



## What is an Accessory Dwelling Unit (ADU)?

The purpose of accessory dwelling units is to create new housing units while respecting the look and scale of single-dwelling development. ADU's provide a mix of housing that responds to changing family needs and smaller households. They provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and care. An ADU is commonly referred to as a 'mother-in-law' apartment or 'granny flat'. The City of Spokane regulates the appearance and location of ADU's in order to preserve the character of neighborhoods. Adding an ADU does not make your home a duplex, since the new dwelling unit is an accessory use to the primary purpose of your home.

## General Regulations:

Attached and detached accessory dwelling units are permitted in all residential zones, including planned unit developments, with the following limitations:

1. Only one ADU is allowed per lot as an accessory use to a single-family home.
2. A detached ADU must either be combined with a garage or shall be the only detached structure in the rear yard.
3. Detached ADU's are allowed in the RA, RSF, RTF, RMF and RHD zones, if the lot is located on an alley or the lot is 10,000 square feet and larger.
4. An Administrative Conditional Use Permit allows detached accessory dwelling units on lots 5,000 square feet to 10,000 square feet without an alley.

## Minimum and Maximum Size:

1. The minimum lot size for an accessory dwelling unit is 5,000 square feet.
2. Before the establishment of an internal ADU, the footprint of the principal structure, excluding an attached garage, must be not less than 800 square feet. The size of the internal ADU must be not less than 250 square feet and not more than 800 square feet, excluding any related garage area.
3. A detached ADU shall not exceed six hundred square feet.
4. The square footage of an ADU, excluding any garage, is counted as part of the floor area ratio (FAR). Internal ADU's may not exceed 50% of the total square footage of the principal structure's building footprint.

## Occupancy:

The owner of the property shall occupy one of the dwelling units as their principal residence. The owner-occupant must occupy the dwelling unit for more than six months of each calendar year. The owner-occupant may not receive rent for the owner-occupied dwelling unit. If a complaint that an owner has violated these requirements is filed, the owner shall:

1. Submit evidence to the director showing good cause, such as a job dislocation, sabbatical leave, education, or illness, for waiver of this requirement for up to one-year absence from the property. Upon such showing, the director may waive the requirement;
2. Re-occupy the structure; or
3. Remove the accessory dwelling unit.

## Application Procedures:

1. A property owner wanting to establish an ADU must:
  - A. Submit an ADU application and, if required, an Administrative Conditional Use Permit
  - B. Obtain a building permit and certificate of occupancy from the Department of Building and Code Enforcement.
2. An approval letter will be issued by the Planning Services Department outlining required steps to complete the process. This letter needs to be recorded at the County Auditor's Office as a deed restriction identifying the ADU and limitations of occupancy and ownership. A conformed copy of the recorded letter must be provided to the City of Spokane's Planning Services Department prior to the issuance of a building permit or safety inspection. Failure to complete all the required steps in the approval letter within six months of issue will void the approval for the ADU.

## Development Standards:

1. All accessory dwelling units must meet the following:
  - A. An ADU may only be created through the following methods:
    - Converting existing living area, attic, basement or garage;
    - Adding floor area;
    - Constructing a detached ADU on a site with an existing house, attached house, or manufactured home; or

- Constructing a new house, attached house, or manufactured home with an internal or detached ADU.
- B. The total number of people that live in both units may not exceed six unrelated individuals. The number of related individuals is not regulated.
  - C. A home occupation is prohibited on a site with an ADU.
  - D. Only one entrance may be located on the façade of the house, attached house, or manufactured home facing the street, unless the primary residence contained additional entrances before the ADU was created. An exception to this regulation is entrances that do not have access from the ground, such as entrances from balconies or decks.
  - E. One additional off-street parking space is required for the accessory dwelling unit. Existing required parking for the house (one space) must be maintained or replaced on-site.
  - F. The exterior finish material, roof pitch, and trim must be the same or visually match in type, size and placement, the materials used for the primary residence.
  - G. Windows must match those in the primary residence in proportion (relationship of width to height) and orientation (horizontal or vertical). This standard does not apply when it conflicts with building code regulations.
2. Additional standards for detached ADU's:
    - A. Setbacks:
      - Sixty feet from the front lot line; or
      - Six feet behind the primary structure.
      - Five feet on the side and five feet on the rear without an alley unless a side yard waiver is signed by the adjacent neighbor allowing the structure to be closer. On a lot with an alley the structure does not have a rear setback.
    - B. Height:
      - Maximum height for a detached accessory building attached to an ADU or detached ADU is ten-foot wall height and 20-foot roof height.
      - Maximum height for a detached ADU over a detached accessory structure is 16-foot wall height and 23-foot roof height.
    - C. Bulk Limitation:
      - The ADU cannot be larger than the principal dwelling unit. The combined building coverage of all detached accessory structures may not exceed 15% of the total area of the site.

D. Conversion of Existing Detached Accessory Structures:

- In all residential zones, conversion of an existing detached accessory structure located in a required front building setback is not allowed.
  - Conversion of a structure located in a required rear or side setback is allowed.
  - If the ADU is proposed for an existing detached accessory structure that meets the primary structure's finish materials, roof pitch, trim or windows, alterations that will move the structure out of conformance with the standards that are met is not allowed.
  - If the ADU will be a conversion of an existing detached accessory structure or a portion of the building, and the existing structure does not match the finish materials, roof pitch, trim or windows of the primary structure, the structure is exempt from those standards.
  - If an ADU conversion of an existing detached accessory structure will add floor area, then the entire structure must match the finish materials, roof pitch, trim and windows of the primary structure.
  - A conversion of an existing detached accessory structure to an ADU requires approval of an Administrative Conditional Use Permit.
3. The ADU must use the utilities and address established for the principal dwelling unit. The ADU may not have a separate address.
  4. The ADU must meet all technical code standards including building, electrical, fire and plumbing code requirements and permits.

ADU Expiration:

1. An ADU permit is not transferable to any other property or any other person except the new owner of the subject property when it is sold. The same ADU requirements apply to the new owner if the use of the ADU is maintained.
2. Approval of an ADU expires when:
  - The ADU is altered and is thus no longer in conformance with the plans approved by the building department;
  - The property ceases to maintain the required off-street parking spaces for the accessory and principal dwelling units; or
  - The legal titleholder of the property ceases to own and reside in either the principal or the accessory dwelling unit.

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