29.0%
Lot setbacks or height limits	60	19.5%
Utility connections	42	13.7%
Minimum parking requirements (Eugene and Ashland only)	10	3.3%
Design constraints or challenges	101	32.9%
Minimum lot size (Eugene only)	2	0.7%
Don't know	14	4.6%
Other	82	26.7%
Missing/Refused	2	0.7%

NOTE: Two respondents provided more than two answers (they provided three and four answers). Their additional responses are included in the above table.

Table 102: "Other" Responses: What were the two biggest challenges you faced in building your ADU? (Q25—All Cities) (n=82)

	Frequency
[No challenges]	5
[Never getting the same answer twice while applying for permits. It took many trips and 6-8 months to get the permits.]	1
[Working with the contractor]	1
Access for construction equipment	1
Adhering to code	1
All of the above	1
Application process	1
Appraisal valuation	1
BDS	1
Being abroad while building in Portland	1
Building around four fir trees	1
City demanded separate water and sewer for coach house. I have to pay 2 water bills every month for 1 person!	1
City inspections	1
City of Portland fees, planning criteria and process	1
City of Portland! They are crazy and disconnected with reality.	1
City permitting was slow	1
City planning!	1
City System Development Charges levied before income is generated.	1
Code compliance	1
Contractor went bankrupt and stole \$80K	1
Contractor/designer	1
Contradictory/unclear building codes	1
Coordinating construction with contractor	1

	Frequency
Cost of new construction overall was a challenge, but not specifically to ADU	1
Crummy contractor, other code/regulations	1
Dealing with the city of Portland and neighbors	1
Dealing with, and getting straight answers from, Portland's Bureau of Developmental Services.	1
Deciding to do this big project, or move. But [we] love our neighborhood.	1
Designing an attractive space at grade for my current life style	1
Difficult relationship with general contractor	1
Disruption to our lives [because] we work at home	1
Final approval after it showed it was approved ADU when the county made a mistake in reporting as approved	1
Financing/construction cost and permitting were big factors. The project was also complicated by being on a zero setback against neighbor's garage (built concurrently) with design review requirements.	1
Fire sprinkler system was required and was expensive	1
Getting insulation to meet code without having to take out existing in ceiling. We did have to remove and replace all the insulation in perimeter walls and added between existing concrete floor and new flooring.	1
Getting the [redacted] City of Portland to approve it - took nearly two years.	1
Historic review (permit) not practical	1
Historical restrictions	1
I had to pay over \$6,000 to city to construct. Horrible! Also my ADU is in [redacted]. Even though it couldn't be seen by street, had to conform to historic standards; adds lots of money.	1
Inspector from BDS made up nonexistent rules. BDS sucks!!	1
Irresponsible contractor	1
Lags and run arounds at city regarding permits and inspections.	1
Limitation of ceiling height - was later successfully appealed- limitation of height should be more flexible especially with plenty of windows. Also, was not able to separate meter.	1
Main house on historic register, had to get Historic Alteration permit and jump through hoops	1
Making existing unit meet all the code requirements and dealing with the city offices (Portland) and changing inspectors with differing opinions	1
Meeting code requirements given existing structure	1
Negotiating with family member (co-owner)	1
Neighbor resistance	1
Neighborhood association	1
Neighbors unhappy with increase in density	1
New tax increases; my single family residence is now a duplex???? Taxwise.	1
Number of folks on total property and sewer issues, i.e., city requiring unrealistic sewer information on total of 2 persons in ADU and home.	1
Parking space requirement	1
Paying for the extra costs associated with appliances and utility hookups	1
Percentage of land to building ratio	1
Permit process	1
Permit process, which we did ourselves. It was time consuming and excruciatingly expensive. We spent approximately \$12,000 in fees and associated construction for code.	1
Permitting delays by Portland BDS	1
Permitting process - we received conflicting advice from people within the permitting	1

	Frequency
office	
Permitting requirements (The basement was too large so we had to get a variance. This delayed the project by months.)	1
Personal Time Commitment	1
Portland Building dept. not helpful, limited knowledge	1
Property taxes excessive - assume full rental market value	1
Required a variance to exceed SF design standard (the lot is just shy of 10,000 SF)	1
Retrofitting utility service of older home and other hoops I was required to meet added to cost, time and effort	1
Separate water/sewer and gas, and [loss of view] for existing living room and master bedroom	1
Septic tank and drain field limitations	1
The crack house next door	1
Time (It's taken longer to complete)	1
Time of labor	1
Time slowdowns, especially city	1
Unbelievable amount of time the contractor took to build the house!	1
Unhappy neighbor	1
Was not allowed to expand footprint [or] height of very small garage	1
Water service requirements	1
Working with the city of Eugene!	1
Working with the contractor	1
Zoning issues	1

Section E: Demographics – Combined Cities

Table 103: What is your gender? (Q33—All Cities) (n=369)

	Frequency	Percent
Female	183	49.6%
Male	177	48.0%
Prefer not to answer	5	1.4%
Missing/Refused	4	1.1%
Total	369	100.0%

Table 104: What is your age? (Q34—All Cities) (n=366)

	Minimum	Maximum	Mean	Std. Deviation
Respondent's age	21 years	84 years	53.35 years	12.68 years

Table 105: What is your age? (Q34—All Cities) (n=369)

	Frequency	Percent
23 to 34 years	28	7.6%
35 to 44 years	69	18.7%
45 to 54 years	84	22.8%
55 to 64 years	108	29.3%
65 to 74 years	68	18.4%
75 years or older	9	2.4%
Missing/Refused	3	0.8%

Table 106: What was your approximate annual household income for 2012? Your best estimate is fine. (Q36—All Cities) (n=369)

	Frequency	Percent
\$0 - \$14,999	9	2.4%
\$15,000 - \$24,999	9	2.4%
\$25,000 - \$34,999	30	8.1%
\$35,000 - \$49,999	27	7.3%
\$50,000 - \$74,999	76	20.6%
\$75,000 - \$99,999	60	16.3%
\$100,000 - \$149,999	64	17.3%
\$150,000 or more	48	13.0%
Prefer not to answer	36	9.8%
Missing/Refused	10	2.7%
Total	369	100.0%

Appendix A: Introductory Letter, Mailing 1



Portland State UNIVERSITY

Survey Research Lab
1600 SW 4th Ave
Suite 400
Portland, OR 97201

Debi Elliott, Ph.D.
Director
Survey Research Lab

phone 503-725-9530
toll-free 800-530-5875
email srlweb@pdx.edu

Jordan Palmeri
Green Building Program
Oregon Department of
Environmental Quality

phone 503-229-6766
email palmeri.jordan@deq.state.or.us



www.AccessoryDwellings.org

**Complete the
survey and you
can enter to win
an Apple iPad
Mini or a \$350
store gift card!**

<Mail_Name>
<Mail_Name_2>
<Mail_Street>
<Mail_City>, <Mail_State> <Mail_Zip>

<date>

Dear <Mail_Name>,

I am writing to invite you to participate in a brief survey about [accessory dwelling units], known as [ADUs], in [City]. **The goal of this survey is to learn about how [ADUs] are being used in Portland, Eugene, and Ashland.**

This survey is being conducted by the PSU Survey Research Lab on behalf of the Green Building Program at the Oregon Department of Environmental Quality, Portland's Metro regional government, and AccessoryDwellings.org.

[ADUs] show great potential for meeting housing needs, and the results of this survey are key to understanding the role they can play in future regional housing. As an [ADU] owner **your feedback will help efforts to improve policies and incentives to support development of [ADUs] in the future.**

An [ADU] is a small, secondary living space on a single family lot that includes its own kitchen, bathroom, and living/sleeping areas.

(e.g., converted garage or shed; finished basement or attic; addition to a house or a new structure).

In a few weeks, you'll receive this survey in the mail. **You can complete this survey right now online** by going to the following website and logging in with the Survey ID listed below.

www.ADUSurvey.org

Survey ID: <ADU_PIN>

This survey will take about 10 minutes, and should be completed by you, or another owner who is familiar with the [ADU's] use and history. You were selected to participate in this survey because you are listed as the owner of a property that has a permitted [ADU] at: <SITE ADDRESS>.

This survey is completely voluntary and confidential. Your survey responses will not be connected with your name, your address, or the address of the [ADU].

We know your time is valuable, and your participation in this important survey is genuinely appreciated.

Sincerely,

Debi Elliott, Ph.D
Director, PSU Survey Research Lab

Appendix B: Cover Letter, Mailing 2



Portland State UNIVERSITY

Survey Research Lab
1600 SW 4th Ave
Suite 400
Portland, OR 97201

Debi Elliott, Ph.D.
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phone 503-725-9530
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Jordan Palmeri
Green Building Program
Oregon Department of
Environmental Quality

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email palmeri.jordan@deq.state.or.us



www.AccessoryDwellings.org

**Complete the
survey and you
can enter to win
an Apple iPad
Mini or a \$350
store gift card!**

«MAIL_NAME»
«MAIL_NAME_2»
«MAIL_STREET»
«MAIL_CITY», «MAIL_STATE» «MAIL_ZIP»

«DATE»

«MAIL_NAME»,

A couple weeks ago I wrote to invite you to participate in a brief survey about Accessory Dwelling Units, known as ADUs, in Portland. **Enclosed with this letter is your questionnaire along with a postage-paid return envelope.**

This survey is being conducted by the PSU Survey Research Lab on behalf of the Green Building Program at the Oregon Department of Environmental Quality, Portland's Metro regional government, and AccessoryDwellings.org. **The goal of this survey is to learn about how ADUs are being used in Portland, Eugene, and Ashland.**

An ADU is a small, secondary living space on a single family lot that includes its own kitchen, bathroom, and living/sleeping areas.

(e.g., converted garage; finished basement or attic; addition to a house or a new structure).

ADUs show great potential for meeting housing needs, and the results of this survey are key to understanding the role they can play in future regional housing. Your participation is important, and will help efforts to improve policies and incentives to support future development of ADUs.

You can complete the questionnaire and return it in the envelope provided, or you may complete the survey online by going to the following website and logging in with the Survey ID listed below:

www.ADUSurvey.org

Survey ID: #

This survey will take about 10 minutes, and should be completed by you, or another owner who is familiar with the ADU's use and history. You were selected to participate in this survey because you are listed as the owner of a property that has a permitted ADU at: «MAIL_ADDRESS»

This survey is completely voluntary and confidential. Your survey responses will not be connected with your name, address, or the address of the ADU.

We know your time is valuable, and your participation in this important survey is genuinely appreciated.

Sincerely,

Debi Elliott, Ph.D
Director, PSU Survey Research Lab

Appendix C: Survey Instrument

Accessory Dwelling Unit Survey

The purpose of this survey is to learn about how **Accessory Dwelling Units (ADUs)** are being used in Portland, Eugene, and Ashland, and to better understand the role they can play in future regional housing. It should be completed by you or another owner who is familiar with the use and history of the ADU that is listed in the letter included with this questionnaire.

Follow the **skip instructions** > throughout the survey to answer the items that are applicable to you. For this survey, the term **ADU** will be used to mean "Accessory Dwelling Unit", "Accessory Residential Unit", and "Secondary Dwelling Unit".

Your responses are **voluntary** and **confidential**. **Questions?**: Contact Tara Horn at 503-725-8130, or srlweb@pdx.edu.

1. Is your ADU currently completed or still under construction?

Completed

[Go to #2]

Under construction

[Skip to #5]

Section A: ADU USE

2. How is your ADU currently being used?

As someone's primary residence, and is currently occupied
 As someone's primary residence, but is currently vacant

For short-term housing (less than 1 month stays)
 By the main house occupants as an extra room or workspace
 Not currently being used for anything
 Other: _____

[Go to #2a]

[Skip to #3]

Primary Residence:

The place a person usually lives, sleeps, eats, and receives mail.

2a. If used as a primary residence, what best describes your situation?

ADU is used as a primary residence year-round
 ADU is used as a primary residence seasonally or for only part of the year
 Other: _____

3. Regardless of current use, in the past 12 months, how many months has your ADU been occupied as someone's primary residence? _____ months

4. How have you used your ADU in the past? [Check all that apply]

As someone's primary residence By the main house occupants as an extra room or workspace
 For short-term housing (less than 1 month stays) Other: _____

5. How are you planning to use your ADU in the future? [Check all that apply]

As someone's primary residence By the main house occupants as an extra room or workspace
 For short-term housing (less than 1 month stays) Other: _____

If your ADU is currently...

Used as someone's primary residence, and **currently occupied**

Used as someone's primary residence, but **currently vacant**

Under Construction

NOT used as someone's primary residence

[Go to Section B:
ADU OCCUPANCY]

[Skip to #13]

[Skip to Section C: CONSTRUCTION]

Section B: ADU OCCUPANCY

The questions below are aimed at gaining a better understanding of the people actually living in ADUs.

6. If your ADU is currently occupied, how many adults age 18 or older live there? _____ adults

7. How many children under age 18 live there? _____ children

8. In the table to the right, please fill in how many of the current ADU occupants are female and male in each age range.

	18-24 years	25-34 years	35-55 years	Over 55 years	Don't know
Female					
Male					

9. How long has the current occupant been living in the ADU? If there is more than one occupant, please think about the person who has lived there the longest.

Less than 1 year 2 to less than 3 years Don't know
 1 to less than 2 years 3 years or more

10. If there was not an ADU on your property, where would the current occupant(s) most likely live? [Check one]

In the main house Other: _____
 In housing somewhere else in the city Don't know

11. In total, how many cars do the current ADU occupant(s) own? _____ cars None Don't know Skip to #12

11a. If the occupants do own cars, where do they usually park?

On the street Other: _____
 Off the street (e.g. garage, driveway, parking pad) Don't know

12. Which of the following options best describes your relationship to the current occupant when they first moved into the ADU? [Check one]

Family member Acquaintance ADU is occupied by another property owner
 Friend We didn't know each other ADU is occupied by myself Skip to #15
 Other: _____

If your ADU is currently vacant, answer questions #13 to #14a based on what you typically do when the ADU is occupied.

13. Do you charge the current occupant(s) of your ADU rent?

Yes No Don't know Skip to #14

13a. How much rent do you receive monthly for your ADU? \$ _____

13b. If rent includes utilities, how much is the rent without utilities? \$ _____

14. Do you receive any services from the ADU occupant(s) in exchange for all or part of the rent (e.g. childcare, lawn maintenance)?

Yes No Don't know Skip to #15

14a. What service(s) do you receive?

Section C: CONSTRUCTION

15. Which of the following best describes how you acquired your ADU? I purchased the house...

with ADU already completed **Skip to #21** with the specific intent to build an ADU
 without any intent to build the ADU, but decided to build it later Other: _____

If your ADU is under construction, answer the following questions based on what you expect when the ADU is completed.

16. Who did the actual physical labor construction on your ADU? [Check all that apply]

A paid contractor A paid friend or relative Myself or another owner of the property
 An unpaid contractor An unpaid friend or relative Other: _____ Don't know

17. Who designed your ADU? [Check all that apply]

A paid contractor An unpaid friend or relative Myself or another owner of the property
 An unpaid contractor A paid architect or designer Other: _____
 A paid friend or relative An unpaid architect or designer Don't know

18. Approximately how many unpaid hours were spent, by you or anyone else, constructing your ADU? _____ hours

19. How much did you or someone else pay for your ADU to be constructed?

Please include the costs for design, labor, materials, and permits. Your best estimate is fine. \$ _____

20. How did you finance the construction cost? [Check all that apply]

Cash savings Loan from family member(s) Construction loan from bank Trade of services
 Home equity line of credit Credit card(s) Personal loan from bank Other: _____
 Refinance and cash out option based on main home value only
 Refinance and cash out option based on main home and future ADU value
 Purchased main home and constructed ADU with cash out option based on future property value

21. What is the approximate square footage of your ADU? _____ square feet

22. How many bedrooms does your ADU have? 0 (studio) 1 2 3 or more

23. Which of the following best describes the type of ADU you have?

ADU is <u>attached</u> to the main house as a/an...	ADU is <u>detached</u> from the main house as a/an...
<input type="checkbox"/> basement unit	<input type="checkbox"/> detached garage conversion
<input type="checkbox"/> attached garage conversion	<input type="checkbox"/> addition above or beside an existing detached garage
<input type="checkbox"/> attached addition to house	<input type="checkbox"/> addition above or beside a new detached garage
<input type="checkbox"/> converted attic or other internal space (not the basement)	<input type="checkbox"/> stand-alone detached unit

