



BOARD of CLALLAM COUNTY COMMISSIONERS MINUTES for the week of March 28 – April 1, 2022

16
4/5/22

WORK SESSION – 9 a.m.

The work session convened at 9 a.m., Monday, March 28, 2022. Present were Commissioners Ozias, Johnson, and Peach and Administrator Sill.

Items of discussion per the agenda published March 24 were:

- Calendar/Correspondence
- Agreement appendix A with Washington State University Extension to provide educational programs
- Agreement with Washington State Administrative Office of the Courts for court security equipment
- Annual certification for Road Fund expenditures for fish passage barrier removal and traffic law enforcement
- Agreement amendment 2 with Anchor QEA, LLC for Dungeness Off-channel Reservoir Project
- Letter of support to Senator Murray for North Olympic Regional Veteran's Housing Network funding request
- Resolution appointing Allyce R. Miller to the Marine Resources Committee
- Resolution appointing Jack Graham, Jaycie Wakefield, Cherish Cronmiller and Johnny Ankrom to the Homelessness Task Force
- Discussion and next steps for the draft Joint Resolution with the City of Sequim for affordable housing tax
- Agreement with Peninsula Daily News as the Official County Newspaper

Meeting adjourned at 10:08 a.m.

REGULAR MEETING OF THE BOARD OF CLALLAM COUNTY COMMISSIONERS

Chair Ozias called the meeting to order at 10:02 a.m., Tuesday, March 29, 2022. Also present were Commissioners Johnson and Peach and Administrator Sill.

REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA

Added: Recognizing Huey Simmons for 25 years of service to Clallam County

ACTION TAKEN: CRJm to adopt the agenda as modified, CBPs, mc

PUBLIC COMMENT

- Judy Larson, Sequim, commented on ADU Ordinance, public notification of hearings

CONSENT AGENDA

- 1a Approval of vouchers for the week of March 21
- 1b Approval of payroll for the week of March 15
- 1c Approval of minutes for the week of March 21
- 1d Proclamation recognizing March 30 as Welcome Home Vietnam Veterans Day
- 1e Letter of support to Senator Murray for North Olympic Regional Veteran's Housing Network funding request
- 1f Letter of support for the Northwest Straits Marine Conservation Initiative

ACTION TAKEN: CRJm to adopt the consent agenda, CBPs, mc

REPORTS AND PRESENTATIONS

- CRJ read the Proclamation recognizing March 30 as Welcome Home Vietnam Veterans Day
 - Levi Douglas, Veterans Program, commented on the Proclamation
- CMO recognized Huey Simmons for 25 years of service to Clallam County
 - Joe Donisi, Roads and Public Works Department, made comments
- CBP commented on Timber Caucus meeting (see attached)
- CRJ commented on Timber Caucus meeting

BOARD of CLALLAM COUNTY COMMISSIONERS
MINUTES for the week of March 28 – April 1, 2022
Page 2

CONTRACTS AND AGREEMENTS

- 2a Contract amendment 1 with Department of Health to add supplemental funding for Group A Water Systems, Covid-19 vaccine and Maternal Child Health Services

ACTION TAKEN: CRJm to approve, CBPs, mc

- 2b Contract amendment 2 with Department of Health to add supplemental funding for the onsite septic program and Emergency Preparedness, Covid-19, and Prescription Drug Overdose Prevention

ACTION TAKEN: CRJm to approve, CBPs, mc

- 2c Road Conveyance Agreement with Olympic Timber LLC to donate right of way for the Hoko Ozette Road

ACTION TAKEN: CRJm to approve, CBPs, mc

- 2d Agreement with Clallam Conservation District for resource conservation planning and implementation

ACTION TAKEN: CRJm to approve, CBPs, mc

ADMINISTRATION

- 3a Resolution appointing Lance Vail to the Marine Resources Committee

ACTION TAKEN: CRJm to adopt, CBPs, mc

BUDGET

- 4a Resolution adopting the following Budget Revisions:

Prosecuting Attorney – Operations – Reallocation of funding for extra help to be used for Personnel Services/\$30,000

ACTION TAKEN: CRJm to adopt, CBPs, mc

- 4b Resolution adopting the following Supplemental Appropriations:

Sheriff – Emergency Services – Receipt and expenditure of Washington State Military Department FY2021/\$41,792

Sheriff – Operations – Receipt and expenditure of Washington Traffic Safety Commission grant FY2022/\$21,520

ACTION TAKEN: CRJm to adopt, CBPs, mc

COMMUNITY DEVELOPMENT

- 5a Approval of the Dungeness River Management Team Roster

ACTION TAKEN: CRJm to approve, CBPs, mc

PUBLIC WORKS

- 6a Notice of call for bids to be received no later than 10 a.m. Tuesday, April 19, 2022 **AND** approval of vicinity map plan cover sheet for Dry Creek Road Reconstruction Project

ACTION TAKEN: CRJm to issue notice, CBPs, mc

ACTION TAKEN: CRJm to approve plan cover sheet, CBPs, mc

- 6b Notice of call for bids to be received no later than 10 a.m. Tuesday, April 12, 2022 for 2022 Hot Mix Asphalt and CSS-1 Liquid Asphalt Requirements

ACTION TAKEN: CRJm to issue notice, CBPs, mc

- 6c Annual certification for Road Fund expenditures for fish passage barrier removal and traffic law enforcement

ACTION TAKEN: CRJm to approve, CBPs, mc

BOARD of CLALLAM COUNTY COMMISSIONERS
MINUTES for the week of March 28 – April 1, 2022
Page 3

HEARING(S)

H1 Ordinance amending Clallam County Code, Chapter 5.100 Consolidated Fee Schedule – Fairgrounds Fee Schedule 215-A

- ARS read the agenda item summary into the record
- Shari Ioffrida, Fair Manager, provided a staff report

ACTION TAKEN: CRJm to open the public hearing, CBPs, mc

- CMO noted no one spoke

ACTION TAKEN: CRJm to close the public hearing and adopt, CBPs, mc

H2 Ordinance Amending Clallam County Code Title 33 Zoning (Accessory Housing)

- ARS read the agenda item summary into the record
- Holden Fleming, Department of Community Development, provided a staff report
- Dee Boughton, Prosecuting Attorney's Office, provided comment

ACTION TAKEN: CRJm to open the public hearing, CBPs, mc

- The following provided comment:
 - Ed Telenick, Sequim (see attached)
 - Ronald Richards, Port Angeles
 - Kenneth Reandeau, Port Angeles
 - Judy Larson, Sequim
- The following sent in written testimony: Jesse Major, Peter Beh, Robert Vreeland, James Lewis, Kathy unknown last name, Arthur Jones, Stacy Nikodym, Mary Peck, Gerald Carpenter, Judy Larson, Virginia Shogren, Dale and Martha Ireland, Julia Johnson, Ron Gilles, Don Tucker, Protect the Peninsula's Future (Judy Larson), Freda and Mike Tallmadge, Jason Carroll, Caleb and Janine Smith, Michael McAleer, Tina Vogel, Ed Telenick, Maureen McElravy, Judy Larson (see attached)

ACTION TAKEN: CRJm to close the public hearing and adopt, CBPs, mc

H3 Consideration of resolution adopting the following Debatable Emergencies:

NonDepartmental

- Additional funding for Cascadia Consulting Group, Inc./\$55,000
- Additional funding for North Olympic Development Council to facilitate the Broadband Expansion Project coordination/\$14,400

Prosecuting Attorney – Operations – Additional funding to cover expenditures related to prosecuting State v. Bauer/\$12,673

Parks & Facilities – Additional funding for expenses related to COVID-19 for goods and services expenditures incurred in January and February, 2022 expected to be reimbursed through FEMA/\$14,380

Sheriff – Emergency Services – To fund the part-time, fully-benefited, Emergency Management Assistant position/\$36,963

Sheriff – Jail – Additional funding for increased costs of 5 budgeted replacement ballistic vests and 5 additional vests for new hire Corrections Deputies in FY2022/\$7,800

Sheriff – Operations – Additional funding for increased costs of 7 budgeted replacement ballistic vests and 5 additional vests for new hire Patrol Deputies in FY2022/\$8,100

- ARS read the agenda item summary into the record

ACTION TAKEN: CRJm to open the public hearing, CBPs, mc

- CMO noted no one spoke

ACTION TAKEN: CRJm to close the public hearing and adopt, CBPs, mc

PUBLIC COMMENT

- Kenneth Reandeau, Port Angeles, commented on on-site septic fee charges
- Judy Larson, Sequim, commented on ADU Ordinance

BOARD of CLALLAM COUNTY COMMISSIONERS
MINUTES for the week of March 28 – April 1, 2022
Page 4

Meeting concluded at 11:37 a.m. and continued to 9 a.m., Monday, April 4, 2022.

There are no Zoom chat logs for the week of March 28.

The Board of Commissioners attended a WSAC Virtual update, Makah Tribe joint meeting, and Welcome Home Vietnam Veterans pin ceremony during the week of March 28.

PASSED AND ADOPTED this 5 day of April 2022.

ATTEST:


Loni Gores, CMC, Clerk of the Board

BOARD OF CLALLAM COUNTY COMMISSIONERS


Mark Ozias, Chair


Randy Johnson


Bill Peach

KEY TO ABBREVIATIONS:

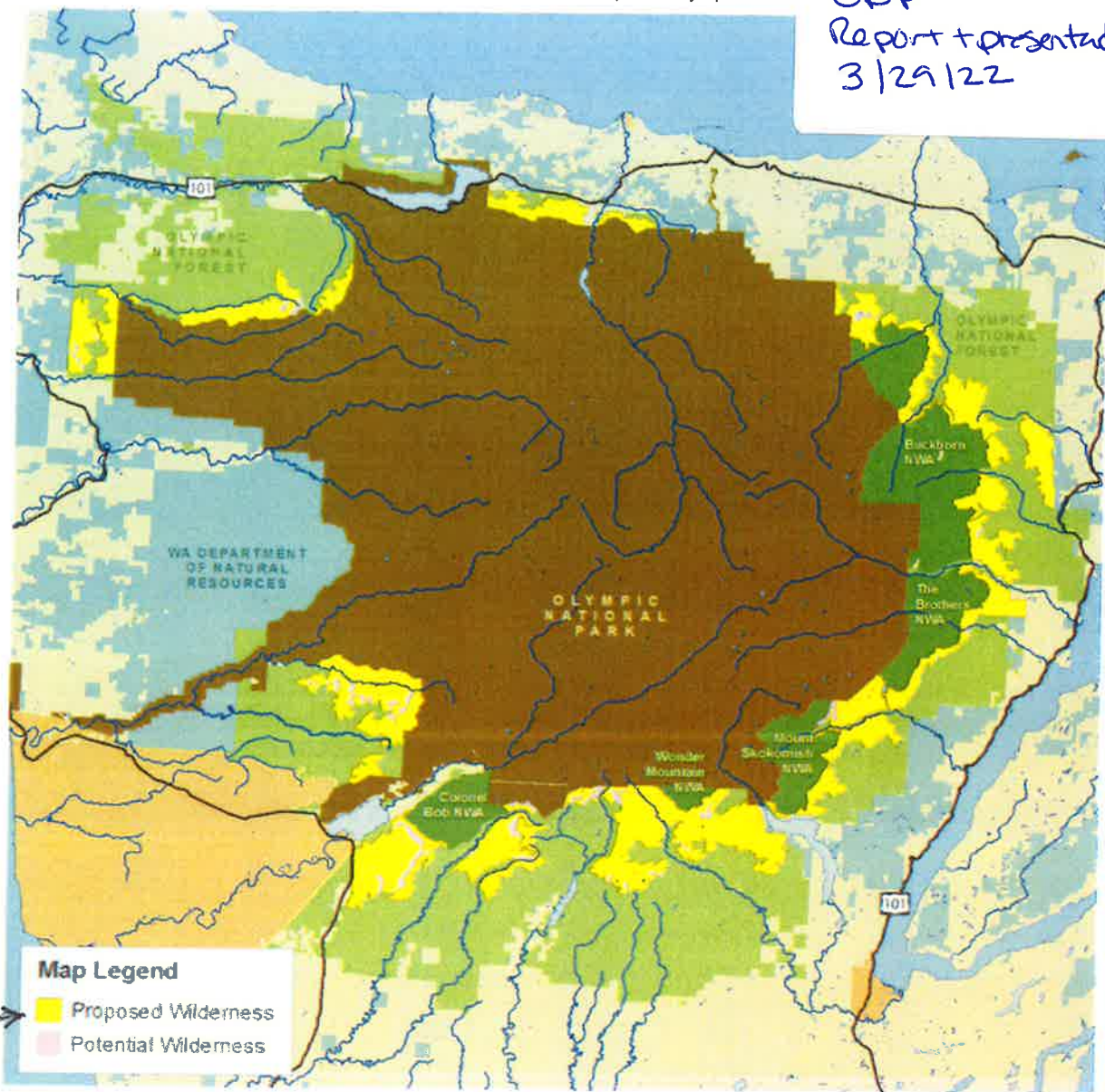
ARS Administrator Rich Sill
CMO Commissioner Mark Ozias
CRJ Commissioner Randy Johnson
CBP Commissioner Bill Peach

m moved
mc motion carried
s seconded



Reports & Presentation

CBP
Report + presentation
3/29/22



Wild
Olympics
126,000 ha

Olympic National Forest currently 633,600 ha

Selected Examples of Wilderness Candidates

Places like South Quinault Ridge, the Upper South Fork Skokomish River, Jupiter Ridge, and Dirty Face Ridge still await permanent protection. Designating our last unprotected, wild forests as wilderness permanently preserves them in their natural state for future generations to enjoy. Hunting, fishing, horsepacking, camping, hiking, paddling, berry picking, backpacking, snowshoeing, birding and a wide range of other non-mechanized recreational activities are allowed in National Forest wilderness areas. Below are more details about the areas being proposed for wilderness protection on Olympic National Forest.

