



REQUIREMENTS FOR Accessory Dwelling Units ECDC 20.21

PERMITTING & DEVELOPMENT
PLANNING
DIVISION
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An Accessory Dwelling Unit (ADU) is a structure attached to, or constructed within, a single-family dwelling, which has living facilities separate from the primary single-family dwelling including at least, but not limited to: a kitchen, bathroom, one living area (a minimum of 120 square feet) and sleeping quarters.

Accessory Dwelling Units (ADUs), also known as mother-in-law suites, are intended to allow homeowners to make extra income by renting out a portion of the house where they live. ADUs are allowed in all single-family residential zones (except within Planned Residential Developments) as long as a Conditional Use Permit is obtained. A compliance inspection (or permit) from the Building Division is also required.

CRITERIA FOR APPROVAL:

All ADUs must meet the following criteria found in Chapter 20.21 of the Edmonds Community Development Code (ECDC) in order to be approved:

Permit Required. Any person who occupies or allows another person to occupy an ADU as a place of residence must first obtain a permit. A conditional use permit for an ADU is a Type-II staff decision with public notice.

Number. A single-family dwelling may have no more than one ADU per lot.

Size. An ADU shall not:

- exceed 40-percent of the livable floor area of the principal dwelling;
- be more than 800 square feet, or;
- have more than 2 bedrooms.

Note: If an ADU is completely located on a single floor, the Planning Manager may allow increased size up to 50 percent of the floor area of the principal dwelling in order to efficiently use all floor area, so long as all other standards set forth in ECDC 20.21 are met.

Location and Appearance. ADUs must be located within or attached to a single-family dwelling unit. "Attached" is defined as a building located within 10 feet of the main building, as measured from exterior wall to exterior wall, and connected by a breezeway, hallway, or similar connection. The single family appearance and character of the residence shall be maintained when viewed from the surrounding neighborhood. The design of the ADU shall be incorporated into the design of the principal dwelling unit and shall be designed to maintain the architectural design, style, appearance and character of the main building as a single family residence using matching materials, colors, window style, and roof design. The primary entrance to the ADU shall be located in such a manner as to be unobtrusive when viewed from the street. Whenever possible, new entrances should be placed at the side or rear of the building. Only one electric meter and one water meter shall be allowed for the entire building, serving both the primary residence and the ADU. An ADU may not have its own mailbox, and all garbage must be kept within a screened area in common to the single-family home.

Parking. A minimum of three (3) off-street parking spaces are required to be provided on-site for the single family home and the related ADU. Up to one of required parking spaces may be a tandem or "stacked" parking space. All parking spaces, including any tandem spaces, must be clearly shown on the site plan.

Duration of Occupancy. Either the primary dwelling or the ADU must be owner-occupied. "Owner-occupied" is defined as a property owner who makes his or her legal residence at the site, as evidenced by voter registration, vehicle

registration, or similar means, and actually resides at the site more than six months out of any given year. At no time can the owner receive rent for the owner-occupied unit and the owner(s) may not rent any portion of the owner-occupied residence either during the owner(s)' occupancy or while the owner is absent from the owner-occupied unit for any period.

Number of Residents. The owner's family may live in either the primary dwelling or the accessory dwelling unit. The other unit may house no more than two people.

Building Compliance Permit and Inspection Approval for Minimum Building Code and Life-Safety Criteria. ADUs shall comply with all applicable requirements of the Uniform Housing Code and the International Residential Code (IRC) adopted by Title 19 of the ECDC. Specific inspection criteria are attached with this handout. No permit for an ADU will be issued to a nonconforming structure unless that structure, or portion thereof, is brought into conformance with the current provisions of the ECDC and IRC.

PERMIT CONDITIONS

In addition to any conditions imposed during the permit approval process, a permit for an ADU shall expire automatically whenever:

- The ADU is substantially altered and thus is no longer in conformance with the plans and drawings reviewed and approved by the permitting authority and Building Official;
- The subject site ceases to maintain the required number of parking spaces;
- The property owner ceases to reside in either the primary residence or the ADU, the owner-occupied unit is rented, or the current owner fails to file the affidavit required under ECDC 20.21.025.A.1.