24. Regardless of how the ADU is currently being used, what was your primary reason for building the ADU or purchasing the property with an existing ADU? [Check one]

Potential rental income allowed us to buy a house we could not otherwise afford
 Extra income from ADU rent
 Separate living space for household member or helper (e.g. adult child, nanny, or elder family member)
 Planned on building additional living space and decided to permit space as ADU to provide flexibility for future use
 Existing ADU was not a factor in our decision to buy the property
 Other: _____

25. What were the two biggest challenges you faced in building your ADU? [Check up to two]

Obtaining financing Lot setbacks or height limits Design constraints or challenges
 Paying for the cost of construction Utility connections Minimum lot size (Eugene only)
 Permitting fees Minimum parking requirements (Eugene and Ashland only)
 Other: _____ Don't know

Section D: ENERGY USE

The next series of questions is aimed at gaining a better understanding of how energy efficient currently built ADUs are.

If your ADU is under construction, answer the following questions based on what you expect when the ADU is completed.

26. Which utilities are metered separately, so the ADU gets its own bill? [Check all that apply]

Electricity Natural gas Water Other: _____ None Don't know

27. Which of the following systems are shared between the ADU and the main house? [Check all that apply]

Heating Hot water Other: _____ None Don't know

28. What types of energy-using appliances are located inside your ADU? [Check all that apply]

<input type="checkbox"/> Washer	<input type="checkbox"/> Dryer	<input type="checkbox"/> Dishwasher	<input type="checkbox"/> Refrigerator	<input type="checkbox"/> Stovetop or oven
<input type="checkbox"/> Water heater	<input type="checkbox"/> Gas fireplace	<input type="checkbox"/> Wall heaters (e.g. electric space heat, ductless heat pump)		
<input type="checkbox"/> Central heating system (e.g. furnace)		<input type="checkbox"/> Other: _____		<input type="checkbox"/> Don't know

29. What is your ADU's primary source of energy for...

Heating?	<input type="checkbox"/> Electricity	<input type="checkbox"/> Natural gas	<input type="checkbox"/> Liquid propane gas	<input type="checkbox"/> Fuel oil (kerosene)
	<input type="checkbox"/> Solar	<input type="checkbox"/> Wood or Pellets	<input type="checkbox"/> Other: _____	<input type="checkbox"/> Don't know
Hot water?	<input type="checkbox"/> Electricity	<input type="checkbox"/> Natural gas	<input type="checkbox"/> Liquid propane gas	<input type="checkbox"/> Fuel oil (kerosene)
	<input type="checkbox"/> Solar	<input type="checkbox"/> Wood or Pellets	<input type="checkbox"/> Other: _____	<input type="checkbox"/> Don't know

30. When the ADU was being built, what energy efficient features or equipment, beyond what was required by code, did you install? [Check all that apply]

Did not incorporate any energy efficient features or equipment Windows Energy Star appliances
 Weatherization (e.g. air sealing, duct sealing, extra insulation) Water heating Heating equipment
 Lighting (e.g. compact fluorescent lights/CFLs, LEDs) Solar electric or photovoltaic (PV)
 Other: _____ Don't know

31. Approximately how many total light bulbs are installed in your ADU? _____ bulbs

32. How many of these are compact fluorescent light bulbs (i.e., CFLs or twisty bulbs) or LED light bulbs? _____ bulbs

Section E: Demographics

This final set of questions is for demographic purposes. Your responses will be combined with answers from other respondents.

33. What is your gender? Female Male Prefer not to answer

34. What is your age? _____ years

35. How many people, including adults and children, live in the main house on the property? _____

36. What was your approximate annual household income for 2012? Your best estimate is fine.

\$0 - \$14,999 \$25,000 - \$34,999 \$50,000 - \$74,999 \$100,000 - \$149,999
 \$15,000 - \$24,999 \$35,000 - \$49,999 \$75,000 - \$99,999 \$150,000 or more Prefer not to answer

Additional comments about this survey or ADUs:

Thank You! Please take a moment now to return this survey with your completed entry form in the postage-paid return envelope to: Survey Research Lab, 1600 SW 4th Ave, Suite 400, Portland, OR 97211

Appendix D: Reminder Postcard

Dear «MAIL_NAME»,

A few weeks ago, we invited you to participate in a brief survey about «TERM»s («ACRONYM»s). You should have received a questionnaire in the mail for you to complete. **Your participation is important, and will help efforts to improve policies and incentives to support future development of «ACRONYM»s. Complete the survey and you can enter to win an Apple iPad Mini or a \$350 store gift card!**

You were selected to participate in this survey because you are listed as the owner of a property that has a permitted «ACRONYM» at: «site_streets».

If you have already completed and returned the survey, please accept our sincerest thanks. **If you have not responded yet, could you take a few moments to do so?** You can complete the survey and return it in the postage-paid envelope provided, or you may complete the survey online:

www.ADUSurvey.org

Survey ID: «ADU_PIN»

If you need a new survey mailed to you, or have questions, please call 503-725-6130.

This survey is being conducted by the PSU Survey Research Lab on behalf of the Green Building Program at the Oregon Department of Environmental Quality, Portland's Metro regional government, and AccessoryDwellings.org.

Sincerely,



Debi Elliott, Ph.D.

Director, PSU Survey Research Lab

 Portland State
UNIVERSITY





Free markets. Real solutions.

R STREET POLICY STUDY NO. 89
March 2017

ACCESSORY DWELLING UNITS: A FLEXIBLE FREE-MARKET HOUSING SOLUTION

Jonathan Coppage

INTRODUCTION

Much of the American built environment was constructed in the post-World War II era, when government policy and planning fashion favored a highly dispersed development model centered on the primacy of the single-family detached home. Subsequent developments in zoning law tended to further privilege and protect the single-family detached home from any neighboring diversity of land use or building form.

As a pattern popularized at the peak of American nuclear family formation, such models initially met consumer preferences and served the needs of many. As the 20th century progressed, however, American demographic patterns and housing needs dramatically changed. The built environment was, by this point, too calcified by accumulated land-use regulations to adapt to these changes, producing significant distortion in high-demand housing markets and unresponsive legal environments across the country.

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As housing supply constraints choke productivity in hot economic regions, and household structure and demographics continue to shift nationally, significant public-policy debates have been opened about the appropriate responses to these developments. These range from debates over national entitlement programs like Social Security and Medicare to battles over gentrification in urban centers. The political disputes often are characterized by high tempers and little perceptible progress.

While these important, high-intensity debates continue, there is opportunity simultaneously to pursue lower-profile solutions that could alleviate pressure on the market, even if they cannot provide complete resolution to all of its problems. One supplemental policy priority would be to ease significantly existing obstacles to the construction and permitting of accessory dwelling units in single-family residential zones.

ACCESSORY DWELLING UNITS

An accessory dwelling unit (ADU) is defined as “a secondary dwelling unit with complete independent living facilities for one or more persons” on a single-family lot, whether attached to the primary structure, detached from it or contained within it.¹ ADUs commonly are referred to by a wide variety of less formal names, including “granny flat,” “mother-in-law suite,” “carriage house,” “secondary unit” and “backyard cottage.”

ADUs, then, are dependent apartments built onto otherwise typical single-family homes. They are often created by means of garage conversion, basement finishing, wing addition or even as free-standing construction behind a house. A fully independent ADU will contain its own entrance and full kitchen and bathroom facilities; it may even have separate

1. California Department Housing and Community Development, “Accessory Dwelling Unit Memorandum,” December 2016. <http://www.hcd.ca.gov/policy-research/docs/2016-12-12-ADU-TA-Memo.docx.pdf>

and independent utility metering. While there was significant scholarly interest in ADUs in the 1980s, it waned until recent years, leaving a relative shortage of studies of and data on the current state of secondary units. Filling the informational gap could prove especially difficult, given the large proportion of secondary units that exist as illegal conversions, without permits or official recognition in government databases. One 2001 study estimated that fully one in five San Francisco residential buildings included an illegal secondary unit² and that supply-constrained coastal cities could expect 2 to 10 percent of their housing stock to be illegal secondary units.

The ADU is starting to recover attention, as demographic shifts also lead many groups to revisit accessory dwelling units as an option for the increasing number of multigenerational households. There are any number of causes of this trend, including the aging of the baby boomer generation, a persistent “boomerang” young adult cohort, and growth in the Hispanic and Asian populations. Moreover, housing shortages in hot urban markets have raised interest in creative means to expand supply.

Before accessory dwelling units can be brought to bear on those challenges, however, there is a need to popularize and pass significant reforms to accommodate this flexible, free-market solution.

BRIEF HISTORY OF ZONING

The basic tenets of American zoning were set by the mid-1930s, which is also when the federal government began to provide assistance to the detached single-family house as an ideal base for American life.³ In the postwar period, the relatively simple and compact single-family zoning pattern—originally designed to protect residential neighborhoods from noxious industrial activity—was expanded and complicated, with explicit federal housing policies that reinforced single-family housing on ever larger lots with rapidly diminishing tolerance of diversity. Zoning shifted from prohibiting industrial and commercial development in residential zones to prescribing the shape and structure that residential housing could take within those already protected neighborhoods.

As University of Chicago’s Emily Talen wrote in her book *City Rules*: “The zoning changes of one small town in central Illinois, Urbana, home of the University of Illinois, illustrate

the traditional progression.”⁴ As she recounts, Urbana’s first zoning ordinance was passed in 1936, but there were no minimum lot widths and no lot areas were required per unit until 1950. In 1950, six zones were introduced, two each for residential, commercial and industrial uses. By 1979, however, 16 districts and two overlay zones had been introduced, apartments in single-family areas were banned, and minimum lot sizes and floor-area ratio rules were brought into effect.

The introduction of a few zoning regulations metastasized into a narrowly prescriptive regime that, as Sonia Hirt described in *Zoned in the USA*, “has exceeded historic and international precedent to build what may well be the lowest-density settlements in the history of the world [emphasis original].”⁵

America’s hyperdispersed, land-use-segregated settlement pattern is functional for adults who drive cars but the carless are significantly inhibited from accessing any activities or areas other than the ones in their immediate neighborhood. Functionally, this prevents nondriving children from contributing to the household by running errands to a corner store, for instance, in addition to placing severe limits on the independence of elderly adults who no longer drive.⁶

The recently observed recovery of multigenerational households and parallel decline of intact nuclear families takes place, then, in a regulatory environment rigidly designed for a very different population. As Reihan Salam has written:

Since the initial rise of the suburbs, families have changed. Married couples with children have fallen from 42.9 percent of all households in 1940 to 20.2 percent of all households in 2010, while married couples without children have fallen from 33.4 to 28.2 percent of all households. Single-parent families have also increased, of course, from 4.3 percent to 9.6 percent. The most dramatic change has been the steep increase in one-person households, from 7.8 to 26.7 percent of the total. Families have also been transformed by rising female labor force participation, with women now serving as the sole or primary wage earner in four in 10 U.S. households with children. ...

Viewed through this lens, the problem we face is clear: Much of our built environment still bears the imprint of the postwar era, despite the fact that the families that were characteristic of that era are no longer dominant.⁷

4. Emily Talen, *City Rules*, Island Press, pp. 120-2, 2012.

5. Hirt, p. 28.

6. Andres Duany, Elizabeth Plater-Zyberk, and Jeff Speck, *Suburban Nation: The Rise of Sprawl and the Decline of the American Dream*, North Point Press, p. 115, 2000.

7. Reihan Salam, “How the Suburbs Got Poor,” *Slate*, Sept. 4, 2014. http://www.slate.com/articles/news_and_politics/politics/2014/09/poverty_in_the_suburbs_places_that_thrived_in_the_era_of_two_parent_families.html

2. George Williams, “Secondary Units: A Painless Way to Increase the Supply of Housing,” San Francisco Planning and Urban Research Association, August 2001. <https://sfaa.org/0110williams.html>

3. Sonia Hirt, *Zoned in the USA: The Origins and Implications of American Land-Use Regulation*, Cornell University Press, p. 32, 2014.

BENEFITS OF ADUS

Rental income

According a recent Oregon study of Portland ADUs, the largest primary motivation among ADU developers was additional income.⁸ By converting part of a house, building an addition or constructing a free-standing unit, homeowners were able to create a supplementary stream of income for themselves, while adding housing to the constrained market.

The great majority of this additional income comes via long-term rentals: Atlanta architect Eric Kronberg estimates that, when he constructs ADUs for his market under current regulatory conditions, they can reasonably command rents of \$950 to \$1400 a month. By contrast, “you have an all in cost of \$550-\$715 a month. The two bedroom unit would range \$700-\$900 all-in,” both of which are estimated very conservatively assuming entirely home equity financed, no cash projects. This means Atlanta ADUs could pay for their own financing while providing a homeowner with hundreds of dollars in additional income per month. Most impressively, Kronberg’s projections are for detached ADU prototypes, which are much more expensive to produce than attached ADUs that come from conversions or additions on an existing building.⁹

In the Portland study, 80 percent of ADUs rented for market rates comparable to those in multifamily development. However, between 13 and 18 percent of Portland ADUs go for zero or very low rents. In a separate study, University of California researchers Jake Wegmann and Karen Chapple likewise found 17 percent of San Francisco Bay Area ADUs were occupied for zero rent.¹⁰ As Martin J. Brown and Jordan Palmeri note in the Portland study, this pattern “suggests some unique phenomenon is occurring in ADU developments.” Indeed, in that same survey, “owners reported that 26 percent of ADU tenants were family or friends when they moved in.” This would indicate that a small but significant fraction of ADU development is, indeed, intended for personal relationships, as planners and advocates have traditionally assumed.

The Portland study also marked an interesting departure from earlier studies when it came to its findings on affordability. According to Brown and Palmeri, Portland ADU rents were market competitive with comparable rental apartments

8. Martin J. Brown and Jordan Palmeri, “Accessory Dwelling Units in Portland, Oregon: Evaluation and Interpretation of a Survey of ADU Owners,” Oregon Department of Environmental Quality, June 1, 2014. <https://accessorydwellings.files.wordpress.com/2014/06/adusurveyinterpret.pdf>

9. Eric Kronberg, “ADU Math,” Kronberg Wall, Feb. 24, 2017. <http://kronbergwall.com/аду-math/>

10. Jake Wegmann and Karen Chapple, “Understanding the Market for Secondary Units in the East Bay,” IURD Working Paper Series, October 2012. <http://escholarship.org/uc/item/9932417c>

only if zero-rent units were included; they actually rented for a premium if those outliers were excluded. Previous studies had indicated that ADUs were cheaper than comparable rentals. Brown and Palmieri tried to adjust market comparables by unit size via the number of bedrooms. In their report on the Bay Area, Wegman and Chapman did not attempt to adjust for unit sizes, but noted that the ADUs were smaller than their market comparables, as well as often being unpermitted.

Taken at face value, the Portland results could undermine the perception of ADUs as an inherently affordable housing solution. Although the results certainly indicate a need for further study, such reasoning should be tempered by a robust understanding of the ADU context. ADUs are more expensive to build per-square-foot, which could partially explain why owners would demand higher rents per-square-foot.

In general, due to their smaller unit sizes, ADUs should occupy the lower end of the rental spectrum. As an NYU Furman Center working paper noted: “Micro-units [ADUs and compact apartments] in many cities frequently rent at rather high rates per square foot, but at lower total monthly rent levels, than larger apartments.”¹¹ In this sense, ADUs remain a source of affordable housing. In supply-constrained housing markets, any production of additional dwelling space will help ease rental market pressure, and production of low total rent units is all the more welcome.

