



AB 6622: Middle Housing and Accessory Dwelling Units (HB 1110 & HB 1337)

February 4, 2025



Overview

1. Recap from January 21
 - a) Legislative Requirements
 - b) Approach and Scope of Work
2. Ordinance 24C-02
3. Next Steps
4. Q&A, Discussion



Legislative Requirements

HB 1110

Middle Housing

- Permits moderate density in residential zones
- 6 of 9 middle housing types
- Middle housing unit density – 2-4 units/lot
- Development regulations may not be more strict than those for single-family
- Limitations on parking regulations

HB 1337

Accessory Dwelling Units

- Permits 2 ADUs per lot
- Attached, detached, combo
- Conversions of existing structures
- Limitations on parking regulations
- Limitations on impact fees
- No owner occupancy req

SB 5290

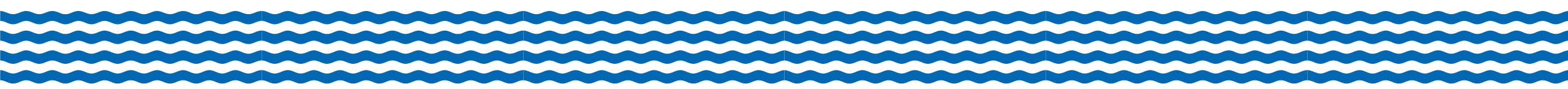
Unit Lot Subdivision

- Type of short subdivision
- Creates unit lots from parent lots for individual fee simple ownership

Approach & Scope of Work

Phase 1: Minimum
Requirements

Phase 2 (future): Tailor
Code to Mercer Island



Ordinance No. 25C-02

- **MICC 19.02.010 Single-family:** permit middle housing, allow more than one ADU per lot
- **MICC 19.02.020 Development Standards:** modify the GFA incentive for ADUs to specify that the incentive applies to single family homes with attached ADUs when an additional off-street parking space is provided for the ADU
- **MICC 19.02.025 Middle Housing (new section):** permitting the following housing types in the R-zones: duplex, triplex, fourplex, townhouses, courtyard apartments, and stacked flats, subject to unit density, affordable housing and parking requirements
- **MICC 19.02.030 Accessory Dwelling Units:** remove the owner occupancy requirement, permit up to two ADUs per lot, increase the maximum gross floor area to 1,000 sq ft, add parking requirements
- **MICC 19.16.010 Definitions:** revise and add definitions related to amendments

Next Steps

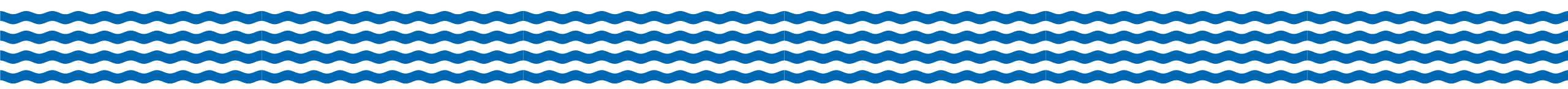
Ordinance No. 25C-02 (Middle Housing and ADUs)

- Second Reading: March 4
- Effective Date: June 30, 2025

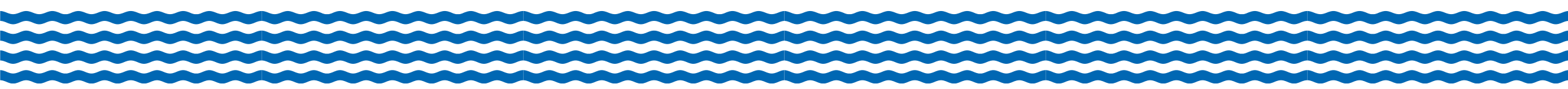
Ordinance No. 25C-06 (Unit Lot Subdivision)

- Public Hearing and First Reading: March 4
- Second Reading: March 18
- Effective Date: June 30, 2025

Resolution No. 25-XX (Impact Fees for Middle Housing and ADUs)

- Review and approve: March 4
 - Effective Date: June 30, 2025
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Questions and Discussion



Policy Question

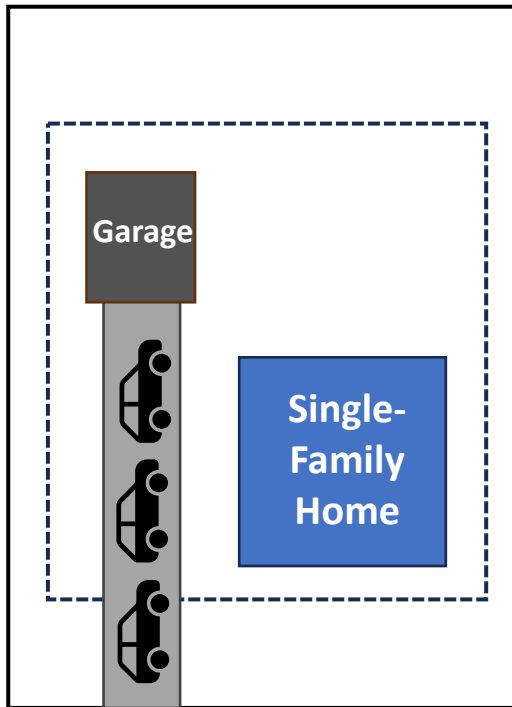
ADU Parking Requirements

- Current – no additional parking required beyond spaces provided for primary unit
- HB 1337 – limits the amount of off-street parking that can be required for ADUs (0-2 spaces per unit)
- January 21 Motion – amends GFA floor area bonus – ties to provision of one additional off-street parking space

ADU Parking Requirements

Current:

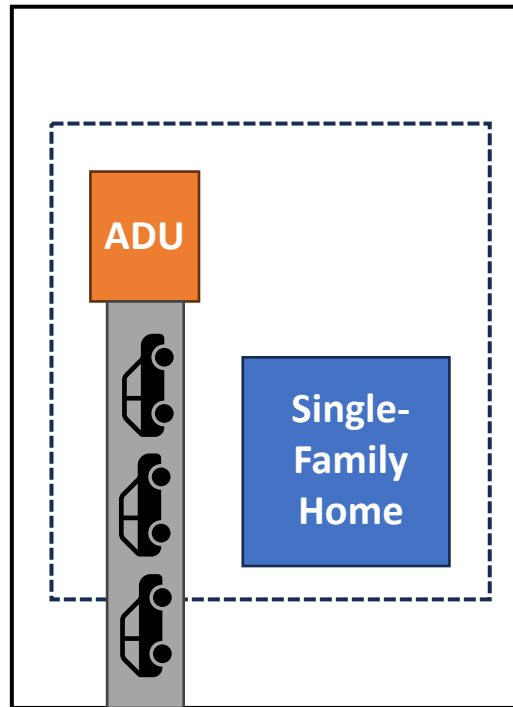
SFH > 3,000 sq ft



3 off-street parking spaces

Current:

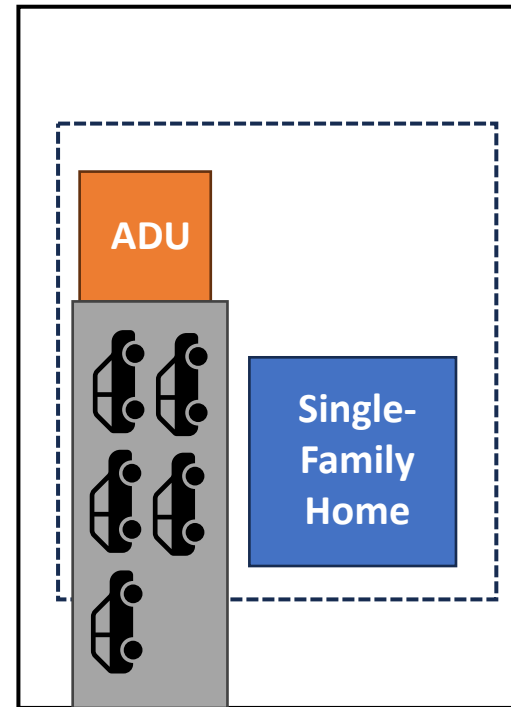
SFH > 3,000 sq ft +
900 sq ft ADU



3 off-street parking spaces

Proposed:

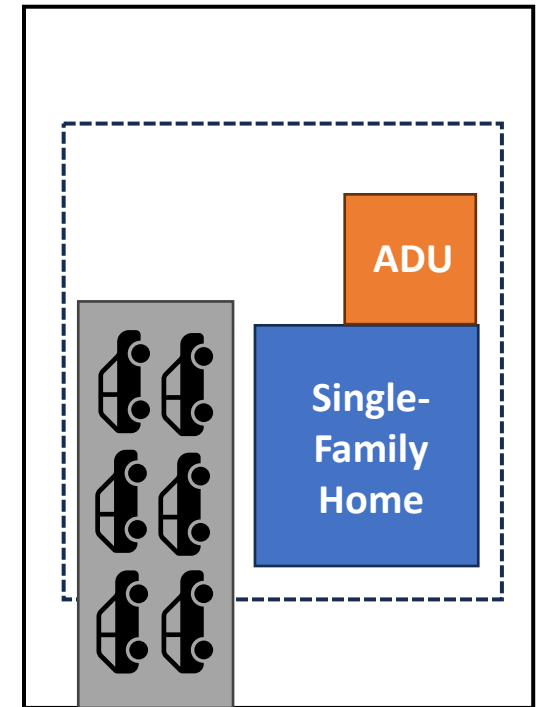
SFH > 3,000 sq ft +
1,000 sq ft ADU



5 off-street parking spaces

Proposed:

SFH > 3,000 sq ft + 5%
Floor Area Incentive +
1,000 sq ft Attached ADU



6 off-street parking spaces

Draft Ordinance Language

MICC 19.02.030 (B) *Requirements for accessory dwelling units*

9. *Parking.* All single-family dwellings with an accessory dwelling unit shall meet the parking requirements pursuant to MICC 19.02.020(G) applicable to the dwelling if it did not have such an accessory dwelling unit, except as provided below:
 - a. Accessory dwelling units within one-half mile walking distance of a major transit stop are not required to provide additional parking.
 - b. One off-street parking space is required per unit with development of accessory dwelling units on lots of 6,000 square feet or smaller before any zero lot line subdivisions or lot splits.
 - c. Two off-street parking spaces are required per unit with development of accessory dwelling units on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.

Draft Ordinance Language

MICC 19.02.020 (D) *Gross Floor Area*

3. Allowances.

- a. The gross floor area for lots with an area of 7,500 square feet or less may be the lesser of 3,000 square feet or 45 percent of the lot area; or
- b. If an attached accessory dwelling unit is proposed, the 40 percent allowed gross floor area may be increased by the lesser of five percentage points or the actual floor area of the proposed accessory dwelling unit, provided:
 - i. The allowed gross floor area of accessory buildings that are not partially or entirely used for an accessory dwelling unit shall not be increased through the use of this provision;
 - ii. The lot will contain an attached accessory dwelling unit associated with the application for a new or remodeled single-family home;
 - iii. The total gross floor area shall not exceed 4,500 square feet or 45 percent of the lot area, whichever is less; and
 - iv. In exchange for the increase in gross floor area, one off street parking space shall be provided for the accessory dwelling unit in addition to any parking required under MICC 19.02.025(G) and/or MICC 19.02.030(B).

Scope of Work

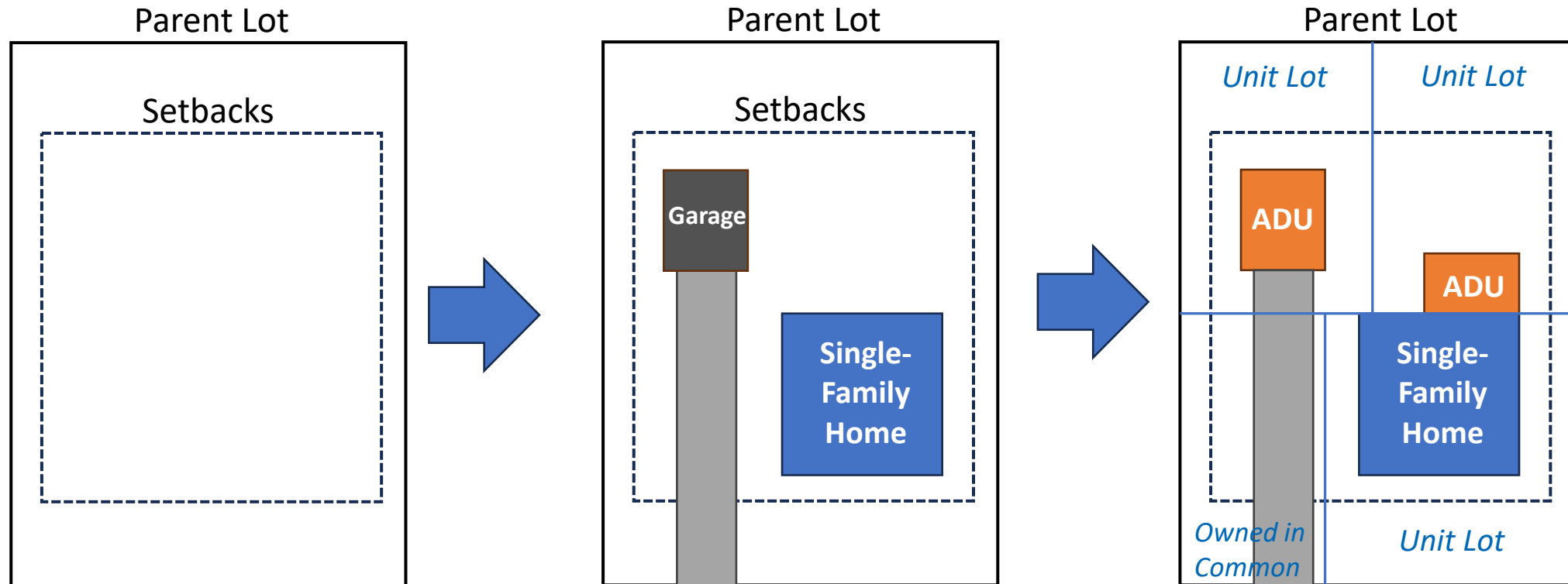
Phase 1: Minimum Requirements

- Add middle housing type definitions and permitted uses
- Add unit density definition and permit 2-4 middle housing units per lot
- Add middle housing affordability incentive
- Amend ADU standards (floor area, owner occupancy)
- Add parking requirements for middle housing and ADUs
- Add unit lot subdivision provisions
- *(optional)* Additional policy options to be considered on January 21

Phase 2 (future): Tailor Code to Mercer Island

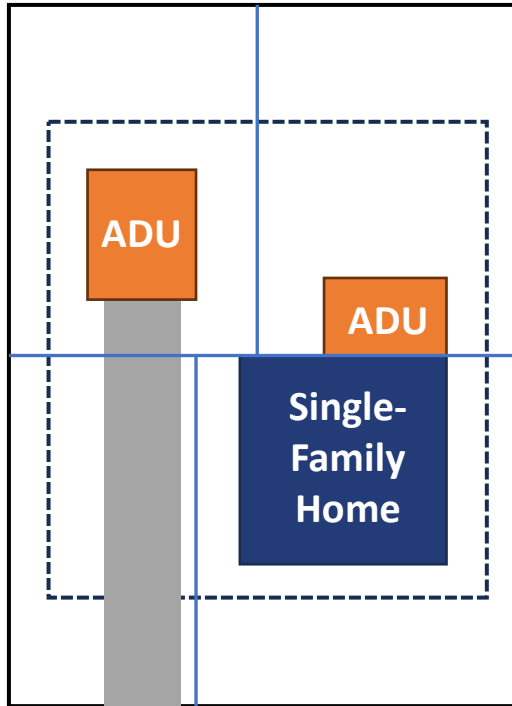
- Community outreach and engagement to determine what types of development the community wants to encourage
- Consider amending development regulations (setbacks, building height, floor area, etc) and design standards
- Explore middle housing type-specific development regulations
- Consider development incentives
- Consider updates to impact fees for middle housing and ADUs
- Explore updates to tree retention and replacement requirements
- Explore updates related to access standards, frontage and streetscape standards, utilities, hardscape and softscape requirements, etc.

