



January 20, 2021

Representative Pollet, Chair, House Local Government Committee, and members of the committee,

The Washington State Chapter of the American Planning Association (APA Washington) respectfully submits comments **in support of House Bill 1660**, which would reduce owner-occupancy restrictions on accessory dwelling units (ADUs).

We are in favor of removing owner-occupancy requirements unless the ADU is being offered as a short-term rental for the following reasons:

- This legislative change would result in ADUs being regulated like any other housing unit – owners of houses, duplexes, townhomes, etc. are not required to live onsite if they choose to rent out housing units.
- Some people may prefer not to live close to a landlord. Some landlords may not want to live close to their tenants.
- Owner-occupancy requirements can be costly and difficult to enforce and can lead to inconsistent enforcement.
- Owner-occupancy requirements lock owners who build ADUs into static living situations. If an owner needs to move (for example, for being called up for military service, career opportunity or family obligations), they are faced with a difficult choice of evicting tenants and no leaving the ADU vacant, or forgoing moving/relocation.

We do have questions/concerns about the following aspect:

- This bill assumes previously-adopted legislation prohibiting off-street parking requirements for ADUs within ¼ mile of a major transit stop has been adopted by jurisdictions. However, RCW 36.70A.698(3) does not require cities to incorporate this requirement if they substantively amended their ADU regulations within the four years prior to June 11, 2020. The exemption does not have a “grace period” requiring cities to eventually adopt the requirement, nor does it require cities to incorporate the requirement the next time they update their ADU code. It is reasonable to require all jurisdictions to adopt code changes related to RCW 36.70A.698(3) (off-street parking for ADUs within ¼ mile) by July 1, 2024 (to align with the owner-occupancy code updates).

[APA Washington](#) is a 1,400 member association of public and private sector professional planners, planning commissioners and elected officials, among others. We work every day to implement the state’s growth management and planning framework and appreciate the opportunity to provide information that will help improve it for all Washingtonians. Thank you for your consideration.

Best regards,

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President, Washington Chapter of the American Planning Association