ADU Hearing

Item H2

March 29, 2022

BOARD OF CLALLAM COUNTY COMMISSIONERS PUBLIC HEARING

H2 Ordinance Amending Clallam County Code Title 33 Zoning (Accessory Housing)

I declare under penalty of perjury under the laws of the State of Washington that any testimony that I give is true and accurate.

Nº	PRINTED NAME	SIGNATURE	ADDRESS
1	ED TELENIK	Ed TEL	470 Stebbins Rd.
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			

Signed on March 29, 2022 in Port Angeles, Washington

Ed telenick

Mon 3/28/2022 8:57 AM

Good morning Commissioners:

speaking
I am ~~writing to~~ voice my opposition to the proposed ADU amendment, but for a reason that is not just limited to the concern for decreasing the "rural character" of the County that has been referenced in the recent public comments made by the Planning Department.

I am unsure exactly what "rural character" means but if it means increased accumulations of junk vehicles, occupied illegal trailers, solid waste, and overtaxed septic systems then we certainly don't need to make that problem worse than it already is.

My main objection to this Ordinance and most of these Ordinances Revisions that the Commissioners debate and vote on are the mechanisms that are used to enforce (or not enforce) these rules. Until this County gets serious about enforcing the existing codes and holding the various departments involved accountable then all of these revisions are pointless!! While the Commissioners may not have direct enforcement authority in these matters, they do control the purse strings of the various departments and have both the authority and responsibility to require measurable outcomes to these changes, rather than just passing them and hoping for the best!

I have lived along a beautiful creek in this County that falls within the Shoreline Management Act Critical Area zone boundaries for 31 years and have witnessed, first hand , the illegal occupation of multiple trailers on small parcels with non functioning septic systems, solid waste dumped in the creek and the increased criminal behavior that these types of occupations foster; while personnel from Environmental Health, Code Enforcement, Building, Planning, and the Sheriff's department all claim that is not their job or they are inadequately staffed in order to enforce the laws.

The idea of making it easier for homeowners to add an ADU to their property may sound like a noble cause to help alleviate the housing situation that exists in this County; but the reality is you are only going to make it easier for those people who know that they will not be held accountable to game the system; because of the dysfunction that exists within the current County government. Other opportunists will turn these dwellings into cash cows for their Air B and B's or vacation rentals and the neighbors will inherit the traffic and increased activity that occurs when large groups of people cram into a single dwelling in their attempt minimize their hotel bills while recreating on the Peninsula. In the meantime those who are legitimately trying to add an ADU to their property will be soaked with additional fees and enter the bureaucratic nightmare that they will subject themselves to by following the rules.

Please focus your efforts on fixing the enforcement mechanisms of our current Ordinances before enacting new ones that will only become more words and numbers on a piece of paper that have very little real consequences except to punish those of us who are actually trying to follow the rules.

Thanks for your time and consideration.

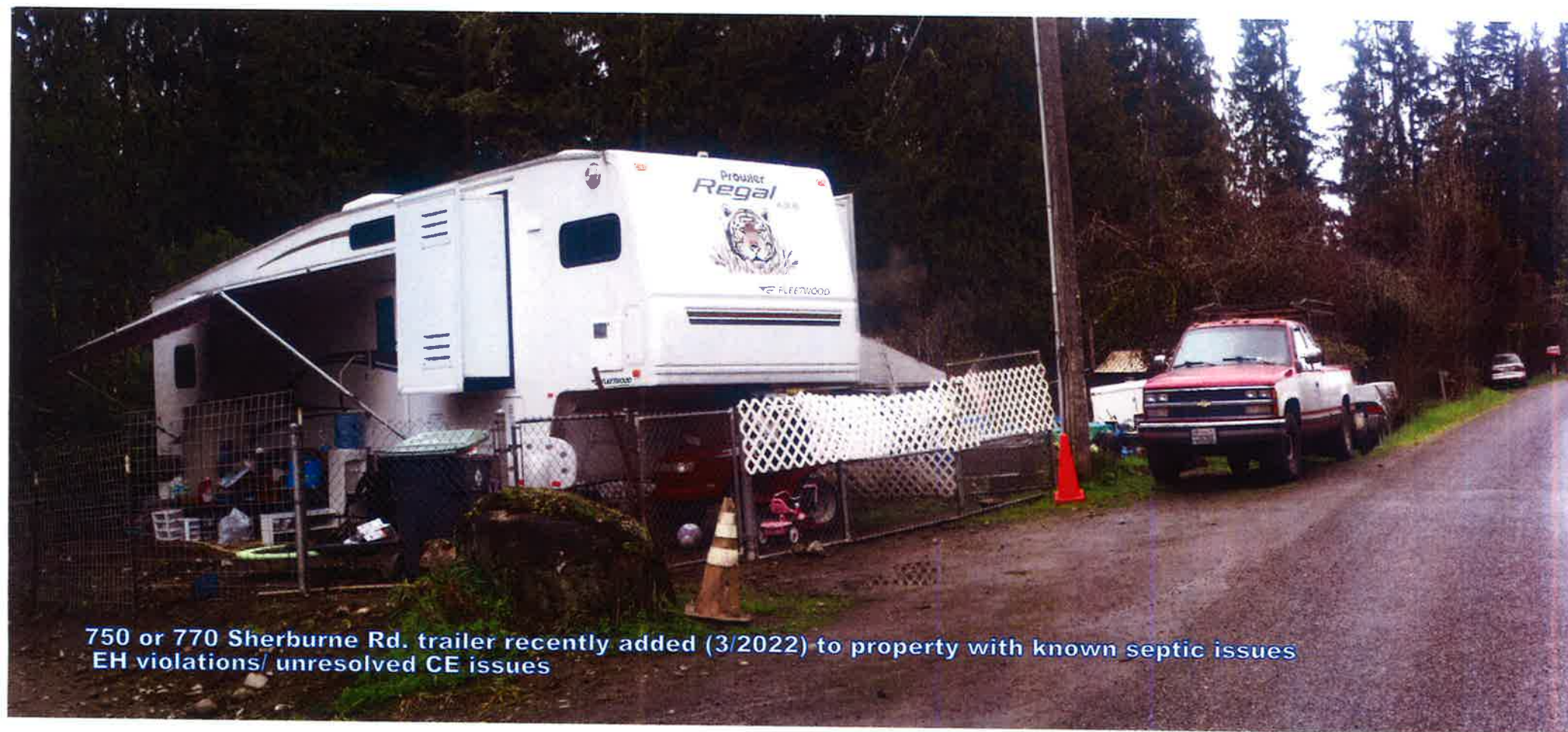
Ed Telenick

H2 3/29/22
Public
Hearing
Ed Telenick



770 Sherburne Rd, longstanding eyesore trailer with known septic issues, current occupation unknown

#2



750 or 770 Sherburne Rd. trailer recently added (3/2022) to property with known septic issues
EH violations/ unresolved CE issues

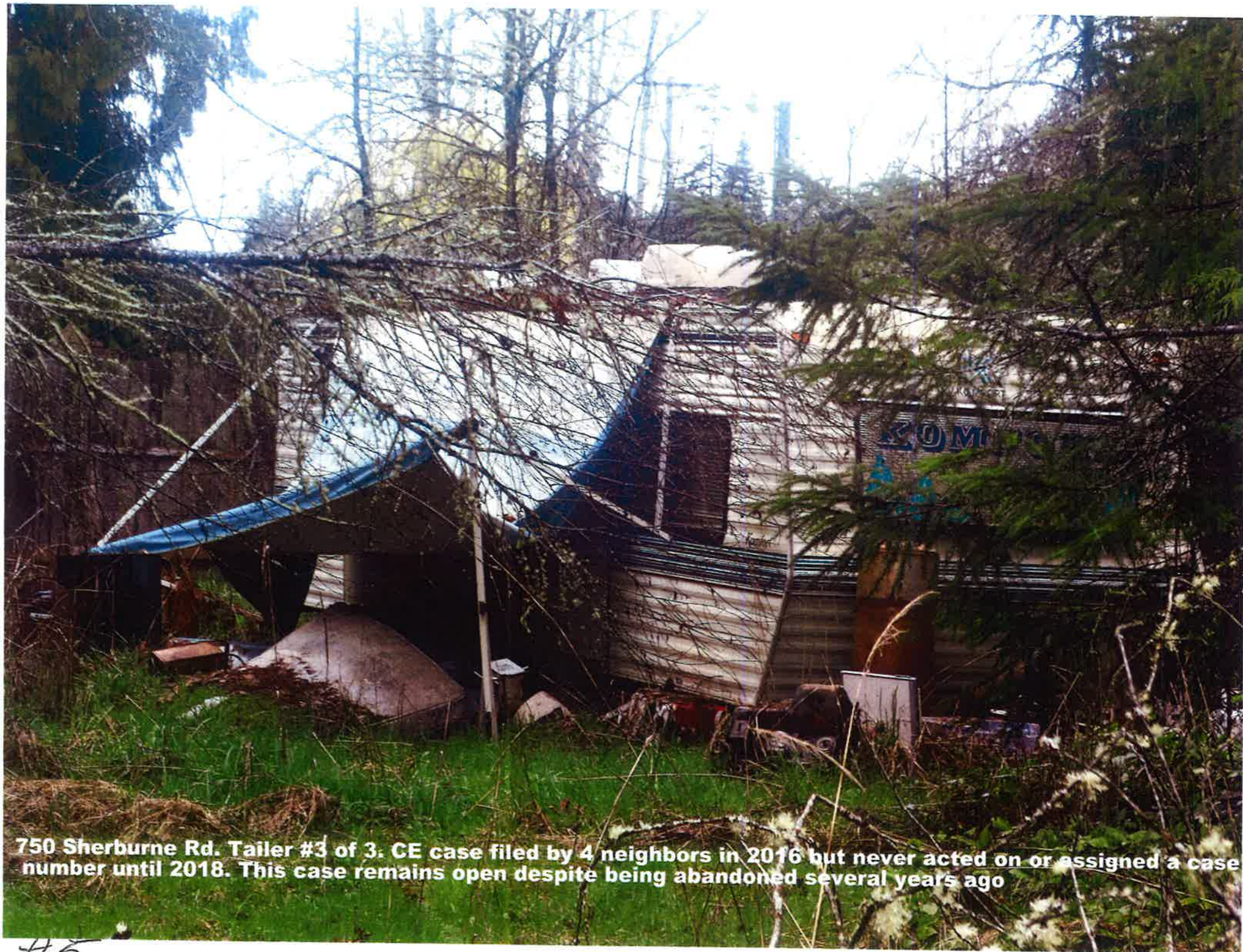
#3



750 Stockpiles Rd. Unsorted CE leach from 2 of 3 abandoned tailings (6 complaints reported in 2016) with no solid waste disposal or action taken. Debris from this abandoned camp still ends up in Macdonald Creek.

#4



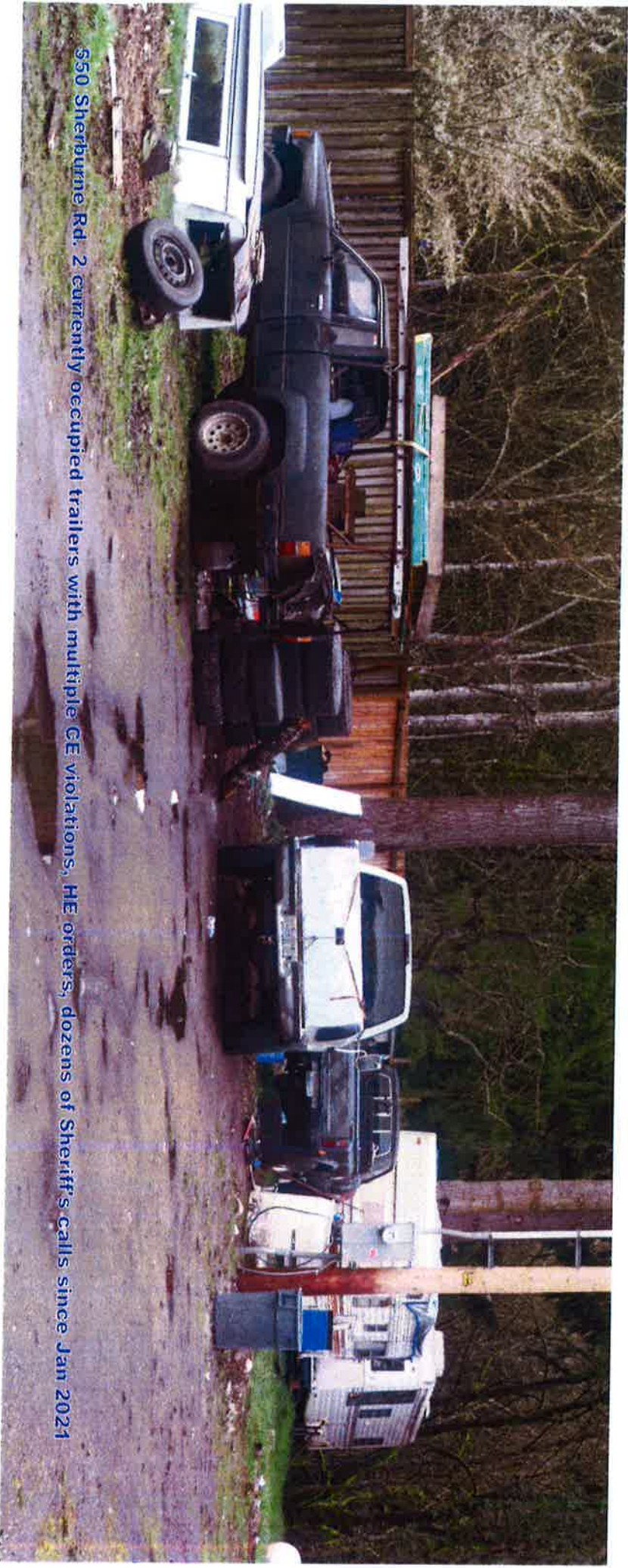


750 Sherburne Rd. Trailer #3 of 3. CE case filed by 4 neighbors in 2016 but never acted on or assigned a case number until 2018. This case remains open despite being abandoned several years ago

#5



570 Sherburne Rd. encampment with power and concealed vehicle behind cedar, occupation status unknown



550 Sherburne Rd. 2 currently occupied trailers with multiple CE violations, HE orders, dozens of Sheriff's calls since Jan 2021

#7

ADU Hearing Written Comments

Gores, Alanna

From: Johnson, Randy
Sent: Wednesday, March 2, 2022 4:38 PM
To: 'Jesse Major'
Subject: RE: ADU Ordinance

Jesse,

There are all kinds of thoughts about this ordinance. It is my belief that all kinds of housing are a good thing, and this is only one small slice of the pie. We also need to finish the RV ordinance which has become the alternative affordable housing supply for the County.