APPLICATION CHECKLIST

Pursuant to ECDC 20.01, an ADU is a Type II permit. The following materials must be submitted for a complete application (ECDC 20.02):

- Land Use Application form, completed and signed;
- Type-II review fee. Additional fees will apply, including a City surcharge. Fees will also be assessed for the associated building permit and/or ADU compliance permit through the Building Division, and the County Auditor's office will charge a fee at the time of filing of the ADU covenant.
- Adjacent Property Owners List (refer to Handout #P2);
- One 11" x 17" (maximum size) site plan, scaled at 1"-20', showing the house, driveway, screened garbage area and on-site parking spaces. All access to both the single family residence and the ADU must be shown.
- Building elevations, ¼"-1' scale (only if exterior building modifications are needed in order to create the ADU).
- An affidavit (provided by the City), signed and notarized, affirming that the owner occupies either the main building or the ADU for more than six months of the year. This affidavit is required to be signed by the current owner of the property; a change of ownership will require that a new affidavit be filed if the ADU is to be continued by the new owner.
- A scaled floor plan ¼"-1' showing all rooms and spaces within the home. All ADU windows and doors shall be dimensioned including the sill height of all sleeping room windows. The floor plan must show smoke alarms (smoke detectors) in all sleeping rooms and one in the outside hall and one on each floor.

If the ADU is approved, the owner will be required to submit a covenant (provided by the City) suitable

for recording with the County Auditor which provides notice to future owners or long term lessors of the subject site that the existence of the ADU is predicated upon the occupancy of either the ADU or the primary dwelling by the person to whom the ADU permit has been issued. The covenant shall also require any owner of the property to notify a prospective buyer of the limitations of ECDC Chapter 20.21 and to provide for the removal of improvements added to convert the premises to an ADU and the restoration of the site to a single-family dwelling in the event that any condition of approval is violated.

BUILDING DIVISION AND INTERNATIONAL RESIDENTIAL BUILDING CODE REQUIREMENTS

Note: A separate building compliance permit is required for all ADUs. ADUs must comply with adopted building code provisions for a separate dwelling unit. Show compliance with the following items on the floor plan to be submitted with the building permit application. Separate fee and approval required. (See form "A")

MINIMUM ROOM SIZE/CEILING HEIGHT/EXITING/STAIR AND GUARDS:

The ADU unit must contain permanent provisions for sleeping, eating, cooking, and have a separate bathroom. The floor area of the unit must meet the following minimum requirements:

- The main living area shall have a minimum floor area of 120 square feet;
- Habitable rooms shall have a floor area of not less than 70 square feet (not including kitchens, bathrooms, hallways and storage);
- Habitable rooms shall have a minimum width of 7'-0" in any dimension (not including kitchens, bathrooms, hallways and storage);

- Habitable rooms shall have a minimum ceiling height of 7'-0";
- For sloped ceilings, not more than 50% of the required floor area of a room or space is permitted to have a sloped ceiling less than 7 feet, with no portion of the required floor area less than 5' feet;
- One main exit door is required from each unit to the exterior without requiring travel through a garage, 3'x 6'8" minimum, side-hinged with a code compliant landing;
- The bathroom shall have a toilet, sink, bathtub or shower with hot and cold running water. Toilets shall be located in a space where there are no obstructions less than 15" inches measured from the centerline of the toilet to the obstruction, and a minimum clear space in front of the toilet of 21" inches. Shower stalls shall be a minimum of 30"x 30" (outside dimensions);
- One kitchen sink required with hot and cold running water;
- Stairway handrails shall meet the following requirements:
 - Top of handrail 34" to 38" above the stair tread nosing;
 - Handrail grip size shall be 1¼"-2".
- Guards are required to protect falls greater than 30" (i.e., stair landings, balconies, etc.); guards shall be 36" minimum in height with no openings greater than a 4 inch sphere. Open stairs with a total rise of more than 30" shall have guards no less than 34";
- Hallway width 36" minimum.

SMOKE ALARMS (Smoke Detectors):

In each unit, smoke alarms shall be installed in each sleeping room, outside of each separate sleeping area in the immediate vicinity of the bedrooms, and on each level (including basements and habitable

attics). All required smoke alarms shall be hard-wired with battery backup, and interconnected in such a manner that the actuation of one alarm will activate all alarms in both the primary dwelling unit and the accessory dwelling unit.

CARBON MONOXIDE ALARMS:

In each unit, smoke alarms shall be installed in each sleeping room, outside of each separate sleeping area in the immediate vicinity of the bedrooms, and on each level (including basements and habitable attics). All required smoke alarms shall be hard-wired with battery backup, and interconnected in such a manner that the actuation of one alarm will activate all alarms in both the primary dwelling unit and the accessory dwelling unit.

EMERGENCY ESCAPE AND RESCUE OPENINGS:

One openable emergency escape window or door is required in every sleeping room and basement and windows shall meet all of the following requirements:

- Openable area of not less than 5.7 square feet (Exception: Grade floor openings shall have a minimum net clear opening of 5 square feet);
- Minimum clear opening height of 24";
- Minimum clear opening width of 20";
- Finished sill height of not more than 44" above the finished floor;
- Emergency escape windows with a finished sill height below adjacent ground elevation shall have a window well meeting the following requirements:
 - Window wells shall be a minimum of 9 square feet with a minimum horizontal projection and width of 36", and the window must be able to fully open within this space;

- Window wells with a vertical depth greater than 44" shall have a permanently affixed ladder or stairs that do not obstruct the window in the open position. The ladder or stairs cannot encroach into the minimum window well size requirements by more than 6".

NATURAL LIGHT:

All habitable rooms shall be provided with aggregate glazing area of not less than 8 percent of the floor of such rooms (not including kitchen, bathroom, hallways or storage). See exception for artificial light. R303.1(2).

VENTILATION:

Natural ventilation of habitable rooms shall be through windows, doors, louvers or other approved openings to the outdoor air. Such openings shall be provided with ready access or shall otherwise be readily controllable by the building occupants. The minimum openable area to the outdoors shall be 4 percent of the floor area being ventilated. (See R303.1 Exceptions for mechanical ventilation alternatives).

Bathrooms and laundry rooms shall be provided with an openable window area of not less than 3 square feet half of which must be openable for ventilation. In lieu of such glazed area, mechanical ventilation may be provided at 50 cfm minimum.

Kitchens shall be provided with a minimum 100 cfm exhaust fan.

HEATING:

Heating facilities shall be capable of maintaining a room temperature of 68oF at a point 3 feet above the floor and 2 feet from exterior walls in all habitable rooms. Each separate dwelling unit shall be provided with isolated thermostats to control heat.

BUILDING INSPECTION PROCEDURES:

After the building permit is issued, a 24 hour notice is required to schedule for a building inspection. Call (425) 771-0220, ext. 1333 for a voice recorded hotline.

The following must be identified on your voicemail message to guarantee an inspection:

- Permit Number;
- Address of Accessory Dwelling Unit;
- Last name of owner;
- Type of inspection needed;
- Day and date the inspection is needed — you may preference morning or afternoon.
- If special circumstances require additional information for the inspector, leave a brief message.

If deficiencies are noted during inspection, a Correction Notice will be posted at the site. Corrections shall be made within 30 days unless special circumstances prevent the owner from making such corrections. Re-inspection fees shall be assessed when work is not ready for inspection.

Note: This information should not be used as a substitute for City codes and regulations. The Edmonds Community Development Code (ECDC) may be viewed at www.edmondswa.gov. The applicant is responsible for ensuring compliance with the fees and regulations that are applicable at the time of submittal. If you have a specific question about a certain aspect of your project, please contact the Planning Division at 121 Fifth Avenue North, (425) 771-0220. Please note that other local, state, and/or federal permits or approvals may be required.