



ACCESSORY DWELLING UNITS and ACCESSORY STRUCTURES

ACCESSORY DWELLING UNITS (ADU)

Accessory dwelling units (ADU) are permitted in all residential districts subject to the following requirements:

- **Number.** One (1) ADU shall be allowed per residential lot in conjunction with any detached single-family structure. (See Olympia Municipal Code [OMC], Section 18.04.080(A)(3) regarding ADUs in new subdivisions.)
- **Location.** The ADU shall be permitted as a second dwelling unit added to, created within, or detached from the original dwelling. The ADU shall be oriented in a way that maintains, to the extent practical, the privacy of residents in adjoining dwellings. (See OMC, Chapter 18.04A, Residential Design Guidelines.)
- **Size.** The ADU shall have a gross floor area of no more than eight hundred (800) square feet, and no more than the following equivalent ratios:
 - forty percent (40%) of the gross floor area of the primary residence and accessory dwelling unit combined, or
 - sixty-six and two-thirds percent (66 2/3%) of the gross floor area of the primary residence alone; excluding any garage area, except as authorized by Section 18.04.060(A)(7).

[NOTE: Section 18.04.060(O)(1) requires that manufactured homes placed on a lot outside a manufactured housing park must be at least eight hundred sixty-four square feet in floor area. Consequently a manufactured home can be used as a primary residence, but not as an ADU.]

- **Ownership.** The property owner (i.e., title holder and/or contract purchaser) must live on the site as his/her principal residence. Owners shall sign a notarized affidavit attesting to their principal residency upon permit application. Owners shall provide evidence thereof through such means as voter registration, driver's license, or the like. This requirement does not apply to ADUs built prior to the initial sale of the primary unit on the lot. Purchasers of such ADUs shall meet these requirements within sixty (60) days of purchase (See Section 18.04.080(A)(3).)

A covenant or deed restriction, approved by the Olympia City Attorney, shall be signed and recorded with the Thurston County Auditor which specifies the requirement that the property owner must live on the site as his/her principal residence.

- **Occupancy.** No more than one (1) family (as defined in Chapter 18.02, Definitions) shall be allowed to occupy an ADU.
- **Existing ADUs.** Accessory dwellings created prior to the enactment of these regulations, June 19, 1995, may be approved subject to applicable requirements. Existing ADUs located on lots which cannot accommodate an additional off-street parking space required by Chapter 18.38, Parking, may receive a waiver from the parking requirement.

If the owner of an existing unauthorized ADU applies to make the unit legal, but cannot meet all of the standards, he/she will be allowed a "grace period" of six months from date of application to comply with applicable standards. However, where health and safety is an issue, the Building Official will determine when the necessary modifications must be made. If the owner cannot meet the standards, the unauthorized accessory unit must be removed or its use as a dwelling must be suspended.

- **Deviation From Requirements.** The Director or the Director's designee may allow deviation from the requirements of this section (18.04.060(A)) as follows:
 - To allow use of the entirety of a single floor in a dwelling constructed two (2) or more years prior to the date of application in order to efficiently use all floor area; and

- To enable ADUs to be established in structures constructed prior to June 19, 1995, which are located in rear or side setbacks, provided that Uniform Building Code requirements and the Development Standards contained in Section 18.04.080 are met. [NOTE: See Chapter 18.175 Residential Design Guidelines for applicable design guidelines.]