Randy

From: Jesse Major [mailto:major.jesse@gmail.com]
Sent: Wednesday, March 02, 2022 10:28 AM
To: Johnson, Randy
Subject: Re: ADU Ordinance

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

Just watched yesterday's hearing and it looks like this issue is on everyone's radar!

-Jesse

Jesse Major

Photographer
515.570.2505
[@jessemajor](mailto:jessemajor)
www.jessemajor.com

On Wed, Mar 2, 2022 at 9:18 AM Jesse Major <major.jesse@gmail.com> wrote:

Hi Randy,

Reaching out regarding the ADU ordinance. I am concerned that this ordinance does not seem to address tiny houses on wheels, which are technically considered recreational vehicles. People are struggling to find affordable housing and under this proposed ordinance an affordable option would remain illegal.

To fix this, I recommend removing "recreational vehicles" from CCC 33.50.030(2).

Best,

Jesse

Jesse Major

Photographer

515.570.2505

[@jessemajor](#)

www.jessemajor.com

Gores, Alanna

From: Peter Beh <neahbeh@gmail.com>
Sent: Wednesday, March 2, 2022 12:36 PM
To: Peach, Bill; Johnson, Randy; Ozias, Mark
Subject: ADU or AirBnB

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

Commissioners: Our lack of affordable housing is directly attributable to inscrutable inconsistent permitting and land use in this county. Our state is totally hostile to landlords even before the insane eviction moratorium. Air Bnbs are fine with room and a bit of isolation. But if you are in a dense residential neighborhood with half acre lots or less, then starting a BnB is a kick in the teeth to the neighbors. You have strangers coming and going at all hours night and day with no incentive to be neighborly.

I do not blame people for converting to BnB under these conditions but the Westend now has a rental crisis. As for this notion that Westenders need to make some kind of living, of course. But for decades this county only allows B&Bs or campgrounds in unincorporated areas. I have seen dozens of ideas for business development shot down in the Westend over decades. The answer is always to locate it in the industrial park by the airport assuming the elitists will even allow you to do business instead of letting the market decide.

We are destroying carbon based energy before our eyes. The powers that be in the county mostly want retirees, second home owners, service businesses, and tourism. How is that working out since the pandemic not to mention the deliberate and needless destruction of small business. As for tourism, everyone comes here in their own car or flies in and rents a car. How will that work with high gas and plane ticket prices?

The most practical way to lessen this rampant inflation is to develop every type of energy we have from coal to nuclear; we have a ton of it!!!

Since this county is going left wing lunatic I do not have much confidence in any common sense other than another bunch of complicated, contradictory, Byzantine regulations.

Sincerely, Peter Beh

Gores, Alanna

From: SEPAdesk2@dfw.wa.gov <bvreeland41@gmail.com>
Sent: Wednesday, March 2, 2022 1:56 PM
To: Gores, Alanna
Subject: County Residential Accessory Dwelling Units

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

I believe the County Commissioner discussion of the code changes for ADUs must be tabled until Clallam County has a Climate Crises Resiliency Plan. Isn't part of the County Commissioners roll to protect lives and property in Clallam County?

Potentially putting more County residents in harms way of catastrophic wildfires doesn't seem wise to me given the devastating wildfires that have plagued California, Oregon and Colorado over the past 2+ years.

Having ADU up to a hundred yards away from a main dwelling unit in or near potentially forested areas in Clallam Co., with questionable access to emergency personnel and escape could be a near future nightmare. Olympic Peninsula forest have been rated by Washington as the 5th most likely location for devastating wildfires. Forks was nearly destroyed by wildfire in the past. Bell Hill in the Sequim area has historically burned. These events happened prior to "noticeable" climate change events in Clallam Co.

County staff and Commissioners need to give serious thought to the realities of climate change. Climate change has already brought lengthened periods of drought and an increased heat wave to Clallam Co. Climate scientists are projecting more of the same with potentially more damage. One thing climate scientist do know is that change is happening much more quickly than models have predicted.

I believe this code change can wait until the County has a better understanding of the risks of this new policy. Better safe than sorry in my view.

Robert Vreeland
520 E. 10th St.
Port Angeles

Sent from [Mail](#) for Windows

Gores, Alanna

From: James Lewis <jnlewis12@gmail.com>
Sent: Wednesday, March 2, 2022 2:10 PM
To: Gores, Alanna
Subject: Comment on ADU ordinance

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

Our home was designed and built to code with a detached dwelling unit for my ninety year old mother. There is a twenty foot covered walkway between our two homes. We planned on using the ADU as a vacation rental after she passes.

I do not see anything in the proposed new ordinance that would affect us in any way.

Gores, Alanna

From: Kathy <whiskkerz@yahoo.com>
Sent: Wednesday, March 2, 2022 3:10 PM
To: Gores, Alanna
Subject: ADU's

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

In my opinion...people move to rural areas for a reason, and it's not so they can move to an area that will become cluttered with ADU's on small parcels. And if you think tiny units will reduce rent costs, do your research. I've been watching and have seen many ADU's, studios, etc., VERY small units, going for \$1200/month and up. Just this morning I received an email from a private group, one of the members has a studio available. And hey, it's only \$1500. Or, if you dare to have a pet, you'll pay \$2000/month. And it has a kitchenette, which means no stove and a tiny fridge. At the very least utilities are included, but how much in utilities would one pay for something so small?

You'll destroy rural living and there will be no gain. As long as there are people willing to pay these prices (and there are), landlords will keep charging them. I vote NO. This will do nothing but destroy rural living and put more money into the hands of the landlords.

Gores, Alanna

From: Art Jones <artjones1@hotmail.com>
Sent: Wednesday, March 2, 2022 5:58 PM
To: Gores, Alanna
Subject: ADUs

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

I am in favor of Accessory Dwelling Units. There is a housing shortage in Clallam County right now. The cost of developing a piece of raw land is crazy. Why not add a tiny home to an existing single family dwelling piece of property for a family member, who needs a place to live.

My two cents.

Arthur Jones

Gores, Alanna

From: Stacy Remick <snjremick@hotmail.com>
Sent: Wednesday, March 2, 2022 9:22 PM
To: Gores, Alanna
Subject: Comment: ADU's

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

Yes! Absolutely! We need all housing options available in the city as we can get. Housing costs are skyrocketing and more and more multigenerational households are the norm. Allowing ADU's, will allow for families to be together but not so crowded together. It could keep someone off the streets or allow an extra income for folks struggling. This is a winning idea.

Stacy Nikodym

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

Gores, Alanna

From: Mary Peck <marypeck.mvp@gmail.com>
Sent: Thursday, March 3, 2022 7:43 AM
To: Gores, Alanna

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

Camping in your beautiful county and national park area is pretty much impossible these days. Please consider encouraging the development of HIPCAMP and HARVEST HOSTS as an addition to park and rv camping. Thank you

Gores, Alanna

From: Mary Peck <marypeck.mvp@gmail.com>
Sent: Thursday, March 3, 2022 8:16 AM
To: Gores, Alanna
Subject: The Second Wave of Overcrowded RV Parks - Drivin' & Vingin'

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

<https://drivinvin.com/2022/03/02/rv-parks/>

Gores, Alanna

From: gerald carpenter <jerrycarpet@gmail.com>
Sent: Thursday, March 3, 2022 9:37 AM
To: Gores, Alanna
Subject: ADU Regulations

ADU's in existing neighborhoods will:

Devalue existing property

Diminish my enjoyment of my property if there are added people across the fence.

Require upgrades of water, electric, and sewer services which ALL homeowners will pay.

Community water systems will need to increase system capacity at all private users' expense.

Investors in rental property will be incentivised to add ADUs to increase income.

My biggest objection is that it is a temporary bandage to a symptom, not a solution. Until our society is willing to pay wages that will be sufficient to provide food and shelter, the homeless issue will continue to grow. If we are not willing to fix the cause, just skip to the next step and build high rise projects like they have in big cities to house the homeless. Then the burden will be shared by all and not just the homeowners.

Gerald Carpenter 360-681-2766
248 Bon Jon View Way
Sequim, WA. 98382

Gores, Alanna

From: larjdyng@olypen.com
Sent: Thursday, March 3, 2022 11:53 AM
To: Gores, Alanna; Gores, Alanna; Fleming, Holden; lleach@peninsuladailynews.com
Cc: larjdyng@olypen.com
Subject: Additional concerns/comments about proposed ordinance concerning ADUs
Attachments: ADU FAQs FINAL.pdf; EH ADU Information Sheet.pdf; ADUordrecommendations.pdf

Commissioners:

Please add the following to the record and for your consideration and staff attention:

*I have noted that on 3/2/22, the PDN (p.1 & p.4) actually provided the public with some detailed coverage about this proposed ordinance.

However, I found some inconsistencies reported compared to what I heard discussed at your 3/1/22 Public Hearing. I hope you can have staff review and send corrections to the PDN about acreage error information and what seemed to be additional intended changes you will be considering.

*I am attaching more background details about WA state ADU ordinances and especially ask that you review the Thurston County 12/15/2020 ADU ordinance update information. Besides adding this to your record, I hope you can include a discussion of these materials at your 3/21/22 Work Session.

Thank you for your consideration again. (I may continue to provide future input before you make your decision.)

Respectfully,
Judy Larson
1070 W. Palo Verde Loop
Sequim, WA



ACCESSORY DWELLING UNITS (ADU)

Frequently Asked Questions

04.02.21

On December 15, 2020 the Board of County Commissioners adopted Ordinance 15952 to allow Accessory Dwelling Units (ADUs) in rural unincorporated areas of Thurston County when density requirements for the underlying zoning district, regulations, and standards pertaining to ADUs can be met.

Below are commonly asked questions for ADUs in rural Thurston County. Due to various zoning district designations, development regulations, design standards, and scenarios types, not every scenario is described. Refer to the ADU information sheet for guidance on conducting research prior to submitting a Residential Building Permit Application to the Building Development Center (BDC).

What is an ADU?

An ADU is a small, separate, home built on the same lot as a single-family home. ADUs can be an addition to a single-family home, a conversion of a basement, an attached or detached garage or outbuilding, or a new detached structure. An ADU includes a kitchen, bedroom(s), and bathroom. ADUs are smaller in size than the main home on the lot.

Where are ADUs allowed?

ADUs are allowed in rural, unincorporated areas of Thurston County and within the Urban Growth Areas of Olympia, Lacey, Tumwater, and Grand Mound when all regulations and standards pertaining to ADUs can be met.

What are the first steps if I am considering an ADU?

Refer to the ADU information sheet at [Accessory Dwelling Unit \(ADU\), Thurston County Permitting](#) for guidance on conducting research and how to apply.

How many ADUs are allowed on a parcel?

Only one ADU shall be allowed on a residential parcel in conjunction with a single-family home. ADUs are not allowed on parcels with an existing mobile or manufactured home permitted as a Family Member Unit or any other accessory residential structure.

What ADU types count as a dwelling unit for the purpose of calculating density?

- Attached ADU – Does not count as a dwelling unit for the purpose of calculating density
- ADU Conversion – Does not count as a dwelling unit for the purpose of calculating density.
- Detached ADU – Counts as a dwelling unit for the purpose of calculating density and will need to meet the minimum lot size requirements under the applicable zoning district

Is a new detached ADU allowed on a parcel less than 10 acres in size in the RRR 1/5 zoning district?

The RRR 1/5 zoning district requires a minimum lot size of 10 acres. Therefore, the minimum density requirements would not be met to allow for an ADU.

Are critical areas deducted from the total acreage calculations when calculating density?

Some zoning districts require critical areas (not buffers) to be deducted from the total acreage calculations. For example: A 10-acre parcel in the RRR 1/5 zoning district with wetlands would not meet density requirements for a new detached ADU.

Are there size limitations for an ADU?

- Attached ADU – Shall not exceed 50% of the gross floor area of the primary residential structure
- Detached ADU – Floor area shall not exceed the maximum of 1500 square feet or 40% of the primary residential structure, whichever is less. An attached garage is not included in the gross floor area calculation.
- Conversion – There is no limit size for a conversion so long as the conversion remains within the footprint of the structure (no expansion).

What is the definition of Conversion?

The conversion of an existing structure within the footprint of a primary dwelling unit, or conversion within the footprint of a detached accessory structure, that has been in existence and legally permitted for at least one (1) year.

What structures qualify for a Conversion?

A legally established accessory structure or structure that has been in existence for at least one year. Structures built prior to 1971 would also qualify for a conversion.

Can I convert an existing ‘exempt’ building into an ADU?

Structures exempt from building permit requirements will need to follow the structures built prior to permit policy located online at [Permitting Structures Built without a Permit](#) to determine if the construction is adequate under the current codes. After the structure is final inspected, and the structure has been permitted for one year, an application to convert the structure into an ADU may be submitted for review.

Can I convert a structure not “legally permitted” to an ADU?

Structures built without a permit will need to follow the structures built prior to permit policy located online at [Permitting Structures Built without a Permit](#) to determine if the construction is adequate under the current codes. After the structure is final inspected, and the structure has been permitted for one year, an application to convert the structure into an ADU may be submitted for review.

Can I expand an existing accessory structure and apply for an ADU?

After a building permit for the addition has been issued, final inspection completed, and one year has passed, a Residential Building Permit application to convert the structure into an ADU may be submitted for review.

Can I convert my guest house into an ADU?

Yes, if all applicable regulations and standards pertaining to ADUs can be met.

Can a Family Member Unit (FMU) be converted to an ADU?

A FMU cannot be “converted” into an ADU because it’s already considered a residential structure. However, you can request to reclassify the FMU to ADU if all applicable regulations and standards pertaining to ADUs can be met.

Is a building permit required for an ADU?

Yes. A Residential Building Permit is required for all ADU types.

Can an ADU be sold separately from the primary residence?

An ADU is constructed on the same parcel as a primary residence therefore it may not be sold separately from the primary home.

Can an ADU be rented?

The property owner may rent the ADU to whomever they wish.

Does an ADU have a parking requirement?

Rural ADUs do not have a parking requirement. However, parking requirements do apply within the UGAs.



ACCESSORY DWELLING UNITS (ADU)

Frequently Asked Questions

04.02.21

Can I use my existing well and septic system for the ADU?

ADUs must be served by an approved drinking water supply and an approved septic system. Visit [Thurston County Environmental Health](#) for information regarding on-site septic system and water system requirements for an ADU. You can also email EH_Tech@co.thurston.wa.us or call (360) 867-2673 for assistance.

Can I use my existing driveway or install another driveway for the ADU?

Contact the Public Works Department, Development Review Division at DevRev_Tech@co.thurston.wa.us or (360) 867-2050 for information.

Why are rural ADU regulations different from city or UGA regulations?

Rural areas are subject to more limits on density than in cities and UGA's. Rural ADU regulations are designed to ensure protection of rural character.

Are ADUs subject to impact fees?

Yes. ADUs are subject to parks and transportation impact fees. ADUs are exempt from school impact fees. Impact fees are collected prior to issuance of a building permit.

How do I apply for an ADU?

After you have conducted your research and are ready to move forward, the following will need to be submitted to the BDC. The applications outline information that must accompany your application.

- Master Application
- Residential Building Permit Application
- On-site Sewage System Application, if proposing a new septic system
- Application fees

What if I still have questions?

Professional friendly staff in the BDC can assist you with your questions. Please visit [Thurston County Building Development Center](#) to obtain the applications, permitting information, and hours of operation. You can also email questions to permit@co.thurston.wa.us or call (360) 754-3355 ext. 7288.



ACCESSORY DWELLING UNITS (ADU)

ENVIRONMENTAL HEALTH REQUIREMENTS

Accessory Dwelling Units (ADUs) must be served by an approved drinking water supply and an approved on-site septic system. If you are proposing to connect an ADU to an existing septic system, contact Thurston County Environmental Health at (360) 867-2673 or EH_Tech@co.thurston.wa.us to discuss options.

DRINKING WATER SUPPLIES

- An ADU may be connected to an existing single-family well if it can meet Certificate of Water Availability (COWA) requirements for a two-connection single-family water supply. COWA requirements can be found at https://www.co.thurston.wa.us/permitting/apps-forms/subapps/Res_subapps/COWA-Single-Fam-2-Party.pdf
- If an ADU is being connected to a water supply that has two or more existing connections, it will likely need to be approved as a public water supply. It is important to note that public water siting standards require wells to have a 100-foot sanitary control area that is free of any development and potential sources of contamination. Public water supply requirements can be found at <https://www.co.thurston.wa.us/health/ehdw/public.html>
- If an ADU is being connected to an existing public water supply, you will need to contact the water system owner, first. A Certification of Water Availability (COWA) will be required as part of the permit review process. COWA requirements can be found here: https://www.co.thurston.wa.us/permitting/apps-forms/subapps/Res_subapps/COWA-Public.pdf

WASTEWATER DISPOSAL

- The property must meet minimum land area requirements as outlined here: https://www.co.thurston.wa.us/health/ehadm/pdf/Article_IV_Int.pdf. A minimum of two or four acres is needed to support an ADU served by a two single-family well and on-site septic system.
- In most instances a new on-site septic system is needed to serve an ADU. Most existing septic systems were not designed and installed to accommodate a second residence.
- Any existing on-site septic system will need to be reviewed and approved for the addition of an ADU.
- To search for your on-site septic system records, please visit: <https://weblink.co.thurston.wa.us/dspublic/customsearch.aspx?searchname=search&cr=1>

04.02.21

**MODEL ACCESSORY DWELLING UNIT
ORDINANCE RECOMMENDATIONS**
**Washington State Department of Community, Trade, and
Economic Development, January 1994**

SECTIONS:

Definitions
Purpose and Intent
Standards and Criteria
Grandfathering
Application Procedures

DEFINITIONS

1. An Accessory Dwelling Unit (ADU) is a habitable living unit that provides the basic requirements of shelter, heating, cooking, and sanitation.

Comment: The Uniform Building Code (UBC) Sec. 1207 & 1208 lists minimum room sizes for an efficiency unit. The jurisdiction could set up maximum areas in the Standards and Criteria below, if it so desired.

PURPOSE AND INTENT

- A. The installation of an ADU in new and existing single-family dwellings (hereinafter principal units) shall be allowed in single-family zones subject to specific development, design, and owner-occupancy standards.

Comment: As required by Senate Bill 5584.

- B. The purpose of allowing ADUs is to:
 1. Provide homeowners with a means of obtaining, through tenants in either the ADU or the principal unit, rental income, companionship, security, and services.
 2. Add affordable units to the existing housing.
 3. Make housing units available to moderate-income people who might otherwise have difficulty finding homes within the (city/county).²
 4. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.

²A parentheses indicates that the jurisdiction needs to insert the appropriate word or term.

5. Protect neighborhood stability, property values, and the single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the conditions of this Ordinance.

STANDARDS AND CRITERIA

A. ADUs shall meet the following standards and criteria:

1. The design and size of the ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. When there are practical difficulties involved in carrying out the provisions of this Ordinance, the (building official) may grant modifications for individual cases.

Comment: Construction shall conform to all codes which are required for any new construction.

2. Certification by the (city/county) Health Department that the water supply and sewage disposal facilities are adequate for the projected number of residents must be provided to the building official.

Comment: More applicable in rural areas for septic and wells. It is actually covered by No. 1 above.

3. Any additions to an existing building shall not exceed the allowable lot coverage or encroach into the existing setbacks.

Comment: Planning ordinance already in place in most jurisdictions.

4. The ADU may be attached to, or detached from, the principal unit.

Comment: Jurisdictions need to survey their existing housing stock and neighborhood standards to determine where and how ADUs would best fit their housing needs. This would allow the most diversity of choice and honor the uniqueness of each site.

5. Only one ADU may be created per residence in single-family zones. Multiple detached ADUs may be created in (agricultural) zones, if one of the occupants of each unit is employed by the property owner.

Comment: The first sentence is to "maintain single-family appearance." The second sentence is appropriate in agricultural zones.

6. The property owner, which shall include title holders and contract purchasers, must occupy either the principal unit or the ADU as their permanent residence, but not both, for at least (X) months out of the year, and at no time receive rent for the owner-occupied unit.

Comment: Owner-occupied units are better maintained, and therefore the neighborhood will be better maintained. If the owner has to live on site for more than six months out of the year, they could not own more than one ADU. This would eliminate speculators/developers from developing duplexes throughout an area under the guise of calling them ADUs.

7. An ADU may be developed in either an existing or a new residence.

Comment: This would allow new home builders to plan ahead for "mother-in-law" type units and thus save money now and time and inconvenience later.

8. In no case shall an ADU be more than 40 percent of the building's total floor area, nor more than 800 square feet, nor less than 300 square feet, nor have more than 2 bedrooms, unless in the opinion of the (building official), a greater or lesser amount of floor area is warranted by the circumstances of the particular building.

Comment: Area limitation. See No. 1 under Definition above. The existing structure, the lot size, or the jurisdiction will determine ADU's size.

9. The ADU shall be designed so that, to the degree reasonably feasible, the appearance of the building remains that of a single-family residence.

Comment: To maintain single-family appearance. This is a subjective evaluation and unless specific design standards are adopted by the jurisdiction, this may be difficult to consistently apply.

10. The primary entrance to the ADU shall be located in such a manner as to be unobtrusive from the same view of the building which encompasses the entrance to the principal unit.

Comment: The second entrance is located this way to maintain single-family appearance with an attached ADU. Less restrictive than "no second entry on the street side of the principal unit," but it allows for site restriction that may make a side or rear entry impossible.

11. One off-street parking space, in addition to that which is required by the Ordinance for the underlying zone, shall be provided or as many spaces deemed necessary by the (building official) to accommodate the actual number of vehicles used by occupants of both the primary dwelling and the ADU. Parking spaces include garages, carports, or off-street areas reserved for vehicles.

Comment: Parking requirements may vary from jurisdiction to jurisdiction depending on density of neighborhood, existing neighborhood standards, etc. Other parking options include more than one additional space, tandem parking, or allowing on-street parking.

12. In order 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 UBC.

Comment: This is an accessibility issue.

GRANDFATHERING

1. Option 1.

ADUs created prior to (date) shall be registered with the (building official) for inclusion into the Certificate of Occupancy Program. Application for registration must contain the name of the owner, the address of the unit, the floor area of the two dwelling units, a plot plan of the property, evidence of the date of establishment of the unit, evidence of the use for the six-month period prior to the application for registration, and a signature of the owner.

Comment: This provision would allow the building official to verify the compliance of the ADU to the codes, and to require changes as necessary.

Option 2.

Ignore.

Comment: It would be difficult, and very time consuming, to determine under which codes the ADU was originally constructed.

APPLICATION PROCEDURE

1. Application for a building permit for an ADU shall be made to the (building official) in accordance with the permit procedures established in Section (00.0000), and shall include:

Comment: For building official's plan check.

- a. A letter of application from the owner(s) stating that the owner(s) shall occupy one of the dwelling units on the premises, except for bona fide temporary absences, (for (X) months out of each year).

Comment: This is an owner-occupancy requirement. Limits the owner from "living" in several units at the same time.

2. The registration form or other forms as required by the (building official) shall be filed as a deed restriction with the (county) Department of Records and Elections to indicate the presence of the ADU, the requirement of owner-occupancy, and other standards for maintaining the unit as described above.

Comment: This is for optional use if the owner-occupancy requirement is adopted.

3. The (building official) shall report annually to the (council) on ADU registration, number of units and distribution throughout the (city/county), average size of units, and number and type of complaint and enforcement-related actions.

Comment: This is a local jurisdiction option. This provides a tracking mechanism on the number of ADUs to determine if changes to the Ordinance are needed.

4. Cancellation of an ADU's registration may be accomplished by the owner filing a certificate with the (building official) for recording at the (city/county) Department of Records and Elections, or may occur as a result of enforcement action.
5. This Ordinance shall take effect and be in force five days after passage and legal publication.

Comment: This is a local jurisdiction option.

Appendix B

Summary of Selected Accessory Dwelling Unit Ordinances

City Population	Owner Occupancy Requirement	Location	Size Requirements	Parking Requirements	Public Hearing Required	Design Standards	Allow in New Construction?	Other
Bellevue 99,140	Yes	Attached	Not less than 300 sq. ft.; not more than 800 sq. ft.; ADU shall not exceed 40% of total residence.	1 additional	No	Second entry facing street prohibited.	No (Primary residence must have existed for three years prior to application for ADU permit)	ADU and home occupation not allowed on the same site. No rent may be charged for owner-occupied unit.
Clyde Hill 2,995	Yes	Must be attached to main unit or a detached garage.	Not less than 300 sq. ft.; not more than 900 sq. ft.; ADU shall not exceed 40% of total residence.	1 additional	No	Second entry facing street prohibited. Maintain single-family appearance.	Yes	Utility department must certify that water and sewer facilities are adequate. ADU must have a separate numbered address.
Everett 78,240	Yes	Attached	ADU floor area shall not exceed 35% of total floor area.	3 for principal and ADU	Property owners within 300 ft. may request hearing.	Second entry facing street prohibited. Maintain single-family appearance.	Yes	Separate water and electric meters prohibited. Annual filing of owner occupancy certificate required. When home abuts alley, ADU parking must be off of alley.
Mercer Island 21,270	Principal unit or ADU must be occupied by owner or immediate family member of owner.	Attached or detached.	Not less than 220 sq. ft.; not more than 900 sq. ft.; ADU shall not exceed 40% of primary dwelling, excluding garage.	3 for principal and ADU	No	Second entry facing street prohibited. Additions must be consistent with roof pitch, siding, and windows of principal unit.	Yes	Notice of permit application mailed to property owners within 300 ft. with 14 day comment period.
Richland 35,430	Yes	Attached	Not less than 300 sq. ft.; not more than 800 sq. ft.; ADU shall not exceed 40% of total floor area.	1 additional	No	Second entry within same facade as main entry prohibited.	Yes	ADU may not have separate utility service (except telephone and television).

