

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
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** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning, amending Sections 23.44.011, 23.44.014, 23.44.017, 23.44.020, 23.44.041, 23.45.545, 23.84A.002, 23.84A.032, 23.84A.038, and 23.86.007 of the Seattle Municipal Code to remove barriers to the creation of attached and detached accessory dwelling units and add a floor area ratio requirement in certain single-family zones.

Summary and background of the Legislation: Since 1994 and 2010 attached and detached Accessory Dwelling Units (ADUs), respectively, have been allowed citywide as part of a main house or in the backyard of lots in single-family zones. This legislation would amend the Land Use Code, modifying the rules regulating when and where a property owner can create an ADU. The proposed changes to the Land Use Code include: allowing two ADUs on a lot, removing the existing off-street parking and owner-occupancy requirements for ADUs, introducing a Floor Area Ratio (FAR) limit for single-family lots, increasing the maximum household size for lots that have two ADUs, and other changes to the size and location development standards regulating Detached ADUs.

In September 2014, the City Council adopted [Resolution 31547](#), directing the Department of Planning and Development staff, now the Office of Planning and Community Development (OPCD), to explore policy changes to encourage development of ADUs. In response, OPCD proposed changes to the Land Use Code and, under the leadership of Councilmember O'Brien, drafted legislation for environmental review under the State Environmental Policy Act (SEPA). OPCD prepared an [environmental checklist](#) evaluating the potential environmental impacts of the proposed changes and issued a [determination of non-significance](#) in 2016. The determination of non-significance was appealed, and in December 2016, the Seattle Hearing Examiner issued a decision on the appeal that required a more thorough review of the potential environmental impacts of the proposal.

Based on the Hearing Examiner's decision, Council Central Staff initiated the process to develop an Environmental Impact Statement (EIS) in 2017. On October 4, 2018, the [Final EIS](#) was issued. Following the release of the Final EIS in October 2018, an appeal of the adequacy of the Final EIS was filed with the City's Hearing Examiner. The hearing for this appeal concluded on March 29, 2019. On May 13, 2019, the Deputy Hearing Examiner [ruled](#) that the environmental review of the proposal to amend the Land Use Code to encourage ADUs adequately explores the potential environmental impacts of the proposal, clearing the way for the City Council to act on legislation.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

If there are no changes to appropriations, revenues, or positions, please delete the table below.

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

If so, describe the nature of the impacts. This could include increased operating and maintenance costs, for example.

Is there financial cost or other impacts of *not* implementing the legislation?

Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs or consequences.

This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

Yes, the Department of Construction and Inspections will administer the provisions of the land use code but additional resources and not anticipated at this time. Resources may be needed in the future to address technology or training needs, however, permit fee revenue should cover the costs of administering the proposed changes.

b. Is a public hearing required for this legislation?

Yes, a public hearing is scheduled on June 11.

c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

If yes, please describe the measures taken to comply with RCW 64.06.080.

No

d. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

For example, legislation related to sale of surplus property, condemnation, or certain capital projects with private partners may require publication of notice. If you aren't sure, please check with your lawyer. If publication of notice is required, describe any steps taken to comply with that requirement.

Yes, a notice was published regarding the public hearing on May 9th.

e. Does this legislation affect a piece of property?

No

- f. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**

The proposal is intended to make it easier to build ADUs to provide more housing options and choices in single-family zones.

- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).**

The long-term goals are to remove regulatory barriers to increase production of ADUs and increase housing options in single-family zones. The ordinance includes a request for ongoing reporting to determine if the legislation has the intended effect.

List attachments/exhibits below: