

Cowlitz County Planning Commission Meeting – December 16, 2009

Final Draft - Accessory Dwelling Unit (ADU) Ordinance

A new section is added to Ordinance 4170, Chapter 18.10 and to be codified as CCC 18.10.585 and an addition to the definitions section of Chapter 18.10, codified as CCC18.10.043 to read 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 provided that the lots are a minimum of 6,000 square-feet and have an existing single-family dwelling occupied by the current property owner. In locations where the zoning and the comprehensive plan designations are in conflict, the zoning code designation shall take precedence.

A. **General provisions.** 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 shall be provided, by the applicant, of potable water and sewer/septic disposal to the Department at time of building permit application.
3. Electric Utility Connections. ADU's shall have appropriate utility connections as required by the Cowlitz County PUD.
4. Density. Only one ADU may be established as an accessory to a single-family dwelling per lot.
5. Minimum Lot Size. An ADU shall not be established on any parcel smaller than 6,000 square feet.
6. Maximum Unit Size. The gross floor area (square footage), calculated from finished wall to finished wall on all levels of an existing structure, an addition, or new detached structure, converted to, or constructed for the purpose of creating an ADU shall not exceed 40% of the gross floor area of the primary single-family dwelling, not including garage and/or detached accessory buildings or 800 square feet (whichever is less). The maximum height shall be no taller than 35-feet or two stories.

7. Minimum Unit Size. The gross floor area (square footage) of an ADU shall not be less than 300 square feet even if this exceeds the maximum requirement in five (5) above or as otherwise established by the requirements of the adopted Building Code, 16.05 Cowlitz County Code.
8. Setbacks and Lot Coverage. Additions to existing structures or the construction of a new detached structure, associated with the establishment of an ADU, shall not exceed the allowable lot coverage or encroach into required setbacks as prescribed in the underlying zone or Comprehensive Plan designation. The applicable setbacks shall be the same as those prescribed for the primary structure, not those prescribed for detached accessory structures. The ADU shall meet fire flow requirements.
9. Scale and Visual Subordination. The ADU shall be visually subordinate to the primary single-family dwelling.
10. Connectivity. All ADU's, which are attached to a single-family dwelling, shall be connected with a common wall and provided with an interior passage door (not located in a bedroom or bathroom) to allow internal access between the ADU and the single-family dwelling. Attached ADU's shall have at least one external entry.
11. Design and Appearance. An ADU, either attached or detached, shall be similar in appearance to the primary single-family dwelling.
12. Conversion of an Existing Structure. An existing garage, outbuilding, or other single-family dwelling, may be converted to an ADU provided that the structure complies with established performance standards and requirements in sections CCC 18.10.500 through CCC 18.10.720, all provisions in section CCC 18.10.585, and applicable building, fire and health regulations.
13. Construction Standards. The design and construction of the ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health and any other applicable codes.
14. Accessibility. To encourage the development of housing units for people with disabilities, the Building Official may allow reasonable deviation from the stated requirements to install features that facilitate accessibility. Such facilities shall be in conformance with the adopted Building Code.
15. Parking. Additional on-site parking of one space is required in conjunction with the establishment of an ADU. The off-street parking requirements set forth in Chapter 18.10.562 shall be maintained for the primary residence. No additional curb cuts shall be allowed to accommodate ADU's.
16. Occupancy. The maximum number of people that may occupy an ADU shall follow what is allowed under the adopted building code.

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

B. Owner occupancy.

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

Definitions

18.10.043 Accessory Dwelling Unit

“Accessory dwelling unit” or “ADU” is 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.

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