



Accessory Dwelling Units

Your guide to the requirements and restrictions from Planning, Public Works and Building Services for creating an Accessory Dwelling Unit (ADU) within city limits.

PLANNING DIVISION

What is an Accessory Dwelling Unit?

An ADU is a second, subordinate dwelling unit for use as a complete, independent residence with provisions for living, eating, cooking and sanitation.

General Restrictions & Requirements:

- The ADU must be attached to the primary residence.
- Either the primary unit or the ADU must be owner-occupied. An affidavit attesting to owner occupancy is required January 1st of every odd numbered year.
- The ADU must not exceed 40% of the gross square footage of the primary residence (excluding garages), with a maximum square footage of 800.

Note: An owner of an existing two or more story home may request to convert up to 50% of the home's area to an ADU if conditions outlined in the ordinance are met.

- Only one entrance may be visible from the street and a separate address is prohibited.
- The intent of the ordinance is to allow ADUs while protecting the single family character of our neighborhoods. Accordingly, any additions must have similar roof pitch, siding and windows so that the addition is architecturally compatible with the existing home.
- No more than two bedrooms may be located within the ADU.
- One additional parking space for each bedroom in the ADU must be provided on site, with a minimum of one space required.
- A maximum of three persons may occupy the ADU.
- A park impact fee will be assessed at the time of permit issuance.

Where can an ADU be located?

Anywhere single family residences are allowed.

Note: A maximum of 20 ADU permits may be granted in each neighborhood, at which time the City Council will review the ADU ordinance. The ordinance will also be reviewed within 60 days of issuance of the 20th ADU permit.

What is the permitting process for an ADU?

The applicant must submit an ADU permit application along with a list of all property owners within 500 feet, and an application fee (see fee schedule).

The Planning & Community Development Department will send notice of the ADU application and comment period to affected City departments, registered neighborhood groups and property owners within 500 feet.

A decision will be made based on the information contained in the application and the comments received as a result of the public notice. The decision may be appealed to the Hearing Examiner.

See Building Services for the building permit process.

How does a pre-existing unit become legal?

Homeowners with existing, non-permitted ADUs must apply to become legal. Units not approved or removed will be subject to enforcement.

Pre-existing units must meet the same requirements as new ADUs, including parking and building code standards.

Detached units must also show evidence that the unit was in place prior to January 1, 1995.

Note: Not all two or more unit structures in single family zones are illegal. The units may have been established under a zoning which allowed multi-family development. If this is the case, the unit is a 'legal non-conforming use'. Applications to establish the unit as a legal non-conforming use are available from the Permit Center.

PUBLIC WORKS DEPARTMENT

- The ADU and main home may share water, sewer and natural gas services.
- An accessible shut-off valve must be upstream of the gas meter, on the exterior of the structure(s).
- A traffic impact fee will be assessed at the duplex rate (credit will be given for existing single family residence).
- A water meter must be installed and occupants must be billed on the metered system instead of the flat rate system.
- Any utility lines being installed or altered must have their connections inspected as part of the building permit process.
- The water service shut-off must be accessible to occupants of both units.

BUILDING SERVICES DIVISION

Alterations and/or additions to create an ADU must comply with the building and electrical codes in effect at the time of building permit application. These are some of the specific requirements to consider:

Electrical:

- The primary residence and the ADU shall be served by a single electrical service, and single main service panel.
- Occupants of both units must have equal and unrestricted access to the main electrical shut-off.
- The service panel must have the capacity to safely handle loads attributed to two dwelling units as determined by the electrical code.

Plumbing:

- Both units may share common supply and waste plumbing systems.
- A shared water heater is allowed so long as occupants of both units have equal and unrestricted access to the appliance.

Smoke Detectors:

- Smoke detectors must be installed throughout both dwelling units, as required for remodels or additions. Smoke detectors must be hard-wired and interconnected, with battery back-up.

Exiting:

- The ADU must have an independent exit door at least 36" in width, and all sleeping rooms must have emergency escape windows or doors as required for new single family residences.

Fire Separation:

- The construction of the walls and/or floor/ceiling assemblies which compose part or all of the separation of the units must be constructed as an one hour fire rated assembly. This may be accomplished with two layers of 1/2" gypsum wall board (GWB) on each side of the wall or one layer of 5/8" GWB on each side of the wall. Ducting may not be enclosed within the assembly.
- Doors separating the units must be 1 3/8" thick, solid-core, tight fitting, smoke gasketed doors, or a 20 minute rated door.

Heating:

- Both units must have independent sources of heat. If a common forced-air system is installed, fire/smoke dampers will be required.

Ceiling Heights & Room Sizes:

- The minimum ceiling height allowed for rooms and hallways is 7 feet.
- ADUs must have at least one habitable room with a floor area of no less than 120 square feet, and each additional habitable room must have a floor area no less than 70 square feet, with a minimum dimension of 7 feet in any horizontal direction.

How do I apply for a building permit if I want to create an ADU?

See our handout titled "Single Family Dwelling Application Requirements" for examples of building plans, requirements, and all the necessary forms.

Note: ADUs are regulated by Bellingham Municipal Code Section 20.10.035

For questions about Accessory Dwelling Units please call the Permit Center at 360-778-8300 and ask for the specific division for whom you have questions.