Unit Lot Subdivision

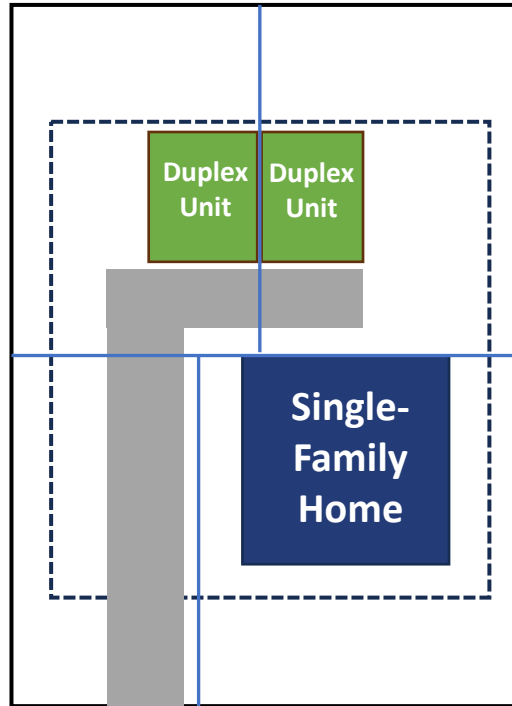


Unit Density

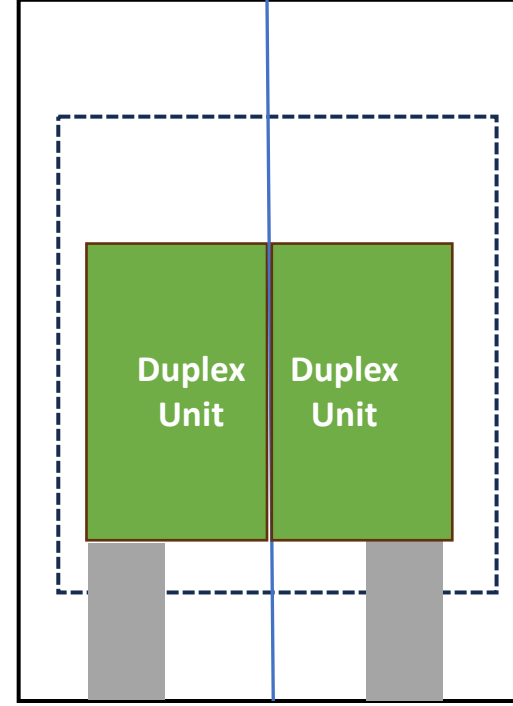
SF + 2 ADU



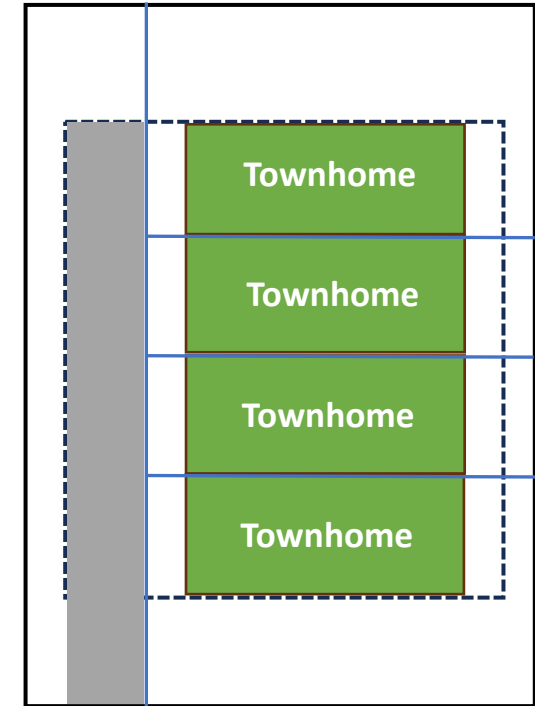
SF + Duplex



Duplex



4 Townhomes



Impact Fees

Current Rates

- Transportation
 - Multifamily: \$1,961.12
 - Single family: \$4,388.23
- Parks
 - Multifamily: \$3,996.21
 - Single family: \$6,416.97

1. Middle Housing Types

- Must permit 6 types
- Staff recommendation: Duplex, triplex, fourplex, townhouse, courtyard apartment and stacked flat



Duplex



Triplex



Fourplex



Townhouse



Courtyard Apt



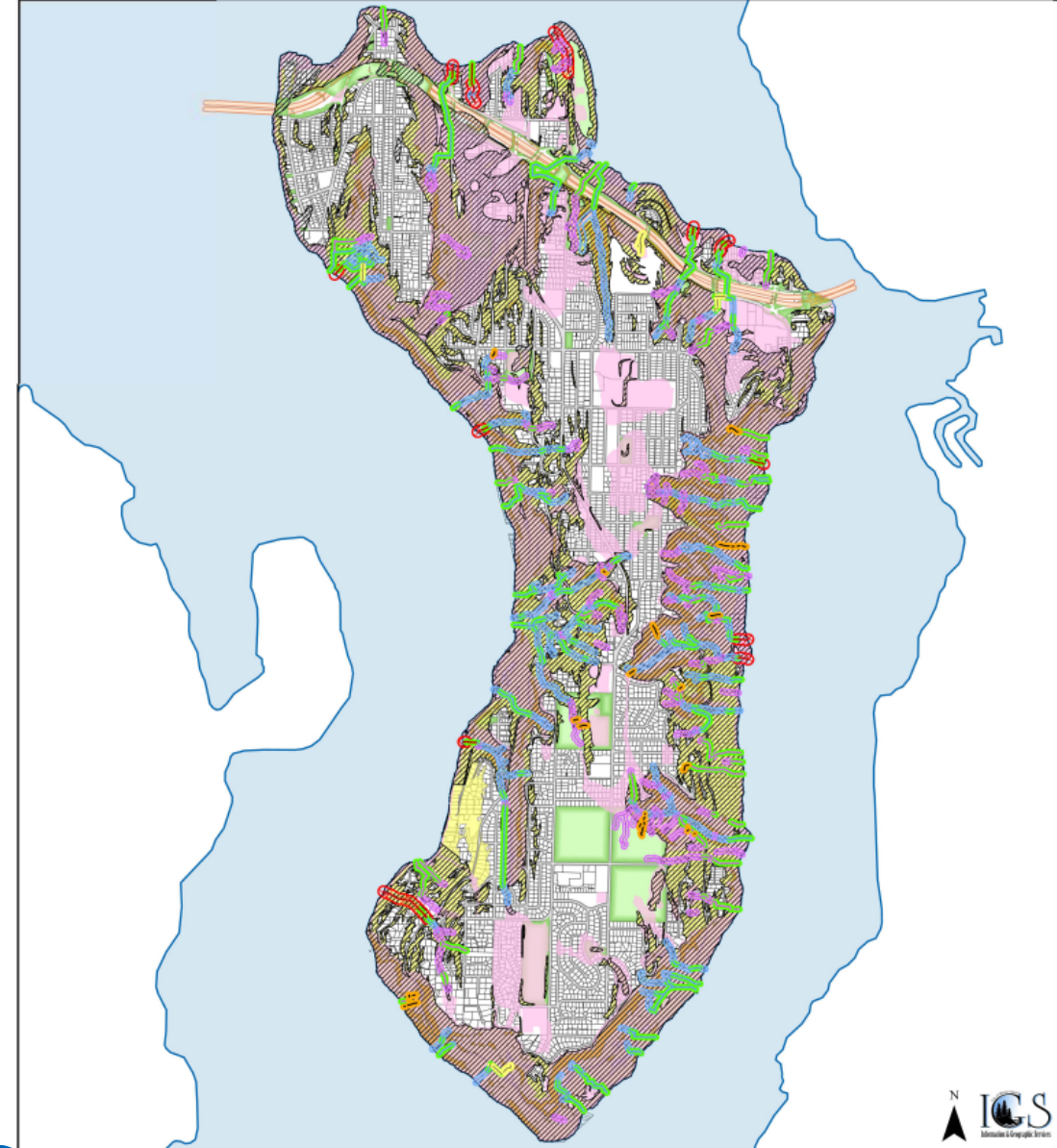
Stacked Flat

2. Alternative Density Options

- Choose one:
 1. Standard density – 2 to 4 units per lot in R-zones
 2. Exempt 25% of lots where critical areas or their buffers would preclude middle housing development
 3. Adopt “substantially similar” provisions that result in higher middle housing production within single family zones than would be allowed by the standard density approach
- Staff recommendation:
Option 1, standard density