City Population	Owner Occupancy Requirement	Location	Size Requirements	Parking Requirements	Public Hearing Required	Design Standards	Allow in New Construction?	Other
Spokane 185,600	Yes	Attached	Not less than 300 sq. ft.; not more than 700 sq. ft.; ADU shall not exceed 30% of total floor area or have more than 2 bedrooms.	Must meet standards of underlying zone.	No	Second entry should be on side or rear or "very unobtrusive" from same view encompassing primary entrance.	Yes	Occupancy of ADU limited to family members or persons providing nursing care to owner. Additions for ADU shall not increase sq. ft. of structure by more than 10%. Home occupations prohibited in either principal or ADU unit.
Seattle 531,400	Yes	Attached	Floor area of at least one of the dwelling units shall not exceed 1,000 sq. ft.	2 parking spaces required (1 for primary unit and 1 for ADU)	No	Only one entrance may be located on each front or street side of residence.	Yes	Notice of permit issuance mailed to property owners within 200 ft. explaining standards and procedure for filing complaints.
Tacoma 182,800	Yes	Attached	Not less than 300 sq. ft.; not more than 800 sq. ft.; shall not exceed 33% of total floor area.	1 additional. (Must be located in rear of lot where access is available)	No	Second entry within same facade as main entry prohibited. Additions must be consistent with existing facade, roof pitch, siding and windows.	Yes	Notice of permit issuance mailed to property owners within 400 ft. Home occupations allowed in either ADU or main building, but not both.
Tumwater 11,200	Yes	Within existing (at least 2 years old) attached or detached structures.	Principal and accessory structures must have at least 2,000 sq. ft. gross floor area; ADU shall not exceed 25% of total floor area and can have no more than 2 bedrooms.	1 additional	No	Only one entrance may be visible from front. No external evidence of occupancy by more than one family.	No (may be installed only in structures at least two years old)	No additions to existing floor area allowed for conversion.
Walla Walla 28,730	Yes	Attached or detached	Not more than 800 sq. ft. or 33% of living area of primary structure, whichever is smaller.	1 additional (must be in rear or on a driveway)	No	No more than one entrance on front of house.	Yes	Home occupations prohibited. Reasonable deviations from standards allowed to facilitate accessibility for people with disabilities.

Appendix C



City of Bellevue
Design & Development Department
455-6864

ACCESSORY DWELLING UNIT Registration Application

INTAKE DATE	TECH INITIALS	PROJECT FILE #
-------------	---------------	----------------

Property Address _____ Zip Code _____

Owner _____ Phone _____

Mailing Address _____ City, State, Zip _____

Legal Description (attach if necessary) _____

Tax Assessor's # _____ Construction of original residence completed in 19 _____

Total square footage of residence (including accessory unit & excluding garage) _____

Square footage of accessory unit only _____

DESIGN & USE REQUIREMENTS: (See section 20.20.120 of the Bellevue Land Use Code for complete regulations)

1. One accessory unit is permitted as a subordinate use within an existing single family dwelling.
2. The primary unit or accessory unit must be owner occupied.
3. Only homes at least 3 years old at the time of application may have an accessory unit.
4. The accessory unit must be a least 300 sq. ft. and not more than 800 sq. ft unless approved by the Design & Development department. The accessory unit cannot exceed 40% of the total living area (excluding garage) of the residence, including the accessory unit.
5. Total residents of both units must not exceed City's definition of family (6 unrelated individuals).
6. Off-street parking equal to one more than required by underlying zoning (typically 3 total spaces) must be provided.
7. Only one front door entrance; additional entrances are permitted on the side and rear of the house.
8. Accessory units are not permitted in structures detached from the primary residence, including but not limited to guest cottages, detached garages, or workshops.
9. The accessory unit must meet all technical code standards (Title 23, BCC, including building, electrical, fire, and plumbing code requirements).
10. A site may not contain both an accessory unit and a business subject to the regulations in 20.30N for a Class A or Class B Home Occupation Permit.
11. An accessory unit may not be subdivided or otherwise segregated in ownership from the primary residence.
12. After approval by the City of Bellevue and registration with King County, all neighbors within 200 feet of the residence will be notified of the existence of the accessory dwelling unit.

I certify that I am the owner of the residence and have read the Design & Use requirements listed above. I also certify that the information I have given is correct and that I now comply and will continue to comply with all the above listed requirements.

Signed by Owner _____

FOR OFFICE USE ONLY	
☐ Approved	☐ Approved > 800 sf
☐ Denied	
Design & Development	Date

ACCESSORY DWELLING UNIT (ADU) Code Compliance Inspection

2/94

Your ADU must be inspected by a Code Compliance Officer prior to final occupancy approval. This inspection is separate from the building inspection required for all remodeling permits. Please contact the Code Compliance Officer assigned to your ADU permit, or call 455-6875 to schedule an inspection. ■ If you have any questions concerning your application submittal, please visit or call the Permit Center (455-6864) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4).

The Code Compliance Officer will inspect for the following minimum technical code standards necessary for ADU approval:

INSPECTION CHECKLIST**MINIMUM STANDARDS****Exit Facilities and
Emergency Escapes**

1. For every sleeping room – At least one operable window or door approved for emergency escape directly to the outside and conforming to the following unobstructed dimensions:
 - Minimum net clear openable area 5.7 sq. ft.
 - Minimum net clear openable height 24 inches
 - Minimum net clear openable width 20 inches
 - Minimum finished sill height above floor 44 inches
2. Bars, grills, or grates – Equipped with approved release mechanisms which are openable from the inside without the use of a key or special knowledge or effort.

Light and Ventilation

1. Natural light for all rooms -- Exterior glazed openings with an area not less than one-tenth of the floor area of the room, with a minimum of 10 square feet.
2. Natural ventilation for all rooms -- Openable exterior openings with an area of not less than one-twentieth of the floor area of the room, with a minimum of 5 square feet.
3. Natural ventilation for bathrooms, laundry rooms, and similar rooms
 - Openable exterior openings with an area not less than one-twentieth of the floor area of the room, with a minimum of 1½ square feet OR
 - A mechanical ventilation system connected directly to the outside, capable of providing 5 air changes per hour. The point of discharge of exhaust air must be at least 3 feet from any opening into the building.

(OVER)

Room Dimensions	1. Ceiling height -- Not less than 7 feet 6 inches. Exception: Kitchens, halls, and bathrooms -- not less than 7 feet. 2. At least one room must have not less than 120 square feet of floor area; other rooms (except kitchens), not less than 70 square feet.
Smoke Detectors	1. Installed in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. 2. Installed in the hallway and in the adjacent room where the ceiling height of a room open to a hallway serving bedrooms exceeds that of the hallway by 24 inches or more.
Efficiency Dwelling Units	Must conform to other requirements of the code, except the unit must have: 1. A living room of not less than 220 square feet, with an additional 100 square feet for each occupant of the unit in excess of two. 2. A separate closet. 3. A kitchen sink, cooking appliances, and a refrigerator -- Each having not only a clear working space of not less than 30 inches in front, but also light and ventilation. 4. A separate bathroom containing a toilet, wash basin, and bathtub or shower.
Special Hazards*	1. Visual observation of possible electrical hazards: wiring, switches, outlets, fixtures, panel, etc., that appear unusual. 2. Visual observation of possible mechanical hazards: chimney, woodstove, fireplace, etc. * Note: If possible hazards to the life or safety of occupants are noted, a City inspector may be called in to verify conditions, and the owner may be <u>required</u> to make necessary corrections.



After Recording Mail To:

City of Everett
Department of Community Development
and Planning
3002 Wetmore Avenue
Everett, WA 98201

CITY OF EVERETT
ACCESSORY DWELLING UNIT COVENANT

THIS COVENANT is executed this _____ day of _____,
19____, by _____,
hereinafter referred to as "Owner."

RECITALS

WHEREAS, Owner is the owner of the following described property
on which a principal residential structure and an accessory
dwelling unit exist:

_____ ; and

WHEREAS, Owner has made application to the City of Everett for a
permit for an accessory dwelling unit in accordance with the
provisions of the City of Everett Zoning Code, Title 19 of the
Everett Municipal Code; and

WHEREAS, as a condition of approval of a permit for an accessory
dwelling unit Owner is required to provide a covenant in
accordance with the provisions of the City of Everett Zoning
Code;

NOW, THEREFORE, Owner does hereby covenant and agree as follows:

1. An accessory dwelling unit within Owner's single family
residence located on the herein described property is
permitted by the City of Everett subject to the conditions
set forth in the City of Everett Zoning Code, Chapter 19.39
as amended or hereafter superseded.

2. The permit for the accessory dwelling unit is issued to the Owner personally. This covenant does not run with the land. In addition to the requirements of Paragraph 1 herein, the continued existence of the accessory dwelling unit is predicated upon Owner's continued occupancy of the principal residential structure on the herein described property.
3. In the event there is a violation of any of the conditions of approval of the permit for the accessory dwelling unit, the Owner is to provide for the removal of all improvements added to covent the subject premises to an accessory dwelling unit and provide for complete restoration of the site to a single family dwelling.

OWNER

By: _____

By: _____

STATE OF WASHINGTON)

ss.

COUNTY OF SNOHOMISH)

On this day personally appeared before me _____
_____ to me known to be the individual(s)
described in and who executed the within and foregoing
instrument, and acknowledged that he/she/they signed the same as
his/her/their free and voluntary act and deed, for the uses and
purposes therein mentioned.

Dated: _____

(Seal or stamp)

(Signature of notary public)

Title

My appointment expires: _____



CITY OF EVERETT
ACCESSORY DWELLING UNIT
OWNER'S CERTIFICATE OF OCCUPANCY
FILE # _____
ADDRESS _____

KNOW all men by these presents:

That, the undersigned, deposes and states that the undersigned owns the property described by this certification; and does hereby certify that the undersigned resides at said property as the undersigned's permanent and principal residence. This certification is required by Chapter 19.39 of the Everett Municipal Code as a condition of the continued use of an accessory dwelling unit located within the residence described herein and commonly referred to as _____ (address).

(Legal Description of property on which residence is located)

Dated this _____ day of _____, 19____.

Signature _____ X _____

STATE OF WASHINGTON)

ss

COUNTY OF SNOHOMISH)

On this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____ and _____, executed the within and foregoing dedication, and acknowledged the said dedication to be of free and voluntary act for the uses and purposes therein mentioned in this instrument.

Dated: _____

(Seal or stamp)

(Signature of notary public)

Title

My appointment expires: _____

City of Redmond

Instructions for Filing Application

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

GENERAL DEVELOPMENT PERMIT - ACCESSORY DWELLING UNIT

The following information must be submitted with the application:

1. A written description of the interior and exterior modifications that will be done to accommodate the accessory dwelling, the location on site, and the square footage of the accessory dwelling unit.
2. A written statement explaining how this proposal meets the criteria contained in Section 20C.20.012 - Accessory Dwelling Units.
3. A copy of any covenants, conditions and restrictions (CC & R's) affecting the property. If there are no CC & R's affecting the property, a written statement that indicates no CC & R's affect the proposal shall be submitted.
4. Legal description and King County Tax Assessment Number for the property.
5. Vicinity map showing location of subject property.
6. Names and addresses of adjoining property owners (available from King County Assessor's Office).
7. A site plan showing dwelling location, elevation changes to dwelling, if any, and location of parking to serve accessory unit. (15 copies required)
8. Explanation of any modifications to existing codes or standards if proposed.
9. Affidavit of ownership/occupancy and parking status.
10. Additional information may be required by the Technical Committee. The applicant will be notified in writing if necessary.

NOTE: Approval of the General Development Permit does not exempt the proposal from any covenant, condition or restriction which may be in effect at the time of issuance. It is the owners responsibility to comply with any CC & R's; City review of covenants are not intended to be a determination of compliance.

Rev. 10/10/90

c:\Forms\Form80

AFFIDAVIT OF OWNER - OCCUPANCY AND ON-SITE PARKING

I understand that for the purposes of establishing an accessory dwelling unit in the City of Redmond the single family dwelling in which such a unit is created must be owner-occupied, per Section 20C.20.012(10) of the Redmond Community Development Guide.

"Owner-occupied" shall be defined as the primary, established, fixed, or permanent dwelling place owned by a person in which he or she lives and intends to be his or her legal residence and to which he or she intends to return despite temporary residences elsewhere or despite temporary absences.

Also, Section 20C.20.012(15) Parking - stipulates that the dwelling in which the accessory dwelling unit is provided shall have adequate off-street parking, in addition to that which is provided for the single family dwelling. One additional off-street parking space must be provided for the accessory dwelling unit. Off-street parking includes private garages, carports, or off-street areas reserved for vehicles.

I hereby acknowledge compliance with the owner-occupancy and parking provisions of the Redmond Community Development Guide, Section 20C.20.012 Accessory Dwelling Units.

Signature of Applicant

20C.20.012(25) Penalty for Violations - In addition to all other penalties provided elsewhere in the Redmond Municipal Code and Community Development Guide, each owner of a structure who maintains or permits an accessory unit therein in violation of any provision of this Section 20C.20.012, shall be subject to a civil penalty in the amount of One Hundred Dollars (\$100) per day, for each day the violation is allowed to persist after receiving notice thereof from the Code Administrator.

Application to Establish an Accessory Dwelling Unit

Project Number _____

Address _____

Owner _____ Daytime Phone # _____

Assessor's Parcel Number _____

Submit this form along with required plans and other documents.

Parking Waiver Request, if necessary

1000 Max. sq. ft. Waiver Request, if necessary

Name(s) of Tenant(s) _____ Phone: _____

_____ Phone: _____

_____ Phone: _____

Owner Occupancy Certificate, completed and notarized

Date Unit was Created (to best of your knowledge): _____

Value of Construction Work Needed to Legalize Unit: _____

Copy of the Contractor's Registration/Lien Law Form (completed)

Copy of Agent's Authorization Letter from Owner (If agent)

Applicant's Name _____ Date received _____
(PLEASE PRINT)

Applicant Signature _____ Date signed _____

Relationship of applicant: (circle one) owner, agent, architect, contractor, engineer

Receipt # _____ Date of receipt _____

For DCLU Use only

Project #	Address	Zone	Type	Parking Waiver?	Granted?	Parking Spaces Provided	Size of Unit	HOUSING/ZONING		
								OK No corrections	OK w/checklist	Denied

SAMPLE

NOTICE OF ISSUANCE OF A PERMIT
for an
ACCESSORY DWELLING UNIT

Dear Resident:

Although accessory dwelling units have existed in the City of Seattle for many years, the City's Land Use Code did not allow for their legal establishment until the enactment of new legislation effective December 1, 1994. The City Council decided to allow these units in single family homes in order to promote availability of affordable housing. The Council established a number of regulations and safeguards to ensure that these units can be accommodated appropriately in single family neighborhoods.

This notice is to inform you that your neighbor at _____ has been issued a permit for an accessory dwelling unit. The unit complies with the standards and conditions of the legislation and has been inspected by the Department of Construction and Land Use.