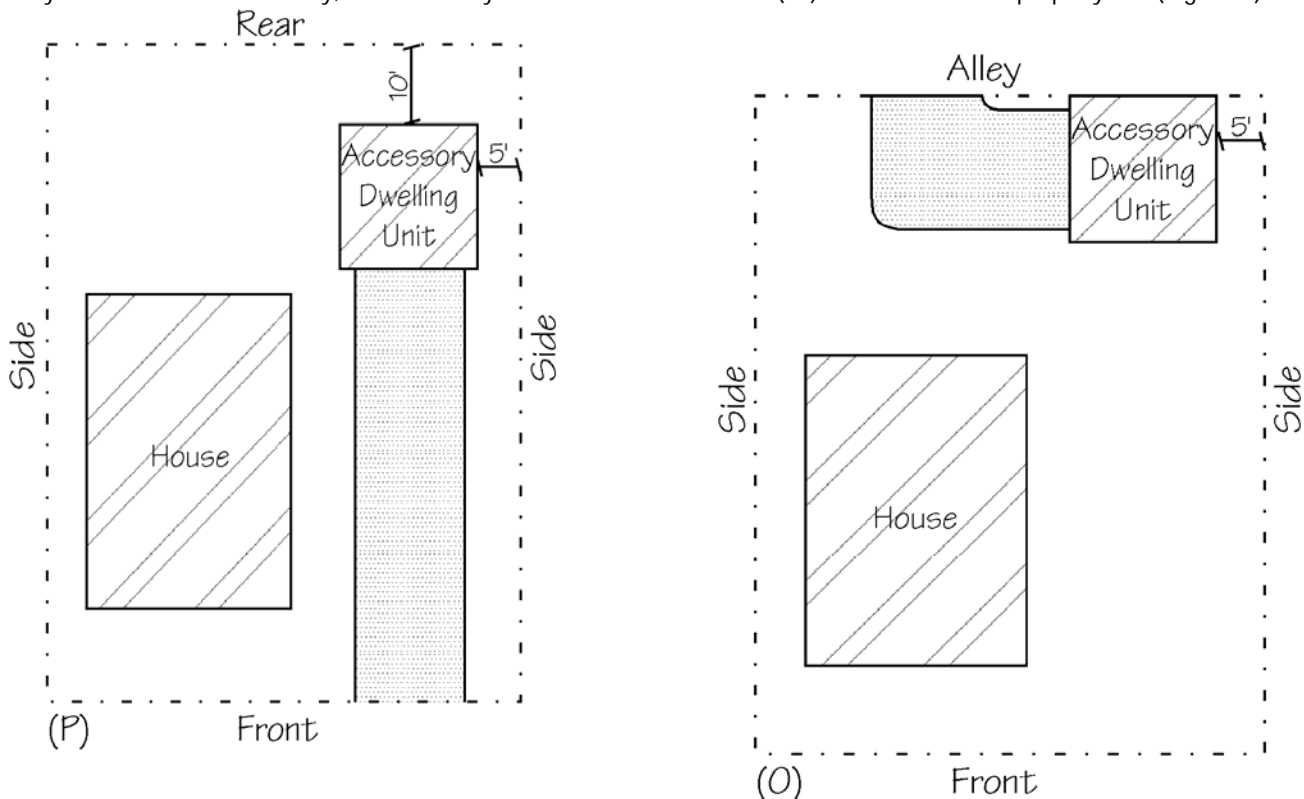
ACCESSORY STRUCTURES.

Accessory structures are permitted in all residential districts subject to the following requirements:

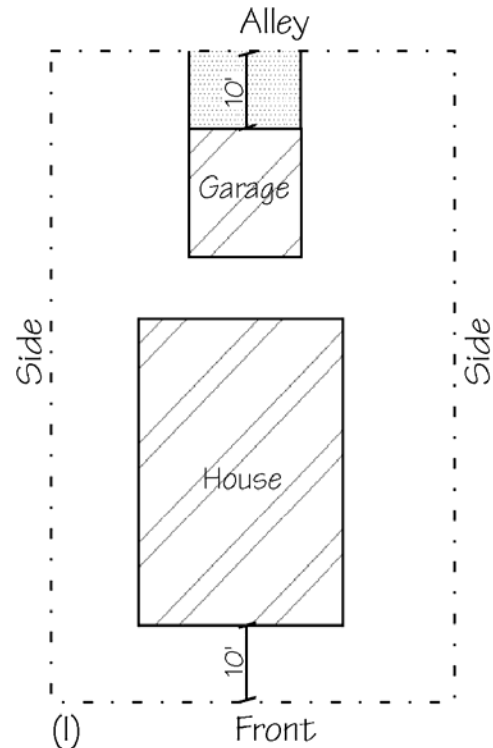
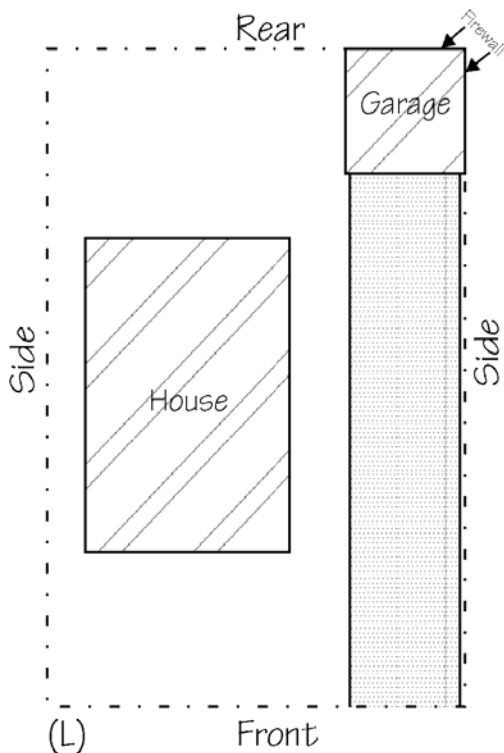
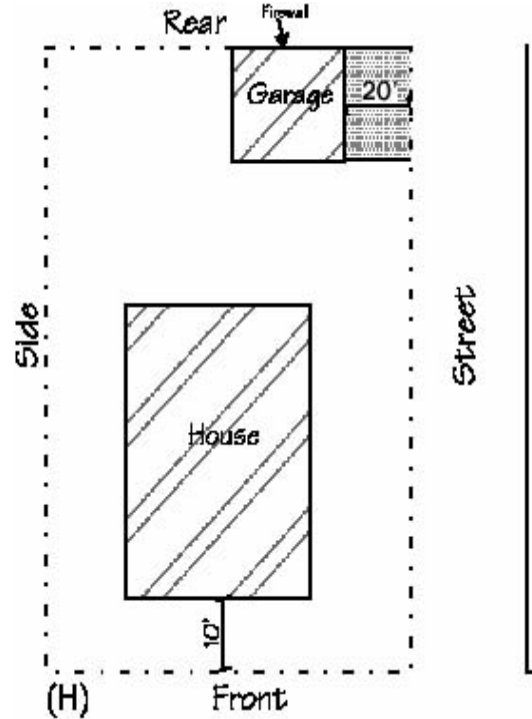
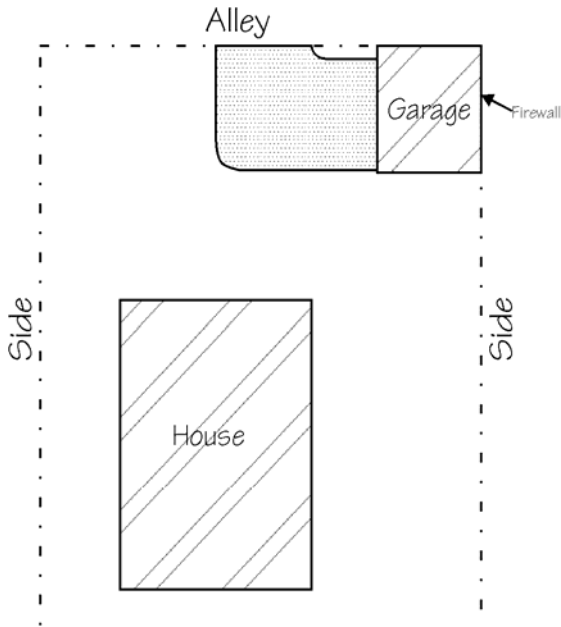
- **Time of Establishment.** Accessory structures shall not be built prior to commencing construction of the main building on the lot. However, lots may be created which contain an accessory structure (without an associated primary use) constructed prior to submission of the subdivision application.
- **Subordination to Primary Use.** Accessory structures shall be clearly incidental and subordinate to the use of the lot (e.g., structures used for storage of personal property or the pursuit of hobbies) or used for agricultural purposes. In single-family and two-family residential districts each accessory structure shall not exceed eight hundred (800) square feet in size, except for structures accessory to an agricultural use which are located on a parcel one (1) acre or larger in size.
- **Garages.** Private garages shall meet the following standards:
 - Garages shall not exceed a total of eight hundred (800) square feet of floor space per dwelling unit.
 - Garages exceeding eight hundred (800) square feet per dwelling unit may be permitted as conditional uses in the districts specified in Table 4.01 provided that they will not be adverse to the public interest and are compatible with the surrounding neighborhood. The Hearing Examiner shall establish a maximum size for garages receiving conditional use approval. See Section 18.04.080.

SETBACK GUIDELINES

Accessory Dwelling Units must be five (5) feet from a side property line (Figure O), but they may encroach into rear yards. However, if the rear yard does not abut an alley, the accessory unit must be set back ten (10) feet from the rear property line (Figure P).



A detached garage may be set on the property line if the garage door is at a right angle to the alley entrance (Figure J). Garage walls on or within 3 feet of the side property line, however, must be fire walls and have no windows or other openings. A detached garage may be set on the rear property line, but if the garage door faces a side yard (flanking street), it must be set back 20 feet from that side yard (Figure H). In this case, the wall on the rear property line needs be a fire wall. A detached garage may be set on both the rear and side property lines if it has access from the front yard (Figure L). In this case, both walls must be fire walls.



Any accessory structure may be located in a required rear yard (Figure M) and/or in the rear 20 feet of a required interior side yard (Figure N)

