

AN ORDINANCE ALLOWING ADDITIONAL DWELLING UNITS IN CERTAIN LAND USE CLASSIFICATIONS, INCLUDING PERFORMANCE STANDARDS; ADDING NEW SECTIONS TO CCC CHAPTER 18.10.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF COWLITZ COUNTY, WASHINGTON:

NEW SECTION. Section 1. A new section is added to CCC Chapter 18.10, as follows:

18.10.43            “Accessory Dwelling Unit” or “ADU” means a smaller (subordinate in size), attached or detached second dwelling, which is similar in appearance to the primary single-family dwelling. An accessory dwelling is not considered a temporary dwelling approved under the provisions of Cowlitz County Code Chapter 18.44.

NEW SECTION. Section 2. A new section is added to CCC Chapter 18.10, as follows:

18.10.585            Accessory Dwelling Units. An accessory dwelling unit (ADU) that meets the requirements of this subsection may be allowed in all Comprehensive Plan designations, and in all zoned areas except for MH, ML, C-1, C-2, and MF, on a lot with a lot area of not less than 6,000 square-feet and an existing single-family dwelling occupied by the current property owner. In locations where the zoning and the comprehensive plan designation are in conflict, the zoning code designation shall take precedence.

A. Performance standards. An ADU shall comply with the following standards:

1. Configuration. ADU’s shall be permitted as a second dwelling unit that may be either within, attached to, or detached from but located within visual range of the primary single-family dwelling.
2. Water and Sewer/Septic Requirements. All ADU’s shall either connect to a public sewer and/or water system when available, or meet all current State and County regulations for potable water and on-site septic systems. Documentation of potable water and sewer/septic disposal shall be provided by the applicant to the Department at time of building permit application.

- 36 3. Electric Utility Connections. ADU's shall have appropriate utility connections as  
37 required by the Cowlitz County PUD.
- 38 4. Density. Only one ADU may be established as an accessory to a single-family  
39 dwelling per lot.
- 40 5. Minimum Lot Size. An ADU shall not be established on any parcel smaller than  
41 6,000 square feet.
- 42 6. Maximum Unit Size. The gross floor area (square footage), calculated from  
43 finished wall to finished wall on all levels of an existing structure, an addition, or  
44 new detached structure, converted to, or constructed for the purpose of creating  
45 an ADU shall not exceed 40% of the gross floor area of the primary single-family  
46 dwelling, not including garage and/or detached accessory buildings, or 800  
47 square feet (whichever is less). The maximum height shall be no taller than 35-  
48 feet or two stories.
- 49 7. Minimum Unit Size. The gross floor area (square footage) of an ADU shall not  
50 be less than 300 square feet even if this exceeds the maximum unit size  
51 requirement as established under this section or as otherwise established by the  
52 requirements of the adopted Building Code, 16.05 Cowlitz County Code.
- 53 8. Setbacks and Lot Coverage. Additions to existing structures or the construction  
54 of a new detached structure, associated with the establishment of an ADU, shall  
55 not exceed the allowable lot coverage or encroach into required setbacks as  
56 prescribed in the underlying zone or Comprehensive Plan designation. The  
57 applicable setbacks shall be the same as those prescribed for the primary  
58 structure, not those prescribed for detached accessory structures. The ADU shall  
59 meet fire flow requirements.
- 60 9. Scale and Visual Subordination. The ADU shall be visually subordinate to the  
61 primary single-family dwelling.
- 62 10. Connectivity. ADUs attached to a single-family dwelling shall be connected with  
63 a common wall and provided with an interior passage door (not located in a  
64 bedroom or bathroom) to allow internal access between the ADU and the single-  
65 family dwelling. Attached ADUs shall have at least one external entry.
- 66 11. Design and Appearance. An ADU, either attached or detached, shall be similar  
67 in appearance to the primary single-family dwelling.
- 68 12. Conversion of an Existing Structure. An existing garage, outbuilding, or other  
69 single-family dwelling may be converted to an ADU provided that the structure  
70 complies with established performance standards and requirements in sections

71 CCC 18.10.500 through CCC 18.10.720, all provisions of this section, and  
72 applicable building, fire and health regulations.

73 13. Construction Standards. The design and construction of the ADU shall conform  
74 to all applicable standards in the building, plumbing, electrical, mechanical, fire,  
75 health and any other applicable codes.

76 14. Accessibility. To encourage the development of housing units for people with  
77 disabilities, the Building Official may allow reasonable deviation from the stated  
78 requirements of this section to install features that facilitate accessibility. Such  
79 facilities shall be in conformance with the adopted Building Code.

80 15. Parking. Additional on-site parking of one space is required in conjunction with  
81 the establishment of an ADU. The off-street parking requirements set forth in  
82 Chapter 18.10.562 shall be maintained for the primary residence. No additional  
83 curb cuts shall be allowed to accommodate an ADU.

84 16. Occupancy. The maximum number of people that may occupy an ADU shall  
85 follow what is allowed under the adopted building code.

86 17. Manufactured or Mobile Home. If the primary single-family dwelling is a  
87 manufactured home or mobile home, then the ADU shall not be an additional  
88 manufactured home or mobile home, for conformance with Cowlitz County Code  
89 Chapter 18.42.

90 B. Owner occupancy.

91 1. Declaring Owner Occupancy. Prior to issuance of a building permit or certificate  
92 of occupancy establishing an ADU, the applicant shall record a deed restriction  
93 (Covenant) with the Cowlitz County Auditor's Office, consisting of a certification  
94 by the owner under oath in a form prescribed and approved by the Director of  
95 Building and Planning that one of the dwelling units is and will continue to be  
96 occupied by the owner of the property as the owner's principal and permanent  
97 residence for as long as the other unit is being rented or otherwise occupied. The  
98 owner shall maintain residency for at least 6 months out of the year.

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101 | Section 3. Effective Date. This ordinance shall be in effect immediately.

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103 PASSED AND APPROVED THIS \_\_\_ DAY OF February, 2010.

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105 BOARD OF COUNTY COMMISSIONERS  
106 OF COWLITZ COUNTY, WASHINGTON

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George Raiter, Chairman

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Axel Swanson, Commissioner

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Kathleen A. Johnson, Commissioner

ATTEST:

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Vickie Musgrove, Clerk of the Board

APPROVED AS TO FORM:

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Ronald S. Marshall, Chief Civil Deputy