Proj. No. _____ Permit No. _____ Issue Date: _____

Project description:

Permit to establish an accessory dwelling unit in a single family residence.

REQUIREMENTS FOR MAINTAINING THE USE

Standard Requirements:

1. One unit must be owner-occupied.
2. One accessory unit is permitted per lot.
3. One off street parking space for each unit is required. Waivers are available.
4. Accessory unit may not be located in a detached structure.
5. Accessory unit may not exceed 1000 sq. ft. Waiver for size is available for an existing unit that becomes legal.
6. If unrelated persons occupy either unit, the maximum number of persons for the whole structure is eight. If all persons in each unit are related, there is no maximum number of persons. (This will allow two separate households, unrelated to each other, to occupy the structure with no maximum number of related persons per unit.)
7. Only one entrance may be located on each front or street side unless the entrance already existed as of January 1, 1993.
8. Accessory Dwelling Unit permit must have a final permit inspection within no more than 2 years from the date of application.

Special Requirements and/or Waivers Granted for this Project:

This permit will continue to be in effect unless revoked by the owner or by the City as a result of code compliance action for violations of the Accessory Dwelling Unit requirements. Violations of the above standard and special requirements can be reported to the Housing and Zoning Enforcement Division at 684-7899.

To obtain general information about Accessory Housing in the City of Seattle or about the application process, please call 684-8850 and ask to speak to a Land Use Technician.

ACCESSORY DWELLING UNIT
CONCOMITANT AGREEMENT

This AGREEMENT, entered into this _____ day of _____, 1995, by and between _____, hereinafter referred to as the "Applicant" and the CITY OF TACOMA, Washington, a municipal corporation, hereinafter referred to as the "City,"

W I T N E S S E T H:

WHEREAS the Applicant has applied for an Accessory Dwelling Unit (ADU);

WHEREAS the City and the Applicant are both interested in complying with the Land Use Management Plan and the ordinances of the City of Tacoma relating to the provision of ADUs;

WHEREAS the Applicant is the property owner (i.e. title holder or contract purchaser) of the property described as follows:

hereinafter sometimes referred to as the "Site," and

WHEREAS the Applicant has indicated willingness to cooperate with the Building and Land Use Services (BLUS) Division of the City Public Works Department, and the Hearings Examiner of the City to ensure compliance with all City Ordinances and all other local, state, and federal laws relating to the use and development of the Site; and

WHEREAS the City, in addition to civil and criminal sanctions available by law, desires to enforce the rights and interests of the public by this Concomitant Agreement;

NOW, THEREFORE, the Applicant does hereby covenant and agree as follows:

CONCOMITANT AGREEMENT - 1

f:\kjc\agtl\adu.doc

1. The Applicant promises to comply with all terms of this agreement;
2. The Applicant hereby agrees to be bound by and to comply with the following requirements, which shall not be subject to waiver or variance:

A. *Number One* ADU shall be allowed per residential lot as a subordinate use in conjunction with any new or existing single family structure in the City of Tacoma.

B. *Occupancy* Occupancy shall be limited to the following: No more than two persons in a unit of 300-400 square feet, no more than three persons in a unit ranging from 401-600 square feet, and no more than four persons in a unit ranging from 601-800 square feet.

C. *Location* The ADU shall be permitted as a second dwelling unit added to or created within the main building.

D. *Composition* The ADU shall include facilities for cooking, living, sanitation and sleeping.

E. *Size* The ADU, excluding any garage area and other non-living areas such as workshops or greenhouses, shall not exceed 33% of the total square footage of the main building and the ADU combined after modification. The ADU shall not contain less than 300 square feet nor more than 800 square feet.

F. *Ownership* The property owner (i.e. title holder or contract purchaser) must maintain his/her residency in the main building or the ADU. Owners shall sign an affidavit which attests to their residency and attests that at no time shall they receive rent for the owner-residency unit. Falsely attesting owner-residency shall be a misdemeanor subject to a fine not to exceed \$5,000, including all statutory costs, assessments and fees. In addition, ADUs shall not be subdivided or otherwise segregated in ownership from the main building.

G. *Design* An ADU shall be designed to maintain the architectural design, style, appearance and character of the main building as a single-family residence. If an ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing facade, roof pitch, siding and windows. Only one entrance for the main building is

permitted to be located in the front facade of the dwelling. If a separate outside entrance is necessary for an ADU, it must be located either off the rear or side of the main building. Such entrance must not be visible from the same view of the building which encompasses the main entrance to the main building and must provide a measure of visual privacy.

H. *Parking* One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the main building, pursuant to Section 13.06.350 of the Tacoma Municipal Code. Such parking must be provided in the rear of the lot where adequate access is available. Adequate access shall be defined as a dedicated street or alley with a minimum gravel surface.

I. *Home Occupations* Home occupations shall be allowed, subject to an existing regulations, in either the ADU or the main building, but not both.

J. *Concomitant Agreement* Upon issuance of an ADU permit by the City, a property owner must record with the Pierce County Auditor a Concomitant Agreement. Specific procedures are identified in subsection (B)(5).

K. *Legalization of Nonconforming ADUs* Nonconforming ADUs existing prior to the enactment of these requirements may be found to be legal if the property owner applies for an ADU permit prior to December 31, 1995, and brings the unit up to Minimum Housing Code standards. After January 1, 1996, owners of illegal ADUs shall be guilty of a misdemeanor and upon conviction thereof, subject to a fine not to exceed \$1,000, including all statutory costs, assessments, and fees, plus \$75 per day after notice of the violation has been made. All owners of illegal ADUs shall also be required to either legalize the unit or to remove it.

3. Applicant agrees and understands that prior to obtaining a final Certificate of Approval, all required improvements shall have been completed and accepted by the City.

4. No modifications of this agreement shall be made unless mutually agreed upon by the parties in writing.

5. The City may, at its discretion, bring a lawsuit to compel specific performance of the terms of this agreement. In addition to all other remedies

available to the City by law, the City reserves the right to revoke its approval of the ADU permit should the Applicant fail to comply with any of the terms and conditions of this agreement.

6. If any condition or covenant herein is not performed by the Applicant, the Applicant hereby consents to entry upon the Site by the City of Tacoma or any entity, individual, person or corporation acting on behalf of the City of Tacoma for purposes of curing said defect and performing said condition or covenant. Should the City in its discretion exercise the rights granted herein to cure said defect, the Applicant, his successors and assigns, consent to the entry of the City on the above described property and waive all claims for damages of any kind whatsoever arising from such activity and the Applicant further agrees to pay the City all costs incurred by the City in remedying said defects or conditions. The obligations contained in this section are covenants running with the land, and burden the successors and assigns of the respective parties. Upon the sale of the property a new owner shall be required to sign a new affidavit of residency pursuant to Tacoma Municipal Code 13.06.196B.3.

7. In the event that any term or clause of this agreement conflicts with applicable law, such conflict shall not affect other terms of this agreement which can be given effect without the conflicting term or clause, and to this end, the terms of this agreement are declared to be severable.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year first above written.

CITY OF TACOMA

Attest:

City Clerk

By: _____
MAYOR

Legal Description Approved:

Director of Planning

(Applicant Name)

Approved as to form:

Assistant City Attorney

By: _____
Title: _____

STATE OF WASHINGTON)

)ss.

County of Pierce)

I, THE UNDERSIGNED, a Notary Public in and for the State of Washington, do hereby certify that on this ____ day of _____, 19____, personally appeared before me _____, to me known to be the individual(s) who executed the above instrument, and acknowledged said instrument to be their free and voluntary act and deed, for the uses and purposes above mentioned.

GIVEN under my hand and official seal the day and year last above written.

NOTARY PUBLIC in and for the state of
Washington, residing at: _____
My commission expires: _____

Gores, Alanna

From: Virginia Shogren <vshogren@gmail.com>
Sent: Thursday, March 3, 2022 2:18 PM
To: Gores, Alanna; Ozias, Mark; Johnson, Randy; Peach, Bill
Cc: Fleming, Holden
Subject: Proposed Amendments to Chapter 33.50 - Accessory Housing

Re: Proposed Ordinance Amending Clallam County Code Title 33 Zoning (Accessory Housing)

Dear 'Commissioners',

The proposed amendments to Chapter 33.50 do not adhere to basic planning rules and zoning laws for Clallam County and must be rejected.

33.50.010(4) proposed amendment purports to apply the amendments to all property in the County, not limited to the UGAs. Such amendment is contrary to the zoning protections for properties outside the UGA and would render designations such as R5 meaningless, as habitable structures would be constructed within 300 feet of any residence. Growth and density is properly encouraged in the cities and UGA to prevent sprawl and loss of rural character. This amendment is intentionally circumventing the plain language and intent of the zoning laws and purpose of UGA designations.

33.50.030(1) proposed amendment removes the requirements of the UBC from these added structures. Clearly an attempt to circumvent existing planning laws and building requirements.

33.50.040(2)(a) proposed amendment removes all compliance requirements for minimum lot sizes of the underlying zone, including parcels not meeting the minimum lot size requirement for detached ADUs. Zoning laws may not be undermined or altered through use of an ADU designation. A habitable structure (with bathrooms/septic hook up) is a habitable structure. Zoning laws exist for a reason and must be followed by the County.

33.50.040(4)(d) proposed amendment would permit separate habitable buildings regardless of minimum lot size, zoning designation, or UGA status to be constructed '300 feet from each other'. This amendment violates basic zoning laws and rules, minimum lot size requirements, the Comprehensive Plan, and would green light sprawl throughout Clallam County with corresponding loss of rural character and tourism income.

The existing ADU provisions are more than adequate to allow for desired ADU development consistent with our zoning laws and planning documents.

Density growth must be consistent with existing zoning and UGA designations, and ADUs may not be used to circumvent and render meaningless long-standing zoning and planning measures in place for Clallam County.

Sincerely,

Virginia Shogren
961 W. Oak Court
Sequim, WA 98382

Gores, Alanna

From: Dale &
Sent: Thursday, March 3, 2022 3:01 PM
To: Gores, Alanna
Subject: Comment on Draft Policy/Ordinance

To: commissioners@co.clallam.wa.us (Board of Commissioners)

This message was sent via the Clallam Website Email Form 03-03-2022.

Name: Dale & Martha McKeeth Ireland

Email: irelands@olypen.com

Subject: Comment on Draft Policy/Ordinance

Comments: We support the proposed amendments to the ADU code. They appear well thought out to provide clarity and flexibility to meet the reasonable needs of most property owners, while also protecting the interests of neighbors.

Gores, Alanna

From: Jubilee3 <jubilee3@olypen.com>
Sent: Thursday, March 3, 2022 10:28 PM
To: Gores, Alanna
Subject: ADU comments

Dear Folks,

I was surprised to read that I had missed a public hearing about potential changes to code for ADUs. I have been very interested in this and have been expecting there would be some discussion ever since the county offered expedited plans for tiny houses last year. I read the PDN online every day and get the Sequim Gazette and search Clallam.net frequently and I saw nothing about this ADU public hearing. After the fact I found a notice about a Feb. 14 hearing about ADUs, but I could find no mention of ADUs on the agenda. I agree with Commissioner Randy Johnson that the county has not reached out to the community to get public input.

I have been a small scale landlord for decades and understand the difficulty of finding affordable housing in Clallam County. Our older population needs to do more to accommodate younger people living among us. I was a real estate appraiser for 22 years in the San Francisco bay area and remember when California eased its restriction on second units on residential city lots, and I built one next to my home and rented it to traveling nurses. It is time to do that in Clallam county on these large county parcels.

I have a 1.27 acre lot with a private well and septic. I have a detached 400 ft.² heated building that I currently use as an art studio but it could easily be transformed into an ADU. This would give me the future option to have family living in the main house and me in my sweet little granny unit with a view. But not under the current code.

Tiny houses are not the answer for an older population. I know several people who have looked into tiny houses but are not willing or able to climb a ladder to sleep in a loft. One friend is building a classy 600 ft.² ADU on her daughter's larger acreage. We need to expand these possibilities.

I think that most people do not know what "ADU" and "accessory dwelling units" means. Why not just call them second units in public settings so people know what you are talking about? (In California they were called "Granny units" even by planning staff and everybody understood.) I would like to suggest that you make a concerted effort to inform the public about the possibilities of second units and give ample time to consider and respond to proposed code changes.

Best regards,
Julia Johnson
411 Livengood Lane
Sequim

Gores, Alanna

From: Ozias, Mark
Sent: Friday, March 4, 2022 2:00 PM
To: Ron Gilles
Cc: Gores, Alanna
Subject: Re: ADU updating

Ron,

Thanks for writing; I have included the Clerk of the Board on this reply to ensure that all of the Commissioners have the chance to see your note.

One of the specific considerations we have asked DCD for additional analysis about relate to the impact of reducing the minimum size to 1.25 acres.

Sincerely,

Mark Ozias
Clallam County Commissioner

From: Ron Gilles <rgilles@olypen.com>
Sent: Friday, March 4, 2022 12:54 PM
To: Ozias, Mark
Cc: Clark, Donella
Subject: ADU updating

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

Mark & Donella,

Just heard from Marguerite Glover at our MLS meeting about the County planning to update the ADU ordinance.

I would like to be able to send comments in for review. In addition, there are other brokers that would like to make comments too since we deal with a lot of land sales in the County.

So basis comments I have are as follows;

Would like to see if possible that the minimum acreage of 1.5 acres that an ADU is allowed be reduced to 1.00 acre because of the Affordable Housing issues we are facing here in Sequim & Port Angeles?

Would also like to see that a Park model type home be allowed if connected to the proper utilities like septic/sewer, water & power?

Also an RV or travel trailer if connected to the proper utilities like septic/sewer, water & power?
We had to use our travel trailer for housing for friend of my wife Andrea to stay in for a week last year. Because she had a recent kidney transplant and the Covid issues going required isolation for her protection. So this important option to have available.

These are some of the main items on my list right now.

Thanks,

Ron Gilles

Designated Broker, GRI, CNE, ABR, CRS

Professional Real Estate

329 S. Sequim Avenue

Office 360.683.3564 -- Fax 360.683.3956

Cell 360.808.2242

ron@realestatesequim.com

Mailing

P.O. Box 607

Sequim, WA 98382

Gores, Alanna

From: Don Tucker <dontucker@hvalley.net>
Sent: Wednesday, March 9, 2022 9:02 AM
To: Gores, Alanna
Cc: Ozias, Mark; Ballard, Greg
Subject: ADU comments for March 29 meeting

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

Dear Commissioners;

I am in favor of the ADU ordinance with one exception;

1. Chapter 33.50.030

part (2) Structure Type excludes recreational vehicles. Should read as follows;

Park model homes as defined under ANSI 119.5 (as defined in RCW 46.04.622) are allowed as ADU's under this chapter.

That will adequately exclude other types of recreational vehicles which contain their own wastewater holding tanks and are only made for recreational uses. Washington state RCW's clearly acknowledge that Park Model Homes when set up on a permanent foundation are even taxed as real estate when set up on a permanent foundation (RCW 82.45.032 (6)).

Park model homes are affordable. Approximately 900 residents of Clallam County already live in park model homes. Many have already been set-up as ADU's. DCD even indicated that they thought park models would make excellent ADU's. The city of Port Angeles on December 22 decided to allow park models homes within the city limits....they fall under their definition of "cottage homes."

Please include Park Model Homes as an acceptable structure type.

Regards, Don Tucker

Gores, Alanna

From: larjdyng@olypen.com
Sent: Friday, March 18, 2022 3:24 PM
To: Gores, Alanna
Cc: larjdyng@olypen.com; PPF@olympus.net
Subject: Proposed Amendments to Chapter 33.50 - Accessory Housing
Attachments: 3-18-22 ADU Lt to CCC'rs(1).docx

Dear Commissioners:

Please see attached comments for your consideration and for the record from Protect the Peninsulas' Future.

Sincerely,
Judy Larson, President



Protect the Peninsula's Future
P.O. Box 421
Sequim, WA 98382
<https://www.protectpeninsulafuture.org/>

18 March 2022

RE: Amending Clallam County Code Title 33.50 Zoning,

Dear Commissioners:

Protect the Peninsula's Future (PPF) is a nonprofit public benefit corporation engaged in environmental protection and wise land use on the North Olympic Peninsula since 1973. At our 13 March 2022 PPF Board Meeting, the proposed ordinance as well as comments provided by myself at your 1 March 2022 Public Hearing and those submitted to you on 3 March 2022 by Virginia Shogren were considered.

The PPF Board voted to add to your record that PPF opposes the proposed ordinance "Amending Clallam County Code Title 33.50 Zoning," and asks to have our comments incorporated, including the substantive points provided in all Larson and Shogren comments, into the record. Indeed, under RCW 36.70A the Growth Management Act (GMA), a local jurisdiction's development regulations must be made in conformity with its comprehensive plan (.120) which is to be established by major public information and input, and must be consistent with the Act's goals (.020) and definitions (.030)-especially (23,24,25).

This proposed amendment would violate the meaningfulness: of zoning laws, preservation of neighborhood and rural character, owners' rights for what was their choice for property characteristics and associated value, AND the protection of our County's environment. It has been presented without careful SEPA analysis of its varying county-wide environmental impacts.

At your Public Hearing, Commissioners' discussion even raised the idea of allowing ADUs on smaller size parcels. Discussions for increasing opportunities for ADUs need to focus on UGA areas, where parcels have appropriate infrastructure available to accommodate increased density. (Even the 2022 State Legislature's Bills regarding ADUs pertained only to UGAs.)

Please do not pass this proposed amended ordinance. If you decide to proceed with voting for it, we believe that it is questionable that such a decision would do well if a case needs to be brought before the Growth Management Hearing Board.

Respectfully submitted on behalf of Protect the Peninsula's Future,
Judy Larson, President (360.683.3265)
Protect the Peninsula's Future
P.O.Box 421
Sequim, WA 98382

Gores, Alanna

From: larjdyng@olypen.com
Sent: Saturday, March 19, 2022 3:25 PM
To: Gores, Alanna
Cc: larjdyng@olypen.com; PPF@olympus.net
Subject: Fwd: Proposed Amendments to Chapter 33.50 - Accessory Housing
Attachments: 3-18-22 ADU Lt to CCC'rs(1).docx

Dear Clerk of the Board,

I have noted that the Peninsula Daily News article dated 3/2/22 indicated comments should be sent to your attention.

Protect the Peninsula's Future(PPF) thanks you for getting this into the record and to the Commissioners for their 3/21/22 session.

Sincerely,
Judy Larson, PPF President

----- Original Message -----

Subject: Proposed Amendments to Chapter 33.50 - Accessory Housing

Date: 2022-03-18 15:23

From: larjdyng@olypen.com

To: commissioners@co.clallam.wa.us

Cc: larjdyng@olypen.com, PPF@olympus.net

Dear Commissioners:

Please see attached comments for your consideration and for the record from Protect the Peninsulas' Future.

Sincerely,
Judy Larson, President



Protect the Peninsula's Future
P.O. Box 421
Sequim, WA 98382
<https://www.protectpeninsulafuture.org/>

18 March 2022

RE: Amending Clallam County Code Title 33.50 Zoning,

Dear Commissioners:

Protect the Peninsula's Future (PPF) is a nonprofit public benefit corporation engaged in environmental protection and wise land use on the North Olympic Peninsula since 1973. At our 13 March 2022 PPF Board Meeting, the proposed ordinance as well as comments provided by myself at your 1 March 2022 Public Hearing and those submitted to you on 3 March 2022 by Virginia Shogren were considered.

The PPF Board voted to add to your record that PPF opposes the proposed ordinance "Amending Clallam County Code Title 33.50 Zoning," and asks to have our comments incorporated, including the substantive points provided in all Larson and Shogren comments, into the record. Indeed, under RCW 36.70A the Growth Management Act (GMA), a local jurisdiction's development regulations must be made in conformity with its comprehensive plan (.120) which is to be established by major public information and input, and must be consistent with the Act's goals (.020) and definitions (.030)-especially (23,24,25).

This proposed amendment would violate the meaningfulness: of zoning laws, preservation of neighborhood and rural character, owners' rights for what was their choice for property characteristics and associated value, AND the protection of our County's environment. It has been presented without careful SEPA analysis of its varying county-wide environmental impacts.

At your Public Hearing, Commissioners' discussion even raised the idea of allowing ADUs on smaller size parcels. Discussions for increasing opportunities for ADUs need to focus on UGA areas, where parcels have appropriate infrastructure available to accommodate increased density. (Even the 2022 State Legislature's Bills regarding ADUs pertained only to UGAs.)

Please do not pass this proposed amended ordinance. If you decide to proceed with voting for it, we believe that it is questionable that such a decision would do well if a case needs to be brought before the Growth Management Hearing Board.

Respectfully submitted on behalf of Protect the Peninsula's Future,
Judy Larson, President (360.683.3265)
Protect the Peninsula's Future
P.O.Box 421
Sequim, WA 98382

Gores, Alanna

From: Freda and Mike Tallmadge <talls@olypen.com>
Sent: Monday, March 21, 2022 9:08 AM
To: Gores, Alanna
Subject: Comment on Draft Policy/Ordinance

To: commissioners@co.clallam.wa.us (Board of Commissioners)

This message was sent via the Clallam Website Email Form 03-21-2022.

Name: Freda and Mike Tallmadge

Email: talls@olypen.com

Subject: Comment on Draft Policy/Ordinance

Comments: We understand that changes are in the world to use the size of an existing home to decide the size of an accessory dwelling. That just seems totally wrong. It doesn't make any sense at all. You should just decide on a limit to floor space for ANY accessory dwelling. Thank you. Freda & Mike Tallmadge

Gores, Alanna

From: larjdyng@olypen.com
Sent: Monday, March 21, 2022 9:23 AM
To: Gores, Alanna; Gores, Alanna
Cc: larjdyng@olypen.com
Subject: Follow-up concerns/comments about proposed ordinance amending CCC33.50
Attachments: ADU FAQs FINAL.pdf; EH ADU Information Sheet.pdf; ADUordrecommendations.pdf

Commissioners:

On Sunday, 3/20/22, I was able to review the materials (pp185-286) posted for your 3/21/22 Work Session which I plan to attend by audio Zoom. I am unsure whether you allow for direct participation, so again I ask that you address my 3/1/22, these 3/3/22 concerns, as well as Virginia Shogren's and the Protect the Peninsula's Future input -which incorporates all Larson and Shogren concerns.

The parcel summary and map on p224 shows many parcels are in the area effected by the Dungeness Water Rule. At the Dungeness River Management Team 3/8/22 meeting, Mike Gallagher with WA DOE indicated new housing units requiring wells would need separate Certificates. It also appears that parcels with R1 and R5 zoning would be disproportionately effected.

The details (p204) about Thurston County's recent ADU ordinance changes, indicates how it was determined that parcels had to meet the minimum lot size of requirements for the underlying zone.

Information I was able to review on "clallam.net" shows that all of you own large parcels that would not be so adversely impacted by the proposed changes. The county-wide application of the proposed changes is ill-considered and has not been sufficiently reviewed for GMA and cumulative environmental concerns. Increasing housing stock with ADUs should be considered for UGA areas which have appropriate, planned infrastructure for increased density.

Sincerely,
Judy Larson
1070 W. Palo Verde Loop
Sequim,WA

----- Original Message -----

Subject: Additional concerns/comments about proposed ordinance concerning ADUs

Date: 2022-03-03 11:52

From: larjdyng@olypen.com

To: commissioners@co.clallam.wa.us, agores@co.clallam.wa.us, hfleming@co.clallam.wa.us,
lleach@peninsuladailynews.com

Cc: larjdyng@olypen.com

Commissioners:

Please add the following to the record and for your consideration and staff attention:

*I have noted that on 3/2/22, the PDN (p.1 & p.4) actually provided the public with some detailed coverage about this proposed ordinance.

However, I found some inconsistencies reported compared to what I heard discussed at your 3/1/22 Public Hearing. I hope you can have staff review and send corrections to the PDN about acreage error information and what seemed to be additional intended changes you will be considering.

*I am attaching more background details about WA state ADU ordinances and especially ask that you review the Thurston County 12/15/2020 ADU ordinance update information. Besides adding this to your record, I hope you can include a discussion of these materials at your 3/21/22 Work Session.

Thank you for your consideration again. (I may continue to provide future input before you make your decision.)

Respectfully,
Judy Larson
1070 W. Palo Verde Loop
Sequim,WA



ACCESSORY DWELLING UNITS (ADU)

Frequently Asked Questions

04.02.21

On December 15, 2020 the Board of County Commissioners adopted Ordinance 15952 to allow Accessory Dwelling Units (ADUs) in rural unincorporated areas of Thurston County when density requirements for the underlying zoning district, regulations, and standards pertaining to ADUs can be met.

Below are commonly asked questions for ADUs in rural Thurston County. Due to various zoning district designations, development regulations, design standards, and scenarios types, not every scenario is described. Refer to the ADU information sheet for guidance on conducting research prior to submitting a Residential Building Permit Application to the Building Development Center (BDC).

What is an ADU?

An ADU is a small, separate, home built on the same lot as a single-family home. ADUs can be an addition to a single-family home, a conversion of a basement, an attached or detached garage or outbuilding, or a new detached structure. An ADU includes a kitchen, bedroom(s), and bathroom. ADUs are smaller in size than the main home on the lot.

Where are ADUs allowed?

ADUs are allowed in rural, unincorporated areas of Thurston County and within the Urban Growth Areas of Olympia, Lacey, Tumwater, and Grand Mound when all regulations and standards pertaining to ADUs can be met.

What are the first steps if I am considering an ADU?

Refer to the ADU information sheet at [Accessory Dwelling Unit \(ADU\), Thurston County Permitting](#) for guidance on conducting research and how to apply.

How many ADUs are allowed on a parcel?

Only one ADU shall be allowed on a residential parcel in conjunction with a single-family home. ADUs are not allowed on parcels with an existing mobile or manufactured home permitted as a Family Member Unit or any other accessory residential structure.

What ADU types count as a dwelling unit for the purpose of calculating density?

- Attached ADU – Does not count as a dwelling unit for the purpose of calculating density
- ADU Conversion – Does not count as a dwelling unit for the purpose of calculating density.
- Detached ADU – Counts as a dwelling unit for the purpose of calculating density and will need to meet the minimum lot size requirements under the applicable zoning district

Is a new detached ADU allowed on a parcel less than 10 acres in size in the RRR 1/5 zoning district?

The RRR 1/5 zoning district requires a minimum lot size of 10 acres. Therefore, the minimum density requirements would not be met to allow for an ADU.

Are critical areas deducted from the total acreage calculations when calculating density?

Some zoning districts require critical areas (not buffers) to be deducted from the total acreage calculations. For example: A 10-acre parcel in the RRR 1/5 zoning district with wetlands would not meet density requirements for a new detached ADU.

Are there size limitations for an ADU?

- Attached ADU – Shall not exceed 50% of the gross floor area of the primary residential structure
- Detached ADU – Floor area shall not exceed the maximum of 1500 square feet or 40% of the primary residential structure, whichever is less. An attached garage is not included in the gross floor area calculation.
- Conversion – There is no limit size for a conversion so long as the conversion remains within the footprint of the structure (no expansion).

What is the definition of Conversion?

The conversion of an existing structure within the footprint of a primary dwelling unit, or conversion within the footprint of a detached accessory structure, that has been in existence and legally permitted for at least one (1) year.

What structures qualify for a Conversion?

A legally established accessory structure or structure that has been in existence for at least one year. Structures built prior to 1971 would also qualify for a conversion.

Can I convert an existing ‘exempt’ building into an ADU?

