# City of Pasco

Guide to Accessory Dwelling Units







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# Introduction

### 1.1 How to Use this Guide

This User Guide was produced in 2023 to help residents in the City of Pasco apply for accessory dwellings units (ADUs) on their property. There are 9 chapters covering different areas such as background infomation, designing tips, building requirements, and more. This is not the only help available to the public. There are additional resources listed in the last chapter, Additional Resources, as well as additional information online and from City of Pasco staff.



# NOTE:

- This guide outlines general requirements of the Pasco Municipal Code (PMC) but is not a substitute for the PMC.
- » City Codes are frequently updated; Contact the City of Pasco for up-to-date news and regulations on accessory dwelling units.

## 1.2 Purpose of the Guide

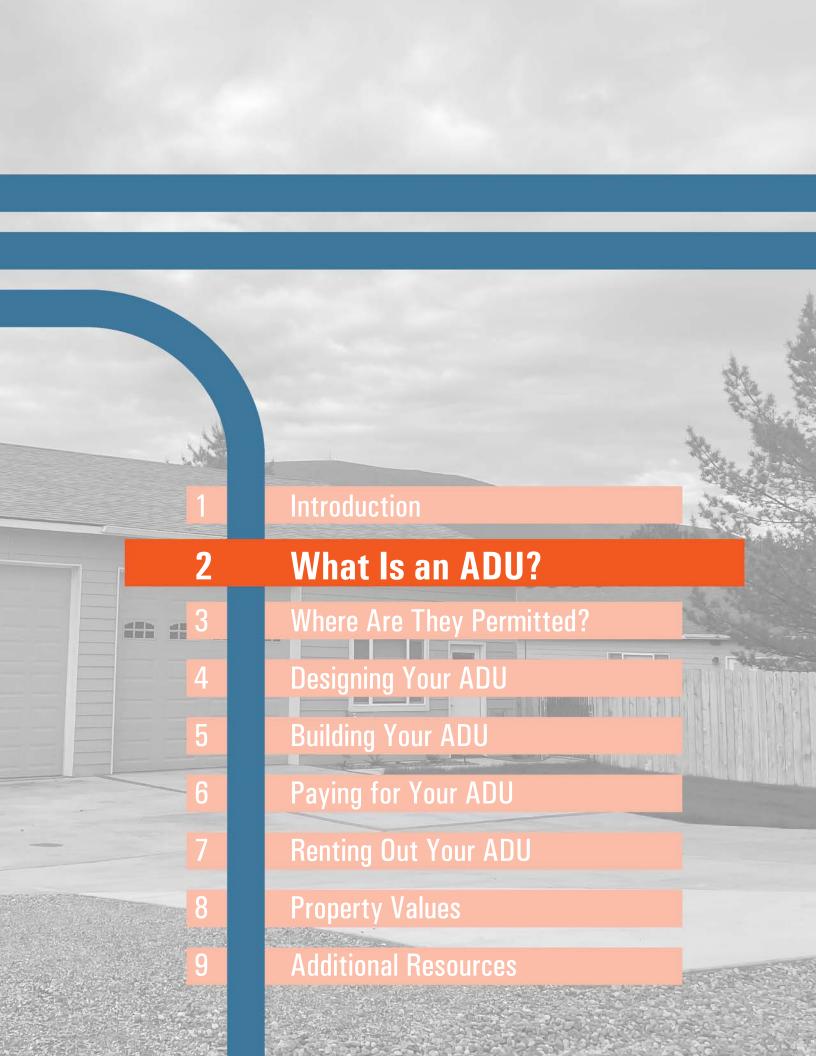
This guide is provided to help you, a Pasco resident, to understand the benefits and permitting process for Accessory Dwelling Units. In 2019, the Pasco City Council directed Community and Economic Development Department staff to explore ways to potentially increase the housing supply within the City. This initiative was driven by a change to the state's Growth Management Act (GMA) signed into law by the governor (HB 1923); the new law addressed housing supply and affordability issues across Washington. The state set up a program to implement the changes and Pasco staff successfully secured grant funding through a competitive process. The State Department of Commerce awarded the grant to the city, covering the costs related to drafting suggested changes to the Pasco Municipal Code (PMC) intended to encourage the production of more housing and a greater variety of housing types.

In early 2022, following an extensive public involvement process which included volunteer work performed by the City's Planning Commission, the Pasco City Council adopted Ordinance 4575, amending the City's zoning regulations.

The new regulations found in <u>PMC Chapter 25.161</u> allow both attached and detached ADUs on residentially zoned properties, so long as certain requirements (known as development standards) can be met. This effectively increases the residential densities allotted across all residential zoning districts while preserving neighborhood quality and character.

### 1.3 Additional Questions

For additional information, please see Sections 9.1: City Resources and 9.2: External Resources.



### 2.1 Definition

According to the Pasco Municipal Code (PMC):

"Accessory dwelling unit" means an additional dwelling unit on a lot with a primary one-family dwelling unit.