Further, as Brown and Palmieri note, the zero and below-market rents that are presumably charged to family members or friends should not be dismissed. Voluntarily discounting rent to those with whom the property owner has pre-existing relationships is still a provision of affordable housing. Where the housing is provided to elderly relations who might otherwise require costly personal care, it also represents a potentially large government savings. Rejoining multiple generations in close living arrangements allows for child care or eldercare to be provided by the family, instead of relying on expensive market services. Such arrangements can benefit the whole family by strengthening their relationships and shared experiences. Anecdotally, children can benefit from the experience of elders in quilting, crafting or carpentry. Elders, meanwhile, sometimes can benefit from younger generations’ greater familiarity with maintaining and navigating each new wave of domestic technology.

Further study of ADU rents would bring welcome clarity. For the great majority of homeowners who plan to rent their ADU at market-competitive rents, ADUs can provide a

11. Vicki Been, Benjamin Gross, and John Infranca, “Responding to Changing Households: Regulatory Challenges for Micro-Units and Accessory Dwelling Units,” NYU Furman Center, January 2014. http://furmancenter.org/files/NYUFurmanCenter_RespondingtoChangingHouseholds_2014_1.pdf

reliable stream of additional income which should, in most circumstances, pay for itself.

Multigenerational housing

Almost one-in-five Americans now live in a multigenerational household, according to a recent Pew analysis of U.S. Census Bureau data.¹² That is a record absolute number and the highest proportion of the American population since 1950. Once a near-universal feature of the American lifecycle in the mid-19th century, the proportion of households living with multiple adult generations had been declining since 1860, with more than half the collapse in multigenerational living occurring between 1940 and 1980.¹³

ADUs are often preferred for multigenerational living arrangements because they allow family members to share a residence, assist each other in day-to-day tasks and share a life without erasing all boundaries between the primary household and the additional generation. When equipped with independent entrances and kitchen units, residents of ADUs are able to maintain a modicum of independence, coming and going as they please and entertaining their own guests, while still remaining tightly bound to their family.

The AARP has advocated for relaxation of rules around accessory dwelling units in order to accommodate a desire among its members (current and prospective) to “age in place” whenever possible. Expanded ADU capability allows older Americans either to move into their children’s homes or to construct a more modest apartment that suits their needs. Toward that end, the AARP in 2000 commissioned the American Planning Association to draft an ADU “model state act and local ordinance.”¹⁴

Older Americans are not, however, the largest consumer of multigenerational housing today. In 2014, more 18-to-34-year-olds lived with their parents than in other arrangements for the first time in 130 years,¹⁵ and 31 percent of 25-to-29-year-olds lived in multigenerational households. The persistence of the millennial generation living at home, even as the economy emerged from the Great Recession, has been a topic of great concern and headlines. For the pur-

12. D’Vera Cohn and Jeffrey S. Passel, “A Record 60.6 Americans Live in Multigenerational Households,” Pew Research Center, Aug. 11, 2016. <http://www.pewresearch.org/fact-tank/2016/08/11/a-record-60-6-million-americans-live-in-multigenerational-households/>

13. Steven Ruggles, “Multigenerational Families in Nineteenth Century America,” *Continuity and Change*, 18: 139-165, 2003. <http://users.hist.umn.edu/~ruggles/multi-generational.pdf>

14. Rodney L. Cobb and Scott Dvorak, “Accessory Dwelling Units: Model State Act and Local Ordinance,” AARP, April 2000. http://www.aarp.org/home-garden/housing/info-2000/Accessory_dwelling_units_model_state_act_and_local_ordinance.html

15. Richard Fry, “For First Time in Modern Era, Living With Parents Edges out Other Living Arrangements for 18- to 34-Year-Olds,” Pew Research Center, May 24, 2016. <http://www.pewsocialtrends.org/2016/05/24/for-first-time-in-modern-era-living-with-parents-edges-out-other-living-arrangements-for-18-to-34-year-olds/>

poses of this paper, it is enough to note simply that the trend exists and seems likely to continue, thus further adding to the number of multigenerational homes and potential demand for ADUs.

Finally, ethnic demographic patterns also suggest that multigenerational housing will continue to grow in the United States. As Pew found, Asian and Hispanic households both are significantly more likely to be multigenerational than non-Hispanic white households. Both of those subgroups are experiencing significant population growth.

Flexibility

In Brown and Palmeri’s study, only about 80 percent of Portland ADUs were occupied as independent housing. The rest served as some combination of extra space, home offices or other nonresidential use: 11 percent of units were used as a work or living space, while 5 percent were used for short-term rentals.¹⁶

Short-term rentals are one of the most interesting alternative uses for ADUs going forward, as the recent explosion of room and homesharing services like Airbnb and VRBO make it easier for homeowners to find short-term tenants for their properties, and the independence of ADUs make them particularly well-suited for such service. The Portland study was conducted in 2013, relatively early in the growth of such services. It would be interesting to update the survey to see how short-term-rental use has grown.

OBSTACLES TO ADU DEVELOPMENT

The single biggest obstacle to ADU development is their widespread illegality. Burdensome regulatory requirements often will depress ADU production, even where zoning codes theoretically allow them. In order to allow ADUs to serve as a flexible, free-market solution to ease pressures in supply-constrained housing markets, such regulatory burdens need to be lifted. Such regulations fall into two broad categories: structural and occupancy.

Structural regulations

Structural regulations regulate the size, shape and facilities of an ADU, as well as its connection to the broader city utility networks.

As with many other forms of housing production, minimum parking requirements can be a significant obstacle to ADU production. While competition for on-street parking is one of the most frequently cited concerns and complaints about

16. Brown and Palmeri, 2014.

ADUs, imposed off-street requirements are often excessive and counterproductive.

Until 2015, for instance, Austin, Texas combined onerous parking requirements (two spots each for both the main dwelling and the accessory unit) and an impervious surface cap. If the main dwelling was built before off-street parking requirements, the construction of an ADU would cost the property its grandfathered status, meaning four parking spots would have to be built for one accessory unit to be constructed. As the Furman Center noted, “built structures may not cover more than 40 percent of a lot, and the combination of structures and any other impervious surfaces may not exceed 45 percent of the lot.” Since any parking space is counted as impervious surface regardless of its construction material, Austin homeowners could easily have a hard time fitting everything onto their lots even if they were willing to comply.¹⁷ Encouragingly, the Austin City Council adopted a much liberalized ADU system in November 2015, with very light parking requirements, a standard minimum lot size and nearly citywide applicability.¹⁸

Portland does not require any off-street parking for ADUs, so it should be most vulnerable to street parking overcrowding. Yet the city’s 2013 survey found that one in five ADUs had no cars associated with it whatsoever, and 63 percent had no cars parked on the street. The mean number of cars parked on the street associated with ADUs was a mere 0.46. These findings are similar to results of the Bay Area study in 2012. While these are necessarily limited results, they should encourage cities to loosen or relieve their own parking requirements in the service of ADU production.

ADUs are also subject to a variety of size regulations: minimum and maximum unit sizes; minimum and maximum ratio of unit-to-main-dwellings; minimum and maximum ratio of unit-to-lot-size. All of these can vary by whether the ADU is attached or detached. Attempts to build ADUs can be subject to regulations that bar the construction of kitchen facilities in secondary units, as well as restrictions on independent entrances. Some governments restrict where ADUs can be placed on a lot, whether it or its entrance can be visible from the street and whether the unit’s architectural design is required to match the main dwelling. While reasonable regulations can be inoffensive, cities should take care to set their minimum or maximum levels within the bounds of normal ADU production, and to give homeowners as much flexibility as possible.¹⁹

17. Been, Gross and Infranca, 2014.

18. Jennifer Curington, “Austin City Council lessens restrictions on accessory dwelling units,” *Community Impact*, Nov. 19, 2015. <https://communityimpact.com/austin/city-county/2015/11/19/city-council-lessens-restrictions-on-accessory-dwelling-units/>

19. California Department of Housing and Community Development, 2016.

Finally, city services fees and regulations can pose an overwhelming and unreasonable burden to the development of accessory units where they are not tailored appropriately. Portland chose to give financial relief to ADU construction by waiving the systems development charges (SDCs) usually imposed to pay for utility and other public-service impacts. Such charges average around \$8,000 for ADUs, which explains why the city’s reprieve began a significant ADU boom. Ultimately, the waiver was extended. Even without opting for a full waiver, cities can adjust their SDCs for the true impact of accessory units, which will be dramatically less than other new construction.

Under normal conditions, extending utility services like water, sewer, electricity and gas should be relatively painless for accessory unit construction, as most of the fixed costs have already been built for the main dwelling. Cities that require separate utility metering can quickly undermine this advantage and even make ADUs outright uneconomical. *Architects Newspaper* reports that, in Austin, separate water metering alone can cost a builder \$20,000.²⁰

Local governments often discourage ADU production by prohibiting qualities that would make them attractive and usable as an independent dwelling unit. This can include restrictions on independent entrances and the visibility of those entrances from the street. Often, they will include prohibitions on kitchen facilities. In Atlanta, for instance, ADUs are permitted but they cannot possess a stove, oven or similar cooking appliance. The most cooking capability occupants can hope for under code is a hot plate they can plug in. These barriers are best removed whenever possible, as they give homeowners more flexibility in how they can use their ADU over its life span, and so will make their production more attractive.

Occupancy restrictions

Occupancy regulations regulate who may stay in ADUs and what their relationship to the property’s owner may be.

A frequent and significant ADU regulation requires owner occupancy of the property. ADU construction is, in fact, usually undertaken by homeowners occupying the property, so this requirement often is presented as bearing limited negative consequences. According to the NYU Furman Center report, owner occupancy is seen by advocates as a shortcut to prevent more detailed and onerous restrictions and inspections from being imposed on ADU development. In this reasoning, an owner-occupant’s presence assures against ADU tenants inflicting nuisances on the surrounding neighborhood. Because the owner-occupant is a neighbor, he or she

20. Jack Murphy, “As housing costs and economic segregation increase, Austin’s granny flats proliferate,” *The Architects Newspaper*, Sept. 12, 2016. <https://archpaper.com/2016/09/austin-granny-flats-affordability/#gallery-0-slide-0>

would be more likely to supervise and head off any nuisances than an absentee landlord would. Those building ADUs in order to accommodate family or friends would seem to have even less reason to object to such laws.

But owner-occupancy restrictions have the potential to impede ADU financing and homeowner flexibility significantly. As the NYU Furman Center report notes: “Lenders may fear that, if they foreclose on the property, they will be unable to rent both the primary residence and the ADU,” resulting in less favorable financing or outright opposition. Homeowners may also face difficulty selling their own home, as the house and ADU bear restrictions lacked by competitive properties, such as duplexes. They would thus be unable to recoup the full value of their property should a nonresidential buyer be interested. This comes on top of what Brown and Watkins identify as an already significant gap in appraisal practices that often prevents ADUs from being measured appropriately in home valuation.²¹

Furthermore, while ADUs are usually constructed by owner-occupants with owner occupancy in mind, they are most attractive when they can accommodate a variety of contingencies. Young retirees who build an ADU intending to live with family or move into the smaller unit and rent out the bigger house may find themselves in need of more professionalized care than is available in most home settings. The family they were planning to live with may need to move. In any of these conditions, the house would shift from an asset to a liability, as the property owner would be precluded by the owner-occupancy restrictions from renting out both the main house and the accessory unit. They would be forced to either leave the house vacant and unattended, or to sell it.

Furthermore, as the NYU Furman Center roundtable participants noted, ADU owner-occupancy would, in many cases, introduce a unique restriction to properties. There generally are no such restrictions banning owners of a single-family home from renting it to others, and duplex units rarely come so bound either.²² Portland, Oregon, has one of the strongest ADU development markets in the country, and notably lacks an owner-occupancy requirement. Such liberalization is fairly rare, however, as owner-occupant requirements are widespread.

In some cases, governments considering ADU legalization want to go even further, and restrict to whom the property can be rented, or whether it can be rented at all. Most often, these restrictions come in the form of requiring ADU occupants to be related to the homeowner for the unit to be used

21. Martin John Brown and Taylor Watkins, “Understanding and Appraising Properties with Accessory Dwelling Units,” *The Appraisal Journal*, Fall 2012. <https://accessorydwellings.files.wordpress.com/2012/12/appraisingpropertieswithadusbrownwatkins-nov2012.pdf>

22. Been, Gross and Infranca, 2014.

as a residence. Total or near-total rental bans are likely to chill the construction of ADUs significantly and foreclose any of the benefits they provide.

SHORT-TERM RENTALS

ADUs are interesting platforms to evaluate with regard to short-term rentals, both because of their natural suitability to the use and because even ADU advocates sometimes are made uncomfortable by the use. Because ADUs are independent dwelling units, they have the potential to be more appealing to some renters and homeowners who prefer not to live quite as intimately with visiting strangers. Because ADUs are dependent, they share any neighborhood attractiveness equally with their primary dwellings. ADUs equipped with kitchens allow renters to cook for themselves, which may be a particular advantage in the eyes of short-term renters, who are more likely than hotel guests to stay for multiple days.²³

For advocates who see ADU growth as a provision of affordable housing and a relief valve on constrained regional supply, the seeming diversion of ADU stock into short-term rentals is feared to be a distraction, or even counterproductive. In tourism-heavy cities, some voice concerns about residential neighborhoods hollowing out in community and character as owner-occupied residences convert into short-term rental pads with a constantly rotating cast of characters.²⁴ Santa Cruz, California, which has been one of the most aggressive cities in liberalizing its ADU regulations and promoting ADU production recently revised its laws specifically to outlaw ADU short-term rentals going forward.²⁵ Austin’s new, more liberal ADU law restricts short-term rental of ADUs to 30 nights a year, and prohibits it on properties that aren’t occupied by the owners.²⁶

Survey respondents have said that one of the central appeals of ADU construction is their flexibility.²⁷ Though the upfront costs are considerable for a homeowner, they can justify that investment by the ADU’s potential to bring in additional income; to use as a home office or extra living space for a growing family; or to be used by adult family members as needed. Short-term rental services can expand that flexibility further by not requiring homeowners to lock their ADU

23. Andrew Moylan, “Roomscore 2016: Short-term-rental regulation in U.S. cities,” R Street Institute, March 16, 2016. <http://www.rstreet.org/policy-study/roomscore-2016-short-term-rental-regulation-in-u-s-cities/>

24. Martin John Brown provides one of the best detailed considerations of these claims: <https://accessorydwellings.org/2016/04/04/adustr/>

25. City of Santa Cruz, Ordinance No. 2015-15, Nov. 10, 2015. <http://www.cityofsanta-cruz.com/home/showdocument?id=46552>

26. Jennifer Curington, 2015.

27. Brown and Palmeri, 2014.

into a long-term lease, but rather to use it for income purposes on an as-needed basis.

SPECIAL CHALLENGES

In contrast to almost all other housing production and construction, ADUs are primarily built by homeowners, not professional developers. While professionals generally regard regulatory compliance costs to be expected, if often frustrating, homeowners trying to build accessory units are unlikely to have much familiarity with the permitting and compliance process. Cities looking to take advantage of accessory dwelling unit production will need to make their process as transparent and easily navigable as possible.

Toward this end, Santa Cruz, California produced an “ADU Manual” that offers step-by-step instructions to complete the ADU permitting and construction process successfully. Santa Cruz also maintains a set of draft architectural plans to get interested homeowners started, and even goes so far as to offer financing assistance for those willing to commit to renting the unit at affordable rates for 15 to 20 years.

Portland, Oregon, meanwhile, has maintained a relatively libertarian regulatory environment, relieving homeowners from having to forecast for and navigate parking requirements, owner occupancy rules, or many other often-imposed constraints. It allows widespread building of ADUs by right, so homeowners are not required to convene public hearings on the subject of planned construction on their property.

Local governments that desire to take advantage of accessory dwelling units should take care to write their codes and policies into as easily accessible a format as possible, and make that information widely available.

CONCLUSION

At a time when many housing markets are experiencing severe supply constraints and housing affordability is under stress nationwide, accessory dwelling unit legalization represents a low-profile free-market solution that requires little from government actors beyond getting out of the way. Production is undertaken by private actors on their own property, and diversifies a local housing stock without introducing large potentially contentious or character-transforming multifamily buildings to a single family neighborhood. This incremental infill further empowers homeowners by allowing them to increase the value of their property and receive an additional income stream. It offers renters more neighborhood options and cheaper rents.