Structures exempt from building permit requirements will need to follow the structures built prior to permit policy located online at [Permitting Structures Built without a Permit](#) to determine if the construction is adequate under the current codes. After the structure is final inspected, and the structure has been permitted for one year, an application to convert the structure into an ADU may be submitted for review.

Can I convert a structure not “legally permitted” to an ADU?

Structures built without a permit will need to follow the structures built prior to permit policy located online at [Permitting Structures Built without a Permit](#) to determine if the construction is adequate under the current codes. After the structure is final inspected, and the structure has been permitted for one year, an application to convert the structure into an ADU may be submitted for review.

Can I expand an existing accessory structure and apply for an ADU?

After a building permit for the addition has been issued, final inspection completed, and one year has passed, a Residential Building Permit application to convert the structure into an ADU may be submitted for review.

Can I convert my guest house into an ADU?

Yes, if all applicable regulations and standards pertaining to ADUs can be met.

Can a Family Member Unit (FMU) be converted to an ADU?

A FMU cannot be “converted” into an ADU because it’s already considered a residential structure. However, you can request to reclassify the FMU to ADU if all applicable regulations and standards pertaining to ADUs can be met.

Is a building permit required for an ADU?

Yes. A Residential Building Permit is required for all ADU types.

Can an ADU be sold separately from the primary residence?

An ADU is constructed on the same parcel as a primary residence therefore it may not be sold separately from the primary home.

Can an ADU be rented?

The property owner may rent the ADU to whomever they wish.

Does an ADU have a parking requirement?

Rural ADUs do not have a parking requirement. However, parking requirements do apply within the UGAs.



ACCESSORY DWELLING UNITS (ADU)

Frequently Asked Questions

04.02.21

Can I use my existing well and septic system for the ADU?

ADUs must be served by an approved drinking water supply and an approved septic system. Visit [Thurston County Environmental Health](#) for information regarding on-site septic system and water system requirements for an ADU. You can also email EH_Tech@co.thurston.wa.us or call (360) 867-2673 for assistance.

Can I use my existing driveway or install another driveway for the ADU?

Contact the Public Works Department, Development Review Division at DevRev_Tech@co.thurston.wa.us or (360) 867-2050 for information.

Why are rural ADU regulations different from city or UGA regulations?

Rural areas are subject to more limits on density than in cities and UGA's. Rural ADU regulations are designed to ensure protection of rural character.

Are ADUs subject to impact fees?

Yes. ADUs are subject to parks and transportation impact fees. ADUs are exempt from school impact fees. Impact fees are collected prior to issuance of a building permit.

How do I apply for an ADU?

After you have conducted your research and are ready to move forward, the following will need to be submitted to the BDC. The applications outline information that must accompany your application.

- Master Application
- Residential Building Permit Application
- On-site Sewage System Application, if proposing a new septic system
- Application fees

What if I still have questions?

Professional friendly staff in the BDC can assist you with your questions. Please visit [Thurston County Building Development Center](#) to obtain the applications, permitting information, and hours of operation. You can also email questions to permit@co.thurston.wa.us or call (360) 754-3355 ext. 7288.



ACCESSORY DWELLING UNITS (ADU)

ENVIRONMENTAL HEALTH REQUIREMENTS

Accessory Dwelling Units (ADUs) must be served by an approved drinking water supply and an approved on-site septic system. If you are proposing to connect an ADU to an existing septic system, contact Thurston County Environmental Health at (360) 867-2673 or EH_Tech@co.thurston.wa.us to discuss options.

DRINKING WATER SUPPLIES

- An ADU may be connected to an existing single-family well if it can meet Certificate of Water Availability (COWA) requirements for a two-connection single-family water supply. COWA requirements can be found at https://www.co.thurston.wa.us/permitting/apps-forms/subapps/Res_subapps/COWA-Single-Fam-2-Party.pdf
- If an ADU is being connected to a water supply that has two or more existing connections, it will likely need to be approved as a public water supply. It is important to note that public water siting standards require wells to have a 100-foot sanitary control area that is free of any development and potential sources of contamination. Public water supply requirements can be found at <https://www.co.thurston.wa.us/health/ehdw/public.html>
- If an ADU is being connected to an existing public water supply, you will need to contact the water system owner, first. A Certification of Water Availability (COWA) will be required as part of the permit review process. COWA requirements can be found here: https://www.co.thurston.wa.us/permitting/apps-forms/subapps/Res_subapps/COWA-Public.pdf

WASTEWATER DISPOSAL

- The property must meet minimum land area requirements as outlined here: https://www.co.thurston.wa.us/health/ehadm/pdf/Article_IV_Int.pdf. A minimum of two or four acres is needed to support an ADU served by a two single-family well and on-site septic system.
- In most instances a new on-site septic system is needed to serve an ADU. Most existing septic systems were not designed and installed to accommodate a second residence.
- Any existing on-site septic system will need to be reviewed and approved for the addition of an ADU.
- To search for your on-site septic system records, please visit: <https://weblink.co.thurston.wa.us/dspublic/customsearch.aspx?searchname=search&cr=1>

04.02.21

**MODEL ACCESSORY DWELLING UNIT
ORDINANCE RECOMMENDATIONS**
**Washington State Department of Community, Trade, and
Economic Development, January 1994**

SECTIONS:

Definitions
Purpose and Intent
Standards and Criteria
Grandfathering
Application Procedures

DEFINITIONS

- I. An Accessory Dwelling Unit (ADU) is a habitable living unit that provides the basic requirements of shelter, heating, cooking, and sanitation.

Comment: The Uniform Building Code (UBC) Sec. 1207 & 1208 lists minimum room sizes for an efficiency unit. The jurisdiction could set up maximum areas in the Standards and Criteria below, if it so desired.

PURPOSE AND INTENT

- A. The installation of an ADU in new and existing single-family dwellings (hereinafter principal units) shall be allowed in single-family zones subject to specific development, design, and owner-occupancy standards.

Comment: As required by Senate Bill 5584.

- B. The purpose of allowing ADUs is to:
1. Provide homeowners with a means of obtaining, through tenants in either the ADU or the principal unit, rental income, companionship, security, and services.
 2. Add affordable units to the existing housing.
 3. Make housing units available to moderate-income people who might otherwise have difficulty finding homes within the (city/county).²
 4. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.

²A parentheses indicates that the jurisdiction needs to insert the appropriate word or term.

5. Protect neighborhood stability, property values, and the single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the conditions of this Ordinance.

STANDARDS AND CRITERIA

A. ADUs shall meet the following standards and criteria:

1. The design and size of the ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. When there are practical difficulties involved in carrying out the provisions of this Ordinance, the (building official) may grant modifications for individual cases.

Comment: Construction shall conform to all codes which are required for any new construction.

2. Certification by the (city/county) Health Department that the water supply and sewage disposal facilities are adequate for the projected number of residents must be provided to the building official.

Comment: More applicable in rural areas for septic and wells. It is actually covered by No. 1 above.

3. Any additions to an existing building shall not exceed the allowable lot coverage or encroach into the existing setbacks.

Comment: Planning ordinance already in place in most jurisdictions.

4. The ADU may be attached to, or detached from, the principal unit.

Comment: Jurisdictions need to survey their existing housing stock and neighborhood standards to determine where and how ADUs would best fit their housing needs. This would allow the most diversity of choice and honor the uniqueness of each site.

5. Only one ADU may be created per residence in single-family zones. Multiple detached ADUs may be created in (agricultural) zones, if one of the occupants of each unit is employed by the property owner.

Comment: The first sentence is to "maintain single-family appearance." The second sentence is appropriate in agricultural zones.

6. The property owner, which shall include title holders and contract purchasers, must occupy either the principal unit or the ADU as their permanent residence, but not both, for at least (X) months out of the year, and at no time receive rent for the owner-occupied unit.

Comment: Owner-occupied units are better maintained, and therefore the neighborhood will be better maintained. If the owner has to live on site for more than six months out of the year, they could not own more than one ADU. This would eliminate speculators/developers from developing duplexes throughout an area under the guise of calling them ADUs.

7. An ADU may be developed in either an existing or a new residence.

Comment: This would allow new home builders to plan ahead for "mother-in-law" type units and thus save money now and time and inconvenience later.

8. In no case shall an ADU be more than 40 percent of the building's total floor area, nor more than 800 square feet, nor less than 300 square feet, nor have more than 2 bedrooms, unless in the opinion of the (building official), a greater or lesser amount of floor area is warranted by the circumstances of the particular building.

Comment: Area limitation. See No. 1 under Definition above. The existing structure, the lot size, or the jurisdiction will determine ADU's size.

9. The ADU shall be designed so that, to the degree reasonably feasible, the appearance of the building remains that of a single-family residence.

Comment: To maintain single-family appearance. This is a subjective evaluation and unless specific design standards are adopted by the jurisdiction, this may be difficult to consistently apply.

10. The primary entrance to the ADU shall be located in such a manner as to be unobtrusive from the same view of the building which encompasses the entrance to the principal unit.

Comment: The second entrance is located this way to maintain single-family appearance with an attached ADU. Less restrictive than "no second entry on the street side of the principal unit," but it allows for site restriction that may make a side or rear entry impossible.

11. One off-street parking space, in addition to that which is required by the Ordinance for the underlying zone, shall be provided or as many spaces deemed necessary by the (building official) to accommodate the actual number of vehicles used by occupants of both the primary dwelling and the ADU. Parking spaces include garages, carports, or off-street areas reserved for vehicles.

Comment: Parking requirements may vary from jurisdiction to jurisdiction depending on density of neighborhood, existing neighborhood standards, etc. Other parking options include more than one additional space, tandem parking, or allowing on-street parking.

12. In order 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 UBC.

Comment: This is an accessibility issue.

GRANDFATHERING

1. Option 1.

ADUs created prior to (date) shall be registered with the (building official) for inclusion into the Certificate of Occupancy Program. Application for registration must contain the name of the owner, the address of the unit, the floor area of the two dwelling units, a plot plan of the property, evidence of the date of establishment of the unit, evidence of the use for the six-month period prior to the application for registration, and a signature of the owner.

Comment: This provision would allow the building official to verify the compliance of the ADU to the codes, and to require changes as necessary.

Option 2.

Ignore.

Comment: It would be difficult, and very time consuming, to determine under which codes the ADU was originally constructed.

APPLICATION PROCEDURE

1. Application for a building permit for an ADU shall be made to the (building official) in accordance with the permit procedures established in Section (00.0000), and shall include:

Comment: For building official's plan check.

- a. A letter of application from the owner(s) stating that the owner(s) shall occupy one of the dwelling units on the premises, except for bona fide temporary absences, (for (X) months out of each year).

Comment: This is an owner-occupancy requirement. Limits the owner from "living" in several units at the same time.

2. The registration form or other forms as required by the (building official) shall be filed as a deed restriction with the (county) Department of Records and Elections to indicate the presence of the ADU, the requirement of owner-occupancy, and other standards for maintaining the unit as described above.

Comment: This is for optional use if the owner-occupancy requirement is adopted.

3. The (building official) shall report annually to the (council) on ADU registration, number of units and distribution throughout the (city/county), average size of units, and number and type of complaint and enforcement-related actions.

Comment: This is a local jurisdiction option. This provides a tracking mechanism on the number of ADUs to determine if changes to the Ordinance are needed.

4. Cancellation of an ADU's registration may be accomplished by the owner filing a certificate with the (building official) for recording at the (city/county) Department of Records and Elections, or may occur as a result of enforcement action.
5. This Ordinance shall take effect and be in force five days after passage and legal publication.

Comment: This is a local jurisdiction option.

Appendix B

Summary of Selected Accessory Dwelling Unit Ordinances

City Population	Owner Occupancy Requirement	Location	Size Requirements	Parking Requirements	Public Hearing Required	Design Standards	Allow in New Construction?	Other
Bellevue 99,140	Yes	Attached	Not less than 300 sq. ft.; not more than 800 sq. ft.; ADU shall not exceed 40% of total residence.	1 additional	No	Second entry facing street prohibited.	No (Primary residence must have existed for three years prior to application for ADU permit)	ADU and home occupation not allowed on the same site. No rent may be charged for owner-occupied unit.
Clyde Hill 2,995	Yes	Must be attached to main unit or a detached garage.	Not less than 300 sq. ft.; not more than 900 sq. ft.; ADU shall not exceed 40% of total residence.	1 additional	No	Second entry facing street prohibited. Maintain single-family appearance.	Yes	Utility department must certify that water and sewer facilities are adequate. ADU must have a separate numbered address.
Everett 78,240	Yes	Attached	ADU floor area shall not exceed 35% of total floor area.	3 for principal and ADU	Property owners within 300 ft. may request hearing.	Second entry facing street prohibited. Maintain single-family appearance.	Yes	Separate water and electric meters prohibited. Annual filing of owner occupancy certificate required. When home abuts alley, ADU parking must be off of alley.
Mercer Island 21,270	Principal unit or ADU must be occupied by owner or immediate family member of owner.	Attached or detached.	Not less than 220 sq. ft.; not more than 900 sq. ft.; ADU shall not exceed 40% of primary dwelling, excluding garage.	3 for principal and ADU	No	Second entry facing street prohibited. Additions must be consistent with roof pitch, siding, and windows of principal unit.	Yes	Notice of permit application mailed to property owners within 300 ft. with 14 day comment period.
Richland 35,430	Yes	Attached	Not less than 300 sq. ft.; not more than 800 sq. ft.; ADU shall not exceed 40% of total floor area.	1 additional	No	Second entry within same facade as main entry prohibited.	Yes	ADU may not have separate utility service (except telephone and television).

City Population	Owner Occupancy Requirement	Location	Size Requirements	Parking Requirements	Public Hearing Required	Design Standards	Allow in New Construction?	Other
Spokane 185,600	Yes	Attached	Not less than 300 sq. ft.; not more than 700 sq. ft.; ADU shall not exceed 30% of total floor area or have more than 2 bedrooms.	Must meet standards of underlying zone.	No	Second entry should be on side or rear or "very unobtrusive" from same view encompassing