MAP 3: CRITICAL AREAS
CITY OF MERCER ISLAND



| | | | |
|--------------------------|-------------------------------------|-----------------|---------|
| Type "F" = 120-Ft Buffer | Type "Np" Unverified = 60-Ft Buffer | Potential Slide | Seismic |
| Type "Np" = 60-Ft Buffer | Type "Ns" Unverified = 60-Ft Buffer | Steep Slope | Erosion |
| Type "Ns" = 60-Ft Buffer | Piped Type F/Np/Ns = 45-Ft Setback | | |

No warranties including accuracy, fitness or merchantability accompany this map. ICS101084101337.aprx | Map 3: Critical Areas | Map Date: 8/5/2014

3. Unit Density and ADUs

- Must permit *at least* 2 units/lot in the R-8.4, R-9.6, R-12 and R-15 zones, and 4 units/lot when:
 - within ¼-mile walking distance of a major transit stop, or
 - one unit is affordable
- HB 1110 provides the option of including ADUs in the calculation of unit density
- Staff recommendation: permit a maximum of 2-4 units/lot and include ADUs in the calculation of unit density



4. ADU Floor Area Maximum

- MICC 19.02.030 currently limits ADUs to 900 sq ft in GFA
- HB 1377 requires at least 1,000 sq ft of floor area per ADU
- Staff recommendation: Raise the GFA allowance 1,000 sq ft for ADUs

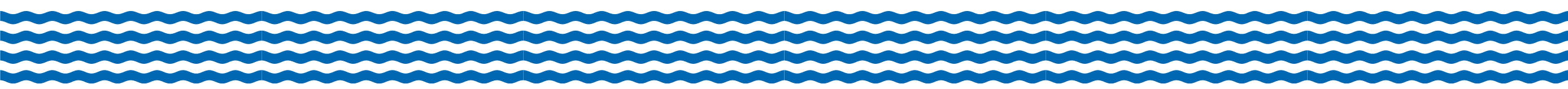


5. ADU Floor Area Bonus

- MICC 19.02.020 limits gross floor area, based on the zone:

D. Gross floor area.

1. Except as provided in subsection (D)(3) of this section, the gross floor area shall not exceed:
 - a. R-8.4: 5,000 square feet or 40 percent of the lot area, whichever is less.
 - b. R-9.6: 8,000 square feet or 40 percent of the lot area, whichever is less.
 - c. R-12: 10,000 square feet or 40 percent of the lot area, whichever is less.
 - d. R-15: 12,000 square feet or 40 percent of the lot area, whichever is less.

- The code currently provides a floor area bonus of up to 5% of the lot area for projects that include a new/remodeled single family home and an ADU (up to a max of 4,500 sq ft in total GFA)
 - Staff recommendation: Maintain current ADU bonus.
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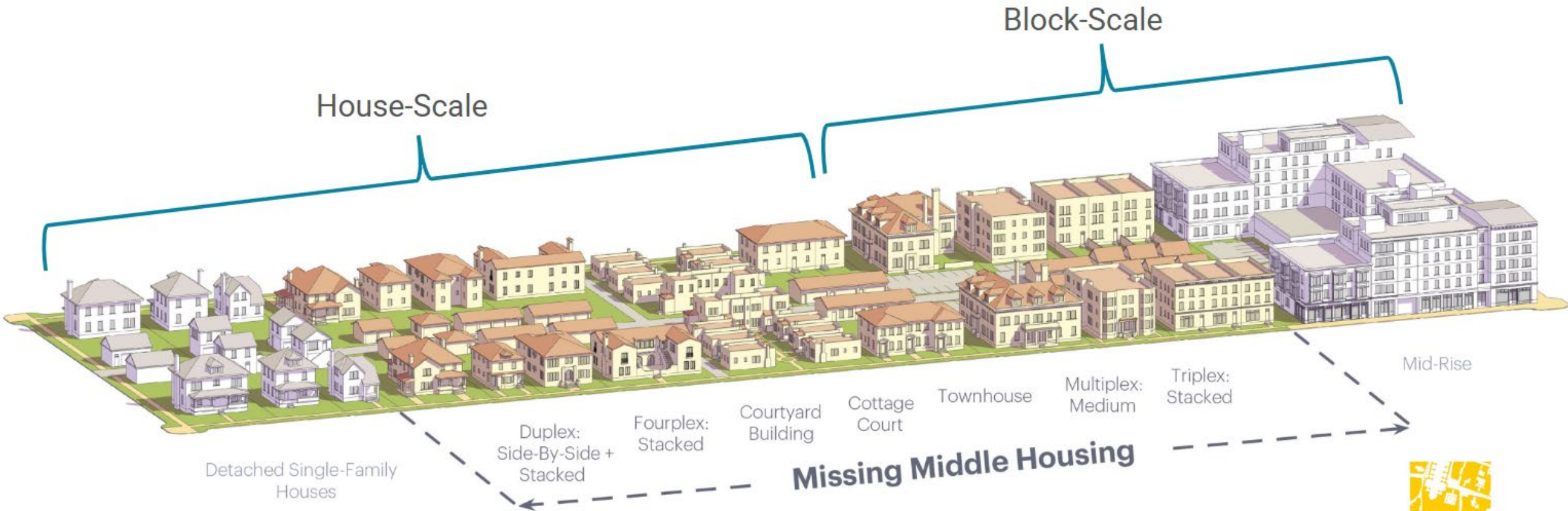
6. Impact Fees

- The City currently does not impose impact fees on ADUs.
- The City can choose to impose impact fees on middle housing and/or ADUs
 - HB 1337 limits impacts fees for ADUs to 50% of the single-family rate
- Staff recommendation: institute impact fees on middle housing and ADUs by applying existing rates, as follows:
 - Middle housing:
 - 1-2 units = single-family rate
 - 3 or more units = multi-family rate
 - ADUs: multifamily rate, not to exceed 50% of the single-family rate
- Note: this is a fee schedule update only



