

**Code Reform FAQ**

The City of Bellevue is accepting public comments on a draft Land Use Code Amendment (LUCA) to the City's ADU regulations. The following is additional information regarding the draft amendments.

What are Accessory Dwelling Units (ADUs)?

ADUs are secondary living units on lots developed with residential uses, typically single-family homes, and are meant to be functionally separate from the primary residences on the site. ADUs come in many different forms and have many different names, including granny flats, in-law suites, and basement apartments. Some ADUs are detached from the primary residence, which are sometimes called DADUs or backyard cottages.

What are current regulations for ADUs in Bellevue?

ADUs are regulated under the Land Use Code (LUC) Chapter 20.20.120. They are currently allowed on all residential lots developed with single-family homes, and they must be attached or within the primary residence. Detached accessory dwelling units (DADUs) are not currently allowed in Bellevue. Currently, ADUs must meet all the following requirements:

- The property owner must live on the site;
- One off-street parking space must be provided for the ADU;
- The sale of ADUs is prohibited;
- ADUs must meet the following size limitations:
 - At least 300 sq. ft.
 - Up to 800 sq. ft. or 40% of the area of the ADU and primary residence combined, excluding garages (whichever is less)
- A house with an ADU may not have a second front entry door; and
- Registration is required, followed by a notice issued to neighbors within 500 feet of the site and an inspection by City staff to ensure above requirements are met.

How many ADUs have been permitted in Bellevue since the last code change?

The last change to the City's ADU regulations was in 2021, when a rule requiring a 3-year waiting period after a home is built to allow an ADU was removed. Overall, there were 34 permit applications for ADUs in 2021, then 39 in 2022. Of these, many are still open and waiting on a final inspection. 13 ADU permit applications from 2021 and 2022 have been approved and closed.

ADU permit data can be found on the city's [Open Data Portal](#).

Why are changes being proposed?

In building upon the city's 2017 Affordable Housing Strategy, the City Council prioritized a set of "Next Right Work" actions related to the production of additional housing in the city. Among these actions was to encourage middle-scale housing, including duplexes, triplexes, quadplexes, and ADUs, and to create a mechanism for separate ownership of these units.

On Jan. 17, 2023, the council reviewed a scope of work for attached ADU reform, which had been developed in conversation with development review staff familiar with the process and bottlenecks in ADU permitting. After discussion, the council initiated this LUCA with the intent of encouraging production of ADUs in Bellevue.

What changes are being proposed to ADU regulations?

Many of the existing requirements for ADUs have been identified as barriers to development, and as such the proposed LUCA aims to do the following:

- Remove owner-occupancy requirement;
- Remove the off-street parking requirement;
- Allow for sale of ADUs;
- Revise the size limitations to the greater of 1000 sq. ft. or 40% of the combined area of the ADU and primary residence (excluding garages);
- Remove the second front door prohibition; and
- Simplify the registration process, remove the notice, and land use inspection requirement.

How will this LUCA affect private covenants or Homeowners Association (HOA) rules regarding ADUs?

The proposed amendments do not affect private covenants or HOA rules; only the city's regulations on ADUs will change. This LUCA will not expand the areas where ADUs are allowed today.

How will this affect on-street parking?

The LUCA aims to remove the minimum parking requirement for ADUs, which is intended to allow flexibility for ADUs on lots that may have site constraints (such as size, shape, or topography) that make adding another parking space difficult. This would also allow ADUs to be constructed without needing to pave additional yard area for a parking space. However, this may also result in increased demand for on-street parking, but the LUCA will not be changing existing rules around on-street parking, which include a time limit of 24 hours to be parked on the street (per Bellevue City Code chapter 11.23.020).

How will the sale of an ADU work?

The prohibition of ADUs being sold to a separate owner is proposed to be removed from the Land Use Code. This will give property owners with ADUs the option to sell them as they see fit. Most likely, a person will sell the unit as a condo, with certain agreements and responsibilities for the unit and common areas recorded on the property title. This is a private process that typically does not require city approval or involvement.

Do ADUs require separate utility connections or meters?

ADUs do not currently require separate utility connections. A property owner may choose to have a separate meter for billing purposes. This LUCA will not change any utility requirements for ADUs.

What is the process for this LUCA?

The LUCA will first be reviewed by the Planning Commission during their regular meeting on March 22. The Commission may then choose to hold a public hearing at a following meeting to get additional public input on the proposal. They may then make a recommendation to the city council on whether to adopt the LUCA, which can occur at any point following the public hearing.

After the Planning Commission makes a recommendation, the city council will begin reviewing the LUCA before taking final action on the amendments.

For the latest updates on the LUCA timeline, including scheduled meeting dates, visit the project webpage at BellevueWA.gov/ADU-Reform.

How can I provide input?

A draft of the proposed changes can be found here: BellevueWA.gov/ADU-Reform

Questions or public comments on the draft amendments will be accepted until the city council takes final action, and can be submitted via email or US Mail to:

Contact: Caleb Miller, Senior Planner
cwmiller@BellevueWA.gov
425-452-4574

US Mail: Caleb Miller
Development Services Department
450 110th Avenue NE
Bellevue, WA 98004