An accessory dwelling unit is an independent living unit designed for long-term residential occupancy by one or more people independent of the primary dwelling unit, with independent facilities for sleeping, cooking, and sanitation.

An accessory dwelling unit may be attached or internal to the primary dwelling unit, or it may be detached from the primary dwelling unit. For the purposes of this title, internal accessory dwelling units are considered attached accessory dwelling units (PMC 25.15.030).

Allowing the establishment of ADUs is a great way to introduce new housing units throughout the city. They increase the housing stock of existing neighborhoods in a gradual manner, harmonious with the existing development and less intense than alternatives. ADUs can ensure more efficient use of existing houses and properties, using existing infrastructure, while also providing a better mix of housing to respond to changing family needs, living preferences, and smaller households.

## **NOTE:**

» There are quite a few terms for ADUs, including cottage, carriage house, mother-in-law unit, "granny" suite, and more. A "casita" can be an ADU provided that it is "independent" of the remainder of the home and has kitchen facilities. Some of these terms only relate to certain types of ADUs, like detached units.

RVs or Motorhomes are not considered ADUs under the Pasco Municipal Code. "Tiny homes," if they are on wheels (a home built on a trailer titled as a motor vehicle) are also not ADUs.











#### **Attached:**

- Standard attached
- Interior (upper level)
- Interior (lower level, such as a basement space)
- Above garage (if garage is attached)
- Garage conversion (if garage is attached)

### **Detached:**

- Standard detached
- Above garage (if garage is detached) or shop<sup>1</sup>
- Garage conversion (if garage is detached) or shop¹ conversion

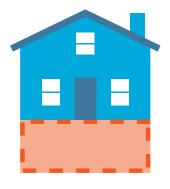
<sup>1</sup>Any time a shop or garage is being converted or partially used for residential occupancy, the relevant building codes must be met.



**Standard Attached** 



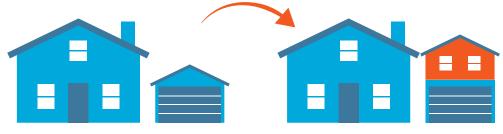




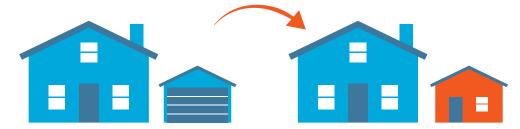
**Interior (Lower Level)** 



**Standard Detached** 



**Above Garage** 



**Garage Conversion** 

Figure 2: Depictions of the various types of ADUs, both attached and detached

Property owners add ADUs to their lots for a variety of reasons, but some of the more common reasons include gaining income with rent<sup>2</sup>, downsizing (moving into a smaller living space and renting out the larger home) and accommodating relatives. This benefits the community as a whole by broadening housing options throughout Pasco.

Typically, ADUs offer the opportunity for smaller or more efficient dwelling units and can provide costs savings. As the housing demand in Washington and the United States has outpaced supply due to growth, even a modest increase in the number of dwelling units can help offset the cost-burdened households who wish to establish or stay in Pasco to find a home. It is also an effective way to offset some of the continued demand for housing without increasing sprawl.

Lastly, ADUs play a small but mighty role in meeting the goals and objectives outlined in multiple local and regional plans. These include but are not limited to the City of Pasco's Comprehensive Plan, Franklin County's Comprehensive Plan, and Franklin County's Countywide Planning Policies.

<sup>2</sup>Rental income would be from regular rental arrangements and not temporary rentals (i.e., Airbnb).



Figure 3: ADUs can offer flexibility for multigenerational households, including older adults







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Attached and detached ADUs are allowed in most residential districts. One exception is the RP (Residential Park) District. Please see the table below for a complete list of City of Pasco zones, and whether or not an ADU is allowed in that zone. You can also visit the Property Search tool, located in the City Resources links in the Appendix. You may also visit the Online Zoning Map.

# **NOTE:**

- » It is up to the property owner to verify the zoning district of their property and whether an ADU is allowed.
- » Interested applicants can always call the office at (509) 545-3441 or email planning@pasco-wa.gov

	le 1: City of Pasco Zoning Districts and AD	
Zone Name	Description	Applicability
R-1	Low-Density Residential District	Permitted
R-1-A	Low-Density Residential Alternative District	Permitted
R-1-A2	Low-Density Residential Alternative District	Permitted
R-2	Medium-Density Residential District	Permitted
R-3	Medium-Density Residential District	Permitted
R-4	High-Density Residential District	Permitted
R-S-1	Low-Density Suburban Residential District	Permitted
R-S-12	Residential Suburban District	Permitted
R-S-20	Residential Suburban District	Permitted
R-T	Residential Transition District	Permitted
BP	Business Park District	Not Permitted
C-1	Retail Business District	Not Permitted
C-2	Central Business District	Not Permitted
N/A	Central Business Overlay District	Not Permitted
C-3	General Business District	Not Permitted
C-R	Regional Commercial District	Not Permitted
I-1	Light Industrial District	Not Permitted
N/A	I-182 Corridor Overlay District	Not Permitted
I-2	Medium Industrial District	Not Permitted
I-3	Heavy Industrial District	Not Permitted
0	Office District	Not Permitted
RP	Residential Park District	Not Permitted
WD	Waterfront Development District	Not Permitted

# NOTE:

» Homeowners associations (HOAs) may prohibit or require approval for ADUs. Some properties can also have covenants, conditions and/or restrictions (CC&Rs) which can further regulate what is developed. It is up to the applicant to do their own research regarding potential HOA restrictions or restrictive covenants.