While there are federal-level financing reforms that could further ease ADU development, local governments usually have all the tools they need to take advantage of ADU con-

struction without asking permission or seeking assistance from any higher bureaucracy. Reforming outdated zoning systems to accommodate the changing needs of American households, including the return of multigenerational living arrangements, should be an urgent priority. Such reforms should take care not to introduce new and unnecessary regulations, such as owner-occupancy requirements and short-term rental bans. These could chill the market’s response to ADU legalization.

Accessory dwelling units will not solve housing affordability crises by themselves, nor will they be suited to widespread adoption in every market. But there is little reason for towns and cities to persist in outlawing a flexible housing form that was widespread in the first half of the 20th century, just because it fell afoul of trendy regulations in the second half. The American built environment was notably adaptable throughout the growing country’s many changes up until the postwar land use codes were imposed and accumulated. Given the significant national changes still unfolding, land-use and building regulations need to provide as much adaptability and flexibility as cities can provide. Legalizing accessory dwelling units should be a simple way to engage that process.

ABOUT THE AUTHOR

Jonathan Coppage is a visiting senior fellow with the R Street Institute, focused on regulatory obstacles to the traditional, walkable development patterns that strengthen communities socially and fiscally.

Jonathan was a 2016 Publius Fellow at the Claremont Institute and a 2012 fellow in the Hertog Political Studies Program.

A graduate of North Carolina State University, Jonathan previously studied in the fundamentals program at University of Chicago. He is a contributing editor to *The American Conservative* and has also been published in *The Washington Post* and *First Things*.



Staff Report City of Lake Stevens Planning Commission

Briefing
Date: **March 21, 2018**

Subject: **LUA2018-0007:** City initiated code amendment changing the approval authority for final plats from the City Council to the Planning and Public Works Directors.

Contact Person/Department: Joshua Machen, *Senior Planner* / Russ Wright, *Community Development Director*

SUMMARY: In accordance with Senate Bill 5674, approval authority for final plats for short and long subdivisions may be delegated to administrative personal through legislative action. The proposed changes to the municipal code would shift the approval authority and responsibility from the City Council to the Directors of Planning and Community Development and Public Works.

ACTION REQUESTED OF PLANNING COMMISSION:

Set date for public hearing.

BACKGROUND / HISTORY:

Until Senate Bill 5674 was signed into law, the granting of final subdivision approval had to be done by the local legislative body. This was somewhat problematic because all building, site, and environmental issues are dealt with at the preliminary approval stage, which is reviewed by staff and granted by the Hearing Examiner.

By the time a preliminary plat is approved, all building and environmental issues are resolved. At the final plat approval stage, the process is essentially administrative. Therefore, staff is recommending changes to the code to allow the administrative approval of final plats for short and long subdivisions to be by the Directors of Planning and Community Development and Public Works.

The staff briefed the City Council on the proposed amendments on February 27, 2018. The Council was receptive to the change. During the discussion, the City Council also requested that the staff look at public outreach and noticing procedures in general. At a subsequent meeting the staff will bring back information about the City's current noticing procedures, State Law regarding noticing and a comparison of other jurisdictions for your review and recommendation to the City Council.

Attachments

- A Senate Bill 5674
- B. Draft Code Changes Related to Final Plat Approvals
- C. Draft Code Change to acceptance of Sewer extensions related to final plats.
- D. Subdivision Review Process Chart

Attachment A

CERTIFICATION OF ENROLLMENT

SENATE BILL 5674

65th Legislature
2017 Regular Session

Passed by the Senate March 3, 2017
Yea 44 Nays 0

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5674** as passed by Senate and the House of Representatives on the dates hereon set forth.

President of the Senate

Passed by the House April 12, 2017
Yea 55 Nays 43

Secretary

Speaker of the House of Representatives

Approved

FILED

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 5674

Passed Legislature - 2017 Regular Session

State of Washington

65th Legislature

2017 Regular Session

By Senators Palumbo and Fain

Read first time 02/02/17. Referred to Committee on Local Government.

1 AN ACT Relating to the final approval of subdivisions of land;
2 and amending RCW 58.17.100, 58.17.170, and 58.17.190.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 58.17.100 and 1995 c 347 s 428 are each amended to
5 read as follows:

6 If a city, town or county has established a planning commission
7 or planning agency in accordance with state law or local charter,
8 such commission or agency shall review all preliminary plats and make
9 recommendations thereon to the city, town or county legislative body
10 to assure conformance of the proposed subdivision to the general
11 purposes of the comprehensive plan and to planning standards and
12 specifications as adopted by the city, town or county. Reports of the
13 planning commission or agency shall be advisory only: PROVIDED, That
14 the legislative body of the city, town or county may, by ordinance,
15 assign to such commission or agency, or any department official or
16 group of officials, such administrative functions, powers and duties
17 as may be appropriate, including the holding of hearings, and
18 recommendations for approval or disapproval of preliminary plats of
19 proposed subdivisions.

20 Such recommendation shall be submitted to the legislative body
21 not later than fourteen days following action by the hearing body.

1 Upon receipt of the recommendation on any preliminary plat the
2 legislative body shall at its next public meeting set the date for
3 the public meeting where it shall consider the recommendations of the
4 hearing body and may adopt or reject the recommendations of such
5 hearing body based on the record established at the public hearing.
6 If, after considering the matter at a public meeting, the legislative
7 body deems a change in the planning commission's or planning agency's
8 recommendation approving or disapproving any preliminary plat is
9 necessary, the legislative body shall adopt its own recommendations
10 and approve or disapprove the preliminary plat.

11 Every decision or recommendation made under this section shall be
12 in writing and shall include findings of fact and conclusions to
13 support the decision or recommendation.

14 A record of all public meetings and public hearings shall be kept
15 by the appropriate city, town or county authority and shall be open
16 to public inspection.

17 Sole authority to ((~~approve final plats, and to~~)) adopt or amend
18 platting ordinances shall reside in the legislative bodies. The
legislative authorities of cities, towns, and counties may by
ordinance delegate final plat approval to an established planning
commission or agency, or to such other administrative personnel in
accordance with state law or local charter.

23 **Sec. 2.** RCW 58.17.170 and 2013 c 16 s 2 are each amended to read
24 as follows:

25 (1) When the legislative body of the city, town, or county, or
26 such other agency as authorized by RCW 58.17.100, finds that the
27 subdivision proposed for final plat approval conforms to all terms of
28 the preliminary plat approval, and that said subdivision meets the
29 requirements of this chapter, other applicable state laws, and any
30 local ordinances adopted under this chapter which were in effect at
31 the time of preliminary plat approval, it shall suitably inscribe and
32 execute its written approval on the face of the plat. The original of
33 said final plat shall be filed for record with the county auditor.
34 One reproducible copy shall be furnished to the city, town, or county
35 engineer. One paper copy shall be filed with the county assessor.
36 Paper copies shall be provided to such other agencies as may be
37 required by ordinance.

38 (2)(a) Except as provided by (b) of this subsection, any lots in
39 a final plat filed for record shall be a valid land use

1 notwithstanding any change in zoning laws for a period of seven years
2 from the date of filing if the date of filing is on or before
3 December 31, 2014, and for a period of five years from the date of
4 filing if the date of filing is on or after January 1, 2015.

5 (b) Any lots in a final plat filed for record shall be a valid
6 land use notwithstanding any change in zoning laws for a period of
7 ten years from the date of filing if the project is not subject to
8 requirements adopted under chapter 90.58 RCW and the date of filing
9 is on or before December 31, 2007.

10 (3)(a) Except as provided by (b) of this subsection, a
11 subdivision shall be governed by the terms of approval of the final
12 plat, and the statutes, ordinances, and regulations in effect at the
13 time of approval under RCW 58.17.150 (1) and (3) for a period of
14 seven years after final plat approval if the date of final plat
15 approval is on or before December 31, 2014, and for a period of five
16 years after final plat approval if the date of final plat approval is
17 on or after January 1, 2015, unless the legislative body finds that a
18 change in conditions creates a serious threat to the public health or
19 safety in the subdivision.

20 (b) A subdivision shall be governed by the terms of approval of
21 the final plat, and the statutes, ordinances, and regulations in
22 effect at the time of approval under RCW 58.17.150 (1) and (3) for a
23 period of ten years after final plat approval if the project is not
24 subject to requirements adopted under chapter 90.58 RCW and the date
25 of final plat approval is on or before December 31, 2007, unless the
26 legislative body finds that a change in conditions creates a serious
27 threat to the public health or safety in the subdivision.

28 **Sec. 3.** RCW 58.17.190 and 1969 ex.s. c 271 s 19 are each amended
29 to read as follows:

30 The county auditor shall refuse to accept any plat for filing
31 until approval of the plat has been given by the appropriate
32 legislative body, or such other agency as authorized by RCW
33 58.17.100. Should a plat or dedication be filed without such
34 approval, the prosecuting attorney of the county in which the plat is
35 filed shall apply for a writ of mandate in the name of and on behalf
36 of the legislative body required to approve same, directing the

1 auditor and assessor to remove from their files or records the
2 unapproved plat, or dedication of record.

--- END ---

Final Plat Approval Authority Code Amendment

14.18.035 Approval of Final Plats.

(a) ~~Short Final~~ plats ~~for long and short subdivisions~~ are approved by the Planning and Public Works Directors. ~~Final plats for long subdivisions are to be approved by City Council following a public meeting.~~ Final plats shall be approved if it is found that the requirements of preliminary plat, including applicable conditions of approval, have been met, and the requirements of Chapter [58.17](#) RCW have been met.

(b) The final plat submitted for recording shall be drawn in waterproof ink on a sheet made of material that will be acceptable to the Snohomish County Auditor's Office for recording purposes, and having dimensions of 18 inches by 24 inches.

(c) When more than one sheet is required to include the entire subdivision, all sheets shall be made of the same size and shall show appropriate match marks on each sheet and appropriate references to other sheets of the subdivision. The scale of the plat shall be at one inch equals not more than 50 feet.

(d) The applicant shall also provide all final plat maps and engineered as-builts in digital form. Files shall be submitted in “*.dwg” or other AutoCad-compatible format approved by Public Works. (Ord. 811, Sec. 5 (Exh. 4), 2010)

Part V. Type V Review - Quasi-Judicial, City Council Decisions

14.16B.505 Purpose.

A Type V process is a quasi-judicial review and decision made by the City Council. Staff makes a recommendation to the City Council. Depending on the application, staff may conduct a public meeting to obtain public input. The City Council shall hold a public hearing on the application prior to making a decision; ~~except for final plats, only a public meeting is held by the Council.~~ Public notification is provided at the application, public hearing, and decision stages of application review. There is no opportunity for an administrative appeal. Appeals of City Council decisions are made to Snohomish County superior court. The purpose of this part is to provide the necessary steps for permit approvals requiring Type V review. (Ord. 903, Sec. 14, 2013; Ord. 811, Sec. 3 (Exh. 2), 2010)

14.16B.525 Public Meetings.

A public meeting is required for all Type V applications pursuant to Section [14.16A.260](#). Staff may require the applicant to participate in the meeting to inform citizens about the proposal. If a public meeting is planned, it shall be held as early in the review process as possible for Type V applications. Notice of the public meeting shall be provided in the same manner as required for notice of the application. The public meeting notice will be combined with the notice of application whenever possible. ~~Council action for a final plat is a public meeting rather than a public hearing.~~ (Ord. 903, Sec. 15, 2013; Ord. 811, Sec. 3 (Exh. 2), 2010)

14.16B.540 Notice of City Council Public Hearing.

(a) Public notice of the date of the City Council public hearing, ~~or for final plats a public meeting~~, at which the City Council will consider the application shall be published in a newspaper of general circulation. The public hearing shall be scheduled no sooner than 10 days following the date of publication of the notice. If a determination of significance was issued by the SEPA responsible official, the notice of staff recommendation shall state whether an EIS or supplemental EIS was prepared or whether existing environmental documents were adopted. The notice of the City Council meeting shall also include the notice of the availability of the staff recommendation.

14.16B.545 City Council Decision.

(a) Within five days of a decision, the Planning Director shall transmit to the City Council a copy of the department file on the application including all written comments received prior to the City Council meeting and information reviewed by or relied upon by staff. The file shall also include information to verify that the requirements for notice to the public (notice of application, notice of public hearing, and notice of SEPA determination) have been met.

(b) Any person may participate in the City Council public hearing, ~~or public meeting for final plats~~, on staff recommendation by submitting written comments to the Department of Planning and Community Development prior to the hearing or by submitting written comments or making oral comments at the hearing.

Table 14.16A-I: Classification of Permits and Decisions

Type of Review	Land Use Actions and Permits	Recommendation By	Public Hearing Prior to Decision	Permit-Issuing Authority	Administrative Appeal Body & Hearing
TYPE I Administrative without Public Notice	<ul style="list-style-type: none">• Administrative Design Review• Administrative Deviation• Administrative Modifications• Boundary Line Adjustments• Change of Use	None	None	Department director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record

	<ul style="list-style-type: none"> • Code Interpretations • Events • <u>Final Plats (short and long subdivisions)</u> • Floodplain Development Permits • Grading Permit • Home Occupations • Master Sign Program • Reasonable Use Exceptions • Shoreline Exemptions • Signs • Temporary Uses 				
TYPE II Administrative with Public Notice	<ul style="list-style-type: none"> • Administrative Conditional Use (formerly Special Use) • Administrative Variance • Binding Site Plans • Planned Action Certification • SEPA Review (early or when not combined with another permit or 	None	None	Planning Director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record

	<p>required for a Type I permit)</p> <ul style="list-style-type: none"> • Shoreline Substantial Developments • Short Plats - Preliminary or Final • Short Plat Alterations • Short Plat Vacations • Site Plan Reviews 				
TYPE III Quasi-Judicial, Hearing Examiner	<ul style="list-style-type: none"> • Conditional Uses • Preliminary Plats • Shoreline Conditional Uses • Shoreline Variances • Variances 	Design Review Board (if required)	Open Record	Hearing Examiner	Superior Court, except shoreline permits to State Shoreline Hearings Board, & Closed Record
TYPE IV Quasi-Judicial, City Council with Hearing Examiner Recommendation	<ul style="list-style-type: none"> • Essential Public Facilities • Planned Neighborhood Developments • Rezone - Site-Specific Zoning Map Amendments • Secure Community Transition Facilities 	Hearing Examiner with Open Record Hearing	Closed Record	City Council	None, appeal to Superior Court
TYPE V Quasi-Judicial, City Council	• Final Plats <ul style="list-style-type: none"> • Plat Alterations • Plat Vacations 	Design Review Board (if required)	Open Record *Public	City Council	None, appeal to Superior Court

	<ul style="list-style-type: none"> • Right-of-Way Vacations 		meeting only for Final Plats		
TYPE VI Legislative, City Council with Planning Commission Recommendation	<ul style="list-style-type: none"> • Comprehensive Plan Amendments, Map & Text • Development Agreements • Land Use Code Amendments • Rezones - Area-Wide Zoning Map Amendments 	Planning Commission with Open Record Hearing	Open Record	City Council	Growth Management Hearings Board & Closed Record

(e) Associated Land Use Determinations. Associated land use determinations are decisions that need to be made as part of another land use action or permit review, as set forth in Table 14.16A-II. Each type of determination has a separate review process determined by the Planning Director or Public Works Director, except design review, which is reviewed pursuant to Section [14.16C.050](#).

**Chapter 6.08
SEWER ADMINISTRATION**

6.08.020 Developer's Contracts.

15. FINAL ACCEPTANCE

The City agrees to accept title to the Project extension, subject to the terms herein, when all work has been completed and when the City has made final inspection and given approval of the system as having been completed in accordance with the plans and specifications. Final acceptance of said Project extension shall be by action of the City Council, except when such extension is part of a final plat, which shall be accepted by the Public Works Director, and shall only occur after City receipt of a completed and executed bill of sale, maintenance bond, easements and all other documents required pursuant to this Agreement, payment in full of all fees and charges, and execution of any applicable Utility Reimbursement Agreement.

SUBDIVISION PROCESS (Highlighted text indicated public notice or hearing)