Key Concepts

Middle Housing



Accessory Dwelling Units

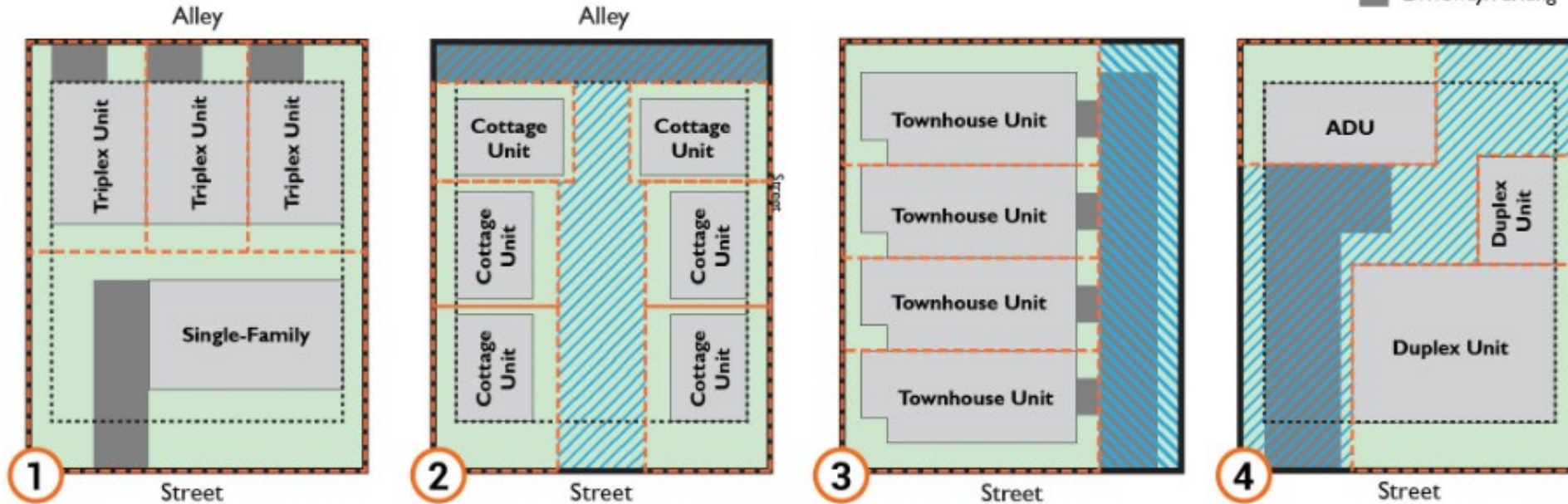


Unit Density



Unit Lot Subdivision

1. Preserved single-family house with three attached units built in the back yard.
2. A cottage cluster development with a shared open space.
3. A townhouse development with a shared driveway.
4. A duplex with an accessory dwelling unit (ADU) on its own unit lot.

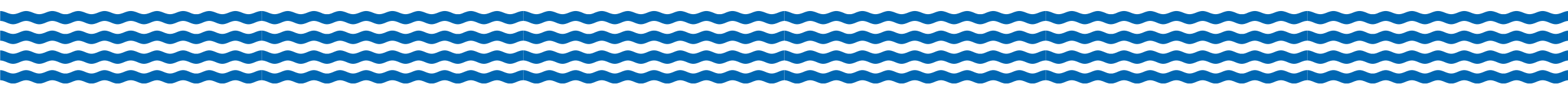




HB 1110

HB 1110 – Middle Housing

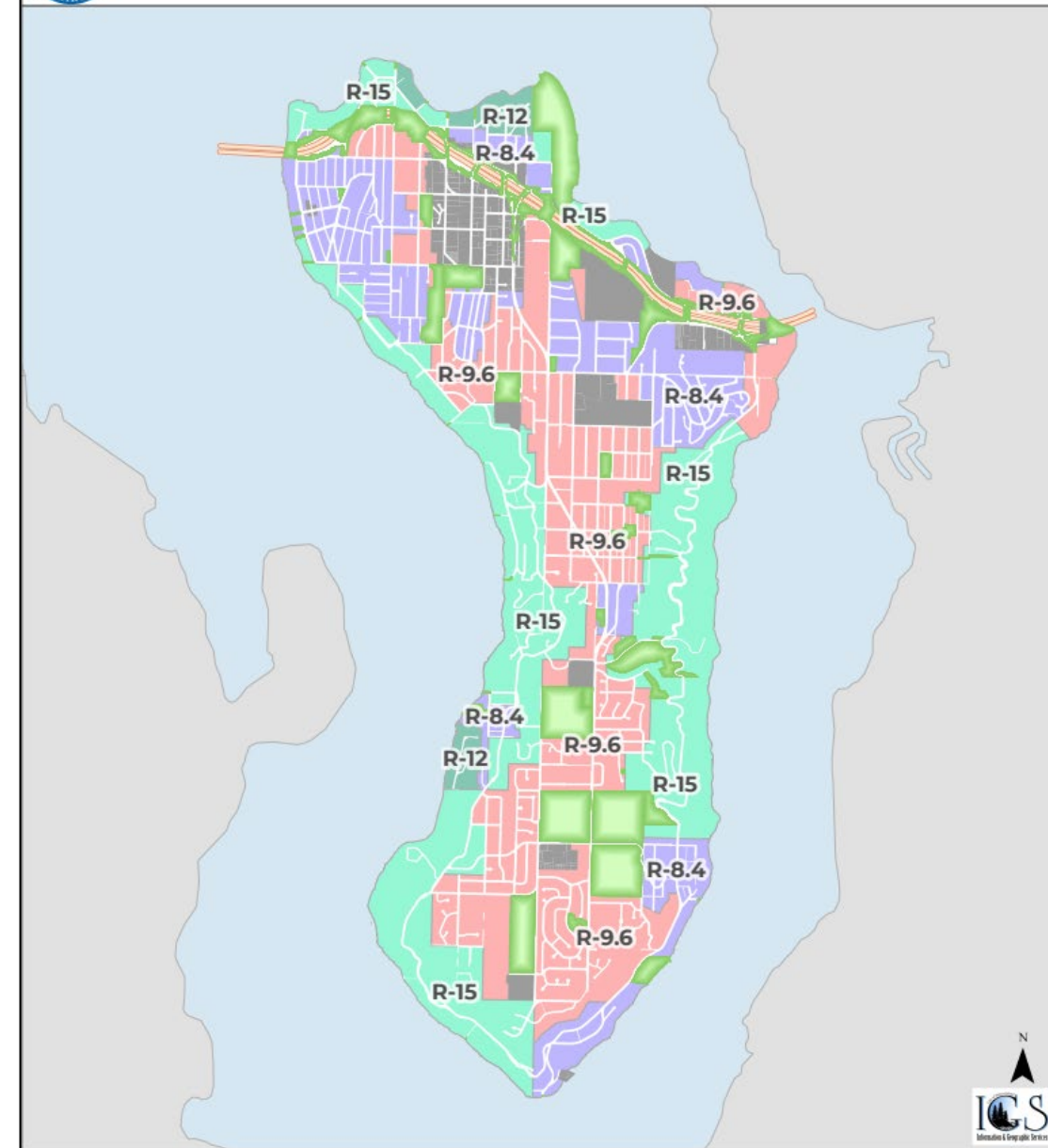
- Passed by legislature in 2023
- Must be in compliance by June 30, 2025, or model ordinance will apply
- Must adopt regulations to allow middle housing in all single-family residential zones
 - Must allow six of the nine middle housing types identified in the legislation
 - Required unit densities (2-4 units/lot)
 - Development standards cannot be more restrictive than single-family residential
 - Design review must be administrative
 - Limits on parking requirements





HB 1110 Additional Requirements

- Applies to all zones that allow residential, unless higher densities already allowed: R-8.4, R-9.6, R-12, and R-15 zones
- Unit Density Requirements
 - Allow at least 2 middle housing units per lot
 - Allow at least 4 middle housing units per lot if:
 - a) The lot is located within a quarter mile walking distance of the light rail station, or
 - b) At least one unit is affordable.



RESIDENTIAL ZONING:

R-8.4

R-9.6

R-12

R-15

Non
Residential
Zoning

Parks

I-90

Nine Housing Types



Must permit at least 6 middle housing types



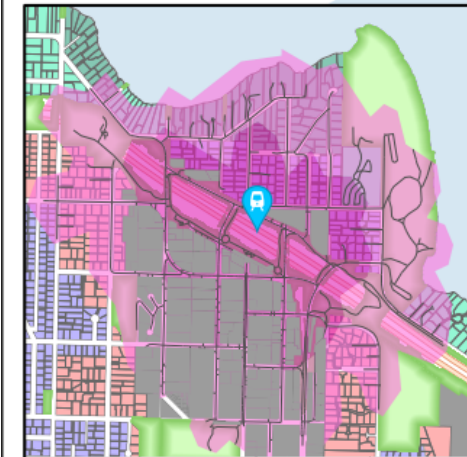
Parking Requirement Limitations

HB 1110 limits parking requirements for middle housing:

- No parking requirements are allowed within 1/2-mile walking distance of the light rail station
 - Applies to about 325 lots in Mercer Island
- May only require 1 parking space per unit for lots smaller than 6,000 square feet
 - Applies to about 150 lots in Mercer Island
- May only require 2 parking spaces per unit for lots larger than 6,000 square feet
 - Applies to 98% of lots in Mercer Island

| ZONING | # OF PARCELS | >6,000 SF LOT | % >6,000 SF LOT |
|--------------|--------------|---------------|-----------------|
| R-8.4 | 2242 | 2118 | 94.5% |
| R-9.6 | 2972 | 2953 | 99.4% |
| R-12 | 165 | 164 | 99.4% |
| R-15 | 2071 | 2065 | 99.7% |
| TOTAL | 7450 | 7300 | 98.0% |

Does not include non-residential or non-buildable lots, tracts or parks.



| WALKING DISTANCE | NUMBER OF LOTS | < 6,000 SF LOT SIZE | > 6,000 SF LOT SIZE |
|------------------|----------------|---------------------|---------------------|
| 1/4 Mile | 94 | 5 | 89 |
| 1/2 Mile | 234 | 4 | 230 |
| TOTAL | 328 | 9 | 319 |

Does not include non-residential lots, tracts or parks.

WALKING DISTANCE FROM LIGHT RAIL STATION:

1/4-Mile 1/2-Mile



Light Rail Station

Reachable Streets/Paths
I-90

RESIDENTIAL ZONING:

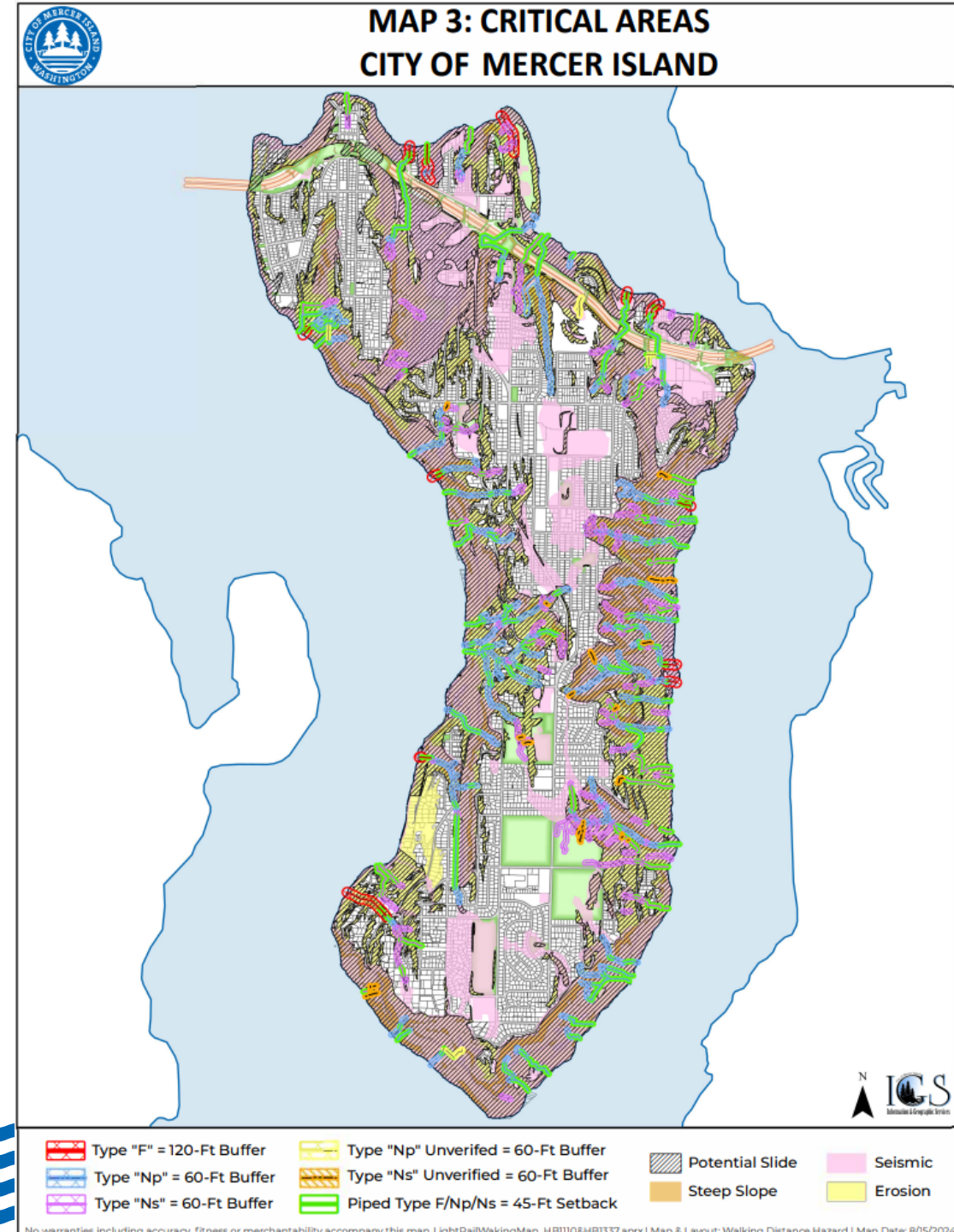
R-8.4 R-12
R-9.6 R-15

Non Residential Zoning

Parks

Critical Areas Applicability

- Middle housing is not required on portions of lots with critical areas that would preclude development
- The City's existing critical areas regulations will apply on a site-by-site basis just as they do for single-family





HB 1337

HB 1337 – Accessory Dwelling Units (ADUs)

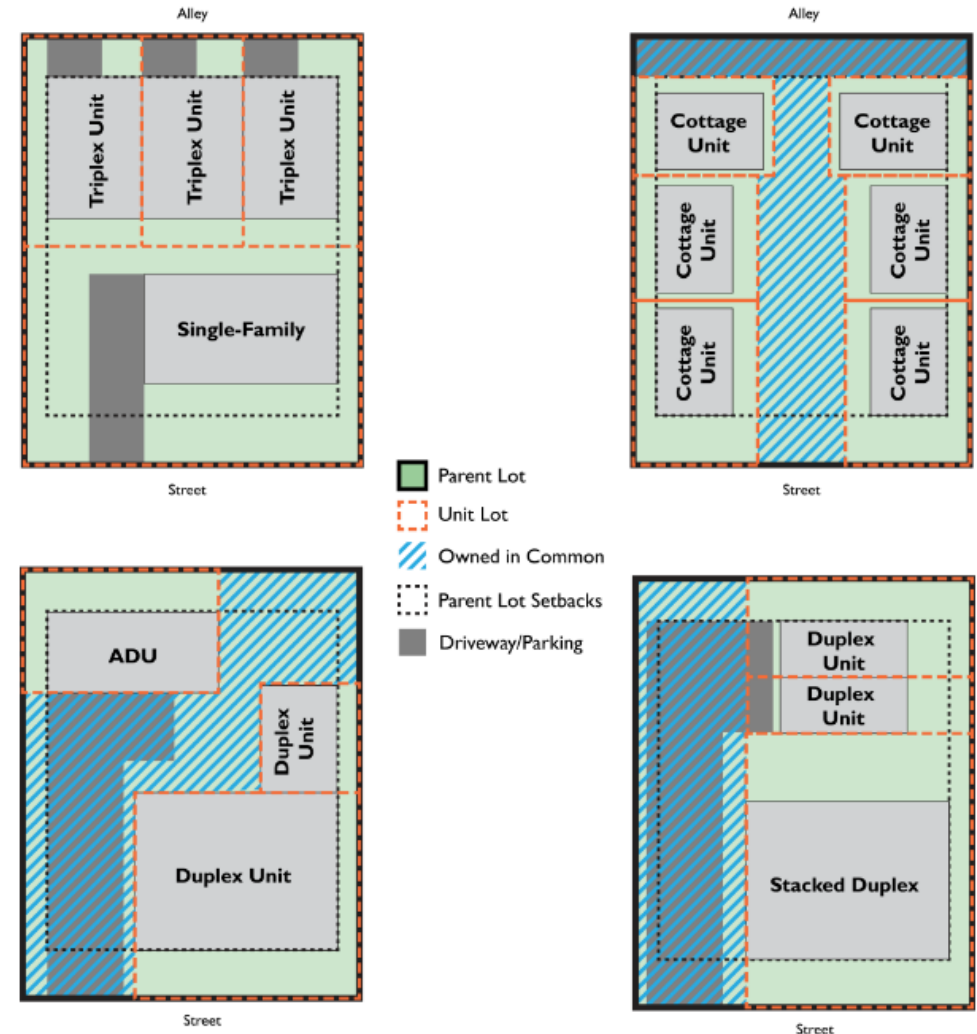
- Passed by legislature in 2023
- Compliance deadline: June 30, 2025
- Must allow two ADUs on all lots that allow single-family development
- Attached, detached or conversion of existing structure
- At least 1,000 sq ft per ADU
- No owner occupancy requirement
- Must allow sale as individual unit
- Restrictions on parking requirements – same as HB 1110
- No public street improvements as a permit condition
- Impact fees limited to 50% of single-family rate



SB 5258

SB 5258 - Unit Lot Subdivision

- Passed by legislature in 2023
- Allows short subdivision process to create “unit lots” within a parent lot
- Allows fee simple land ownership for middle housing
- Must also allow zero lot line development under RCW 36.70A.635



Source: Commerce Middle Housing User Guide, MAKERS