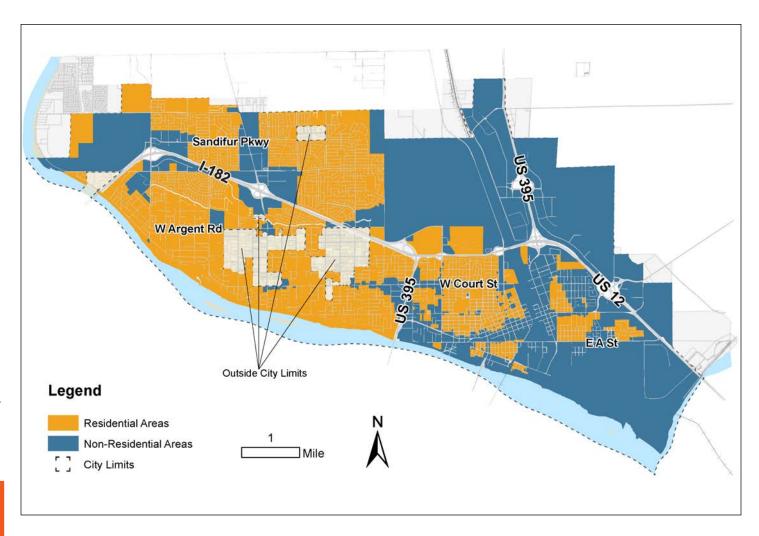


Figure 4: Map of residential areas (yellow/orange) as of September 2022

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# Designing Your ADU

# 4.1 Consulting a Design Professional

We highly recommend you consult with an architect to design your ADU. Ideally, you would hire one with experience designing ADUs. Architects or other professionals may also be able to assist you through some of the permitting process. If you are converting a basement in an existing home into an ADU be mindful of building code and safety conditions.

### TIP:

» Consider the design and scale of your neighborhood when designing your ADU. Sharing your plans with neighbors can also ease potential tension. That being said, neighbors are not required to give permission, and disapproval from neighbors does not necessarily prevent permit issuance.

## **4.2 Development Standards**

- One ADU per parcel A maximum of one attached or one detached ADU is permitted on each residential parcel that has a legally permitted and conforming single-family dwelling.
- Density ADUs are exempt from the residential density limitations of the zoning code due to their small size and low occupancy.
- Occupancy and Use The ADU must be used for long-term residential purpose only.
   Occupants must live in the ADU for more than 180 days per year. This is because the purpose is to provide additional housing options, not vacation rentals or guest quarters.
- Parking In order to provide flexibility, the
  City does not require you to establish any
  additional off-street parking spaces for your
  ADU. Depending on your situation, you may
  determine that you need to establish more
  off-street parking, or you may not need an
  additional parking space if the occupant does
  not have a car. There could also be ample
  on-street parking or extra room on an existing
  driveway.



## **4.3 Design Standards**

The general design of the ADU needs to complement the design of the main dwelling. This includes compatible siding materials, window types, door and window trims, roofing materials, and roof pitch.



Figure 5: The above ADUs complement the design of their respective main houses

### **Placement**

- Attached ADUs shall present the overall appearance of an individual (though attached) single-family residence.
- Detached ADUs should be less prominent than the main dwelling and convey it is an accessory use to the main dwelling.

### **Maximum Size**

1,000 square feet or 55 percent of the total square footage of the main dwelling, whichever is less.

### **Minimum Size**

While there is no minimum size according to zoning requirements, the ADU must meet the minimum square footage for habitability.

### **Maximum Building Height**

25 feet or the height of the main dwelling, whichever is less.

- Setbacks refer to the distances between a building and the property line. The minimum required side and rear yard setback sizes are established by the underlying zoning district.
- Since ADUs are accessory in nature, the front building line of the ADU should be behind the building line of the main dwelling.
- The minimum distance required between the ADU and the main dwelling is ten feet.
- The minimum distance required between the ADU and other structures (sheds, garages, etc.) is six feet.

The example below shows the applicable setbacks (shown in yellow orange) for a main dwelling (blue building). Note that the blue building is not allowed to encroach upon the setback areas. In some residential zones, the rear setback is equal to the height of the main dwelling as shown below. Please refer to the Pasco Municipal Code to find out the minimum setbacks for your property's zoning district.

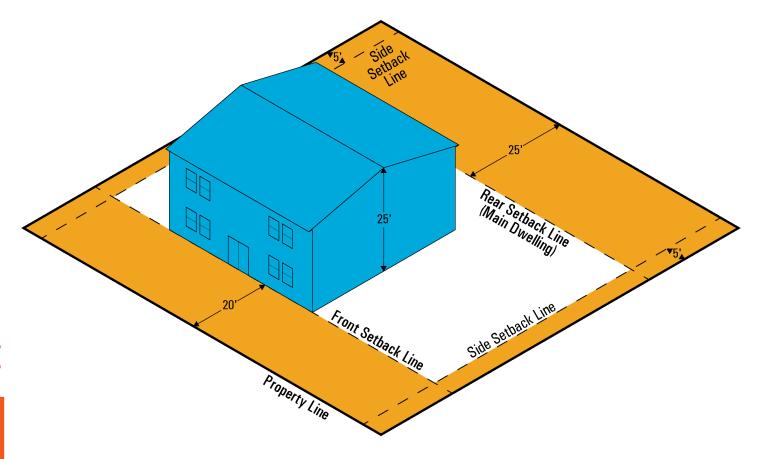


Figure 6: Applicable setbacks (shown in yellow orange) for a main dwelling (blue building)

Figure 7 shows the applicable setbacks (shown in yellow orange) for a D-ADU (red building). D-ADUs are required to be ten feet from the main dwelling and six feet from other structures, like sheds, garages, shops, etc. as shown in Figure 8.

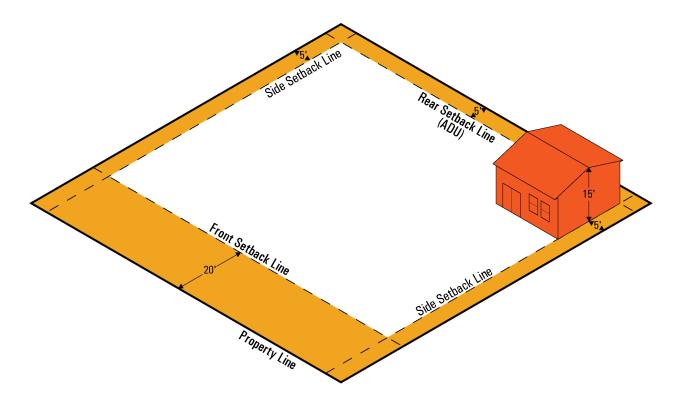


Figure 7: Setbacks of a D-ADU

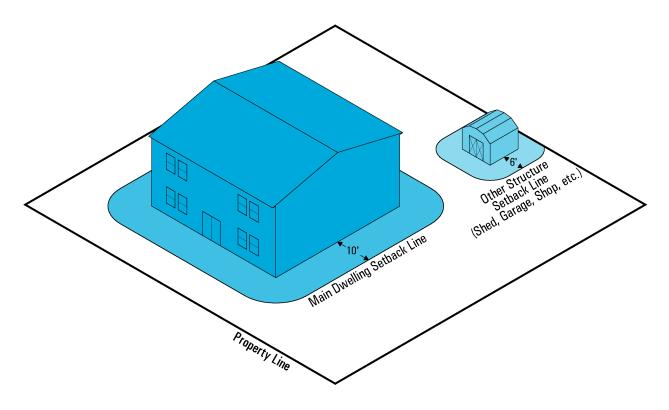


Figure 8: Necessary setbacks from other buildings

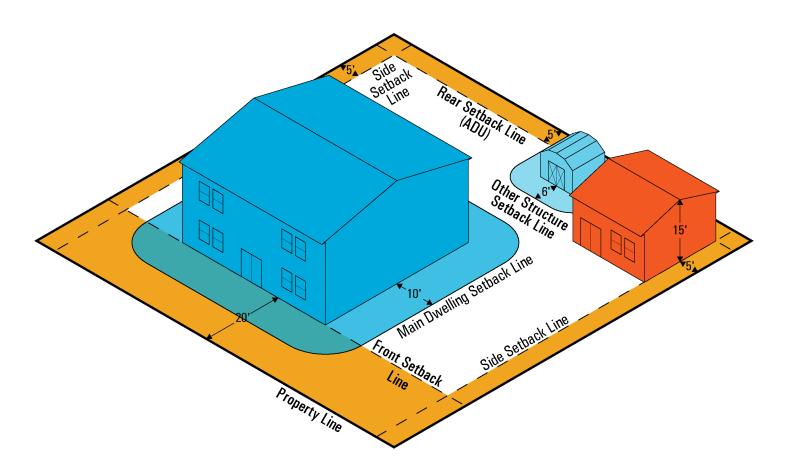


Figure 9: Example of all required setbacks

### **Maximum Rear Yard Coverage**

The maximum rear yard coverage is 60%. The ADU in the below plan would meet the maximum rear yard coverage.

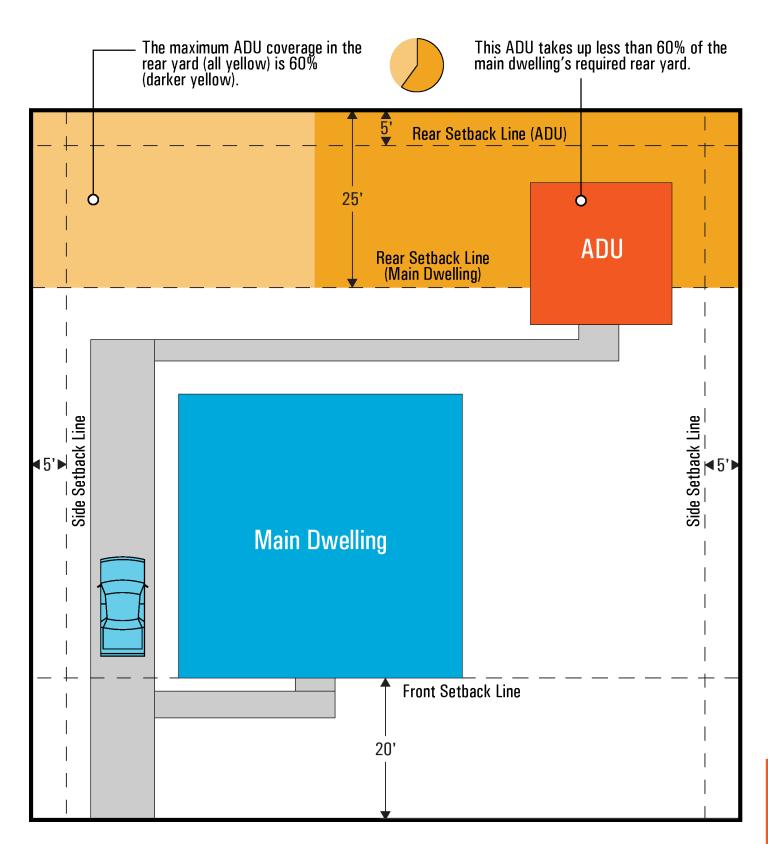


Figure 10: Example of maximum rear yard coverage

# Designing Your ADU

### **Location of Entrances**

The entrance of detached ADUs cannot face adjacent properties. This generally means the detached ADU will face the same direction as the main dwelling.

- The entrance of a D-ADU needs to be at least
   15 feet from the side property line.
- Exterior finish Exterior finish materials must visually complement the type, size, and placement of the exterior finish materials of the main dwelling.

### **Roof Pitch**

The roof pitch of an ADU needs to be the same as the main dwelling's predominant roof pitch.



Figure 11: While the exterior finish materials of the D-ADU complement the main dwelling, the roof pitches do not match

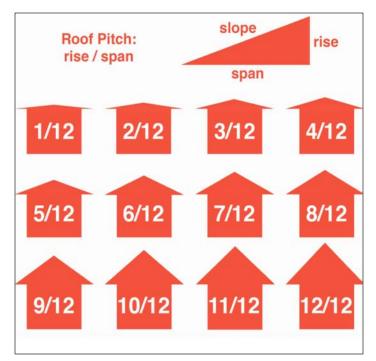


Figure 12: This diagram visualizes the variety of roof pitches a building may have

#### **Windows**

If the street-facing facade of the ADU is visible from the street, its windows must match the main dwelling's in proportion and orientation.

 Second-story windows of the ADU, within ten feet of the property line, should be constructed to reduce direct views into the neighboring property. Methods include clerestory windows and semi-translucent glass as approved by the Department of Community and Economic Development staff.



Figure 13: Examples of clerestory and semi-translucent glass windows

### **Access and Walkways**

- A separate walkway must be provided for all detached ADUs and be a minimum of three feet wide and made of an approved material.
- Walkways must be installed with an approved material and may be used as a shared driveway and/or walkway.
- Please refer to the City Standards and Specifications where applicable.

### **Addressing**

ADUs must have a visible address from the public street that the primary dwelling is addressed on. An address post for the ADU shall be installed at the public street.

### 4.4 Additional Standards

### **Fire Safety**

- Separation Design All ADUs must comply with the required separated distances of PMC Title 16 (building code).
- Sprinkler A fire sprinkler system is required for any ADU that exceeds the maximum allowed distance to a fire hydrant, but this is only an option up to 150% of the maximum distance. Based off the minimum allowed fire flow of 1,750 gpm, average hydrant spacing is 500 feet, so an approved fire sprinkler system could increase the maximum distance to 750 feet (2018 IFC, Table C102.1). Measurements must be scaled from the hydrant to the furthest point of the structure, no greater than 250 feet (2018 IFC, C103.1).



### **Utilities**

- Utility lines and impervious surfaces (pavement, pools, covered areas) must be identified on required site planning documents.
- Development may require restoration for new or upgraded utilities, which may include modifications to the driveway or curb access.
- Sanitary sewer and surface water services shall be built and permitted as required in the City of Pasco standard specifications.



# Designing Your ADU

# Legalization of Nonconforming Accessory Dwellings

- ADUs existing prior to January 24, 2022 (the adoption of Ordinance 4575), which were not lawfully established at the time of construction, may be found to be legal if the property owner applies for an ADU building permit and brings the unit up to the minimum building requirements of PMC Title 16 (buildings and construction) and <a href="Chapter 25.161 PMC">Chapter 25.161 PMC</a> (accessory dwelling units).
- ADUs lawfully established prior to the adoption of Ordinance 4575 are considered lawful nonconforming structures subject to Chapter 25.170 PMC (nonconforming uses).

### **ADUs without a Main Dwelling**

In the event that a house is damaged or is required to be removed from a lot, a detached ADU may remain on a lot or parcel where no main building exists. If a property with an existing single-family dwelling and an ADU is subdivided resulting in an ADU on a separate property, then:

- The ADU must be converted to a single-family dwelling which complies with all requirements for single-family dwellings, or;
- Permits for construction of a new single-family dwelling must be submitted on the site where the ADU exists. The permit must be obtained prior to recording.

# Additional Standards for Attached ADUs

- Attached ADUs require fire separation that meets the standards of PMC Title 16 (building code).
- Applicants may consider the following alternatives from the above if documentation meets all three criteria below per Washington State Amendments to the IRC:
  - The ADU is constructed within an existing dwelling unit. This requires the unit to have an approved doorway between each area or stairway allowing interior access from the primary dwelling to the accessory dwelling to have a connection with enclosed spaces and provide the appearance as one common dwelling.
  - Either the accessory dwelling unit or primary dwelling unit is owner-occupied. This will require recording on title of an owner occupancy agreement to ensure proper use now and with potential future ownership.
  - All required smoke alarms in the attached ADU and the main dwelling are interconnected in a manner so that one alarm activates all alarms in both the main dwelling and the ADU.
- If an existing ADU is modified to not be owner occupied, then permits are required to modify and/or verify construction meets the standards referenced above.



# **5.1 Necessary Permits and Agreements**

A residential construction permit must be obtained before you begin your project.

File an application with the Building Department that:

- 1. Identifies and describes the work to be covered by the permit for which application is made.
- Describes the land on which the proposed work is to be done by legal description, street address, or parcel number.
- Indicates the use and occupancy for which the proposed work is intended.
- 4. Is accompanied by construction documents.
- 5. States the valuation of the proposed work including materials and labor.

The electrical plan, mechanical permit, and plumbing permit are required at the time of permit application for new utility systems. These items are required to be submitted with the permit application for the ADU. In addition, a recorded agreement is required before permit issuance. The agreement is signed with notary witness and then recorded with the County Auditor. There is no fee for the notarized signature and no recording fee associated with the agreement.

The last steps are acquiring a rental dwelling license and certificate of habitability, if applicable. A rental dwelling license application will need to be filed with Business Licensing with the appropriate fee and attachments. The applicant must also schedule a habitability inspection within five days of submitting the rental dwelling license application. The license must be issued prior to occupancy.

You can download applications and checklists on the City website or by following the links located in the Appendix. You can submit them in-person or online via email. All building permits are subject to impact fees which help to reduce the costs of expanding public services.

## **5.2 Permitting Timeline**

A permit application and documentation are reviewed by City staff. If information is missing or if a proposed project does not meet current code, a comment letter will be prepared and sent to you. The letter will explain the reason why the permit is being detained or placed "on hold-pending revisions." You are provided with a deadline to make corrections and provide revisions. If you need additional time, please request an extension. If the Building Department does not receive revised plans or a response from the applicant before the deadline the permit application will expire.

If a permit is approved, you must pay an invoice with fees before the permit is issued. Payments may be made in-person with a debit card, check, or money order. If the permit issuance does not occur within 30 business days from the approval date, the application will expire.

## **NOTE:**

- » Once a permit application expires it is discarded. You would need to start the process over again if you decide to continue with the project.
- » The recorded agreement must be submitted prior to permit issuance.
- » Impact fees are determined by the number of units. Always check with the City on impact fee requirements.

Final Step – Schedule Inspections by calling (509) 545-3442.

Inspections are required by building and related codes to provide some assurance that the project complies with minimum requirements for fire and life safety, structural integrity, sanitation, and energy efficiency. Every project is different and will require inspections based on the scope of work being performed. You can find our inspection list on the website. When in doubt – call for an inspection. We would much rather have unnecessary trips than ask for materials to be removed to allow inspection.

All building permits are required to have a final inspection once the project is completed. Be sure to schedule yours prior to the building permit expiration date.

Permits are good for 180 days from the day it is issued. This timeline is renewed with each passing inspection!

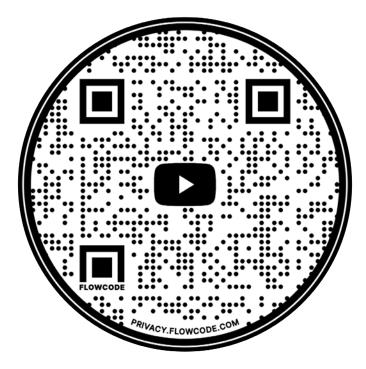


Figure 14: Above is the QR code for the City of Pasco's YouTube video, Residential Building Permit Process

### TIP:

» Property owners can perform their own work within their property, but if you choose to hire a contractor, the contractor must be licensed through the Washington State Department of Revenue and have an active City of Pasco endorsement.

# **5.3 Construction** Requirements

ADUs must comply with the City of Pasco's building code (PMC Title 16) and all other refered standards.



Figure 15: Example of an ADU under construction



Financing your ADU can be done in a number of ways depending on the improvement costs and your financial circumstances.

## **6.1 Home Equity**

Home Equity Loan (HEL): This is a 10- to 25-year fixed loan, paid back in equal monthly payments including both principal and interest according to an amortization schedule. The main dwelling's mortgage and HEL cannot exceed 80% of the home's appraised value.

Home Equity Line of Credit (HELOC): Borrow up to a certain amount over a certain period of time. The owner uses funds from the line of credit as needed, but the interest rate fluctuates over time. The funds can be reused once paid back.

# **6.2 Short-term Construction Loan**

These typically only last 12 months and payments are normally due as the funds dissipate. When construction is complete, the borrower can refinance the loan into a permanent mortgage or obtain a new loan to pay for the construction loan.

# 6.3 A Cash-out Mortgage Refinance

A cash-out mortgage refinance essentially allows the owner to tap into built up home equity in the form of cash. This is done when an owner pays off a mortgage with funds from a new, larger mortgage. The limit of the loan is typically up to 80% of the appraised value.

### **6.4 Reverse Mortgage**

This allows homeowners 62 and older to borrow against their home equity with no monthly mortgage payments. The entire loan balance is due when the borrower moves out permanently, sells the home, or passes away.

### TIP:

- » Note: This chapter is not advice from the city but is meant to help you get started.
- » Almost all financial products have their pros and cons. Some loans require higher down payments and/or higher interest rates or Private Mortgage Insurance (PMI). Consultation with a financial advisor is a good idea, if you are unsure of which route to take.

### **Sources:**

- ADU Finance Guide (oregon.gov)
- Construction Loan (investopedia.com)
- Cash-Out Refinance (REtipster.com)
- ADU Guide Burlington, VT (homesharevermont. org)



## 7.1 Selecting a Tenant

### **Rental Application**

A good rental application enables you to check verifiable information on the applicants. Make sure you're using up to date forms intended for use within Washington.

### **Screening**

If you intend to run a background check you should let the applicant know ahead of time, on the application for instance. You are allowed to charge a nominal application fee to help cover this cost.

Fair housing guidelines and civil rights laws at the state and federal level ensure applicants have an equal opportunity. For example, the <u>Federal Fair Housing Act of 1968</u> prevents discrimination based on race, color, religion, sex (including gender identity and sexual orientation), disability, familial status, or national origin when it comes to the sale or rental of housing.

## 7.2 Rental Agreements

Written rental agreements are strongly encouraged, whether it be a month-to-month or for a specific length of time. Agreements set out clear expectations for both the landlord and renter (or lessor and lessee). State law generally prohibits leases for more than one year. Landlords typically run a credit check after the applicant signs the rental agreement. It is recommended to inform the applicant of this within the rental agreement, so they are not surprised by a hard inquiry on their credit report.

In addition, landlords must have a valid business license per <u>PMC Section 5.60.010 Rental License</u>: "No person shall make available for rent, or rent, lease, or let to the public, any residential dwelling as defined below without securing and maintaining a current business license as required by this chapter."

Please refer to the <u>Residential Landlord-Tenant Act</u> (<u>RCW Chapter 59.18</u>) for required landlord duties and prospective tenant notification.

# 7.3 Short-term Rentals Not Allowed

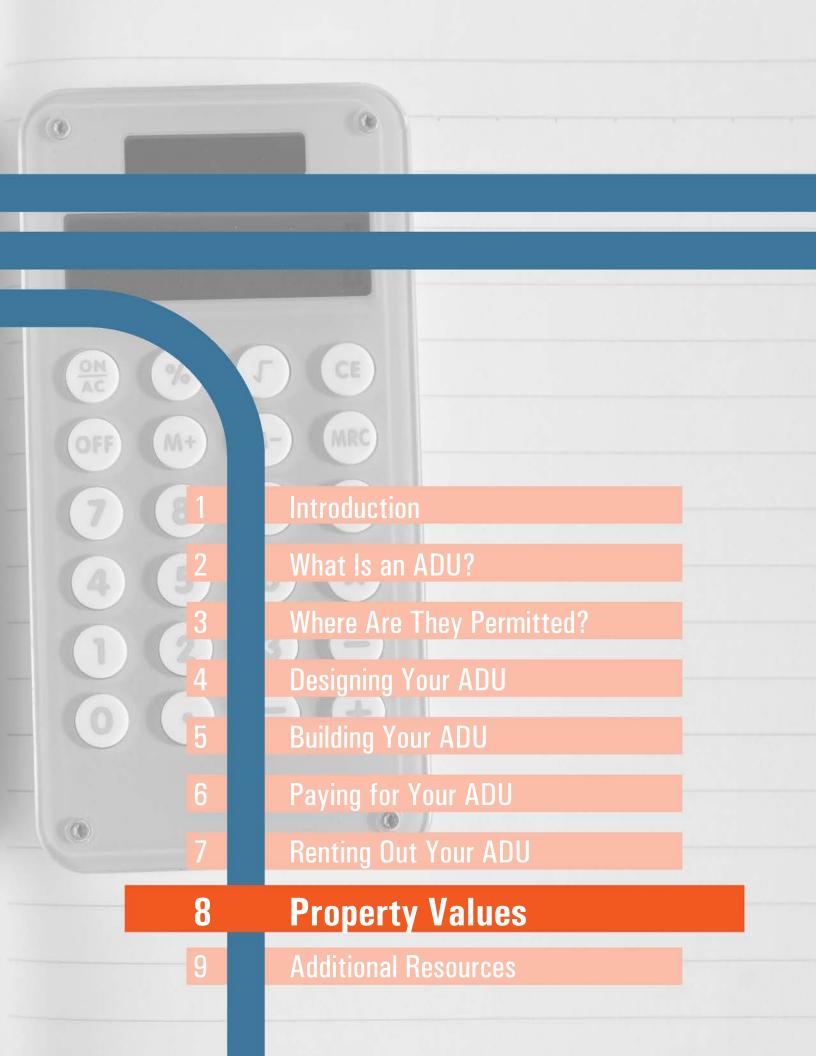
As a friendly reminder, the ADU must be used for long-term residential purpose only. Occupants must live in the ADU for more than 180 days per year.



Figure 16: Example of a modern style ADU

### Source:

www.seattle.gov/documents/departments/ seattleplanningcommission/backyardcottages/ backyardcottagesguide-final.pdf, pages 42-43



Many factors can affect the appraisal value of your home and property. If there are not a lot of existing ADUs in your neighborhood, it can be challenging to gain an accurate appraisal through comps alone. However, as ADUs see a resurgence in popularity this may change. Aside from relying on comparable sales ("comps"), there are many other factors that affect an appraisal:

- Square footage
- Number of bedrooms and bathrooms
- Heat and air
- · Age and condition of a structure
- Quality of building materials and updates
- Location

If you have questions about how the development of an ADU may affect your property's assessment and tax bill, call the Franklin County Assessor's office at (509) 545-3506.

#### **Sources:**

- How an ADU Can Affect the Resale Value of Your Property (socialifestylemag.com)
- Do ADUs add Property Value? Cedar Dwellings (cedaradu.com)



Figure 17: Example of a modern style ADU

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# Additional I

## 9.1 City Resources

- Chapter 25.161 Accessory Dwelling Units
- Quick Zoning Reference Table
- Parcel Viewer (Zoning Lookup)
- Building Applications
- Planning Applications
- Good Neighbor Handbook
- Chapter 4.02 PMC Permit Process
- Chapter 5.60 PMC Rental License
- Chapter 9.150 PMC Discrimination in Housing
- Chapter 16.30 PMC Housing Code
- <u>Title 25 Zoning Ordinance</u>

# Department of Community Development and Economic Development

City Hall

525 N. 3rd Avenue Pasco, WA 99301 Phone: (509) 545-3441

Fax: (509) 545-3499

Website: pasco-wa.gov/149
Email: planning@pasco-wa.gov

### 9.2 External Resources

- AARP All About Accessory Dwelling Units
- Accessory Dwellings
- <u>City of Leavenworth ADU Plans</u>
- Housing Authority of the City of Pasco and Franklin County
- RCW Chapter 59.18: Residential Landlord-Tenant Act
- Rental Housing Association of Washington
- Washington Landlord Association
- Washington State Bar Association's Residential Landlord-tenant Resources

## 9.3 Image Sources

All pictures and graphics are courtesy of AHBL, except where noted.

- Cover image: anchoredtinyhomes.com/concord-adu-gallery
- Chapter 1 Cover: <u>accessorydwellings.org</u>
- Figure 1: <u>accessorydwellings.org</u> and <u>anchoredtinyhomes.com/citrus-heights-adu-gallery</u>
- Figure 3: <u>ageing-better.org.uk</u> and <u>pexels.com/@kampus</u>
- Chapter 3 Cover: <a href="mailto:pexels.com/@lilartsy">pexels.com/@lilartsy</a>
- Chapter 4 Cover: <u>pexels.com/@karolina-grabowska</u>
- Figure 5: accessorydwellings.org
- Figure 12: inchcalculator.com/roof-pitch-calculator
- Figure 13: <a href="mailto:flickr.com/photos/11946893@N02">flickr.com/photos/11946893@N02</a> and <a href="mailto:pexels.com/@pedro-serrano-1020050">pexels.com/@pedro-serrano-1020050</a>
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- Figure 16: <u>accessorydwellings.org</u>
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- Figure 17: dwell.com/article/modern-in-law-units-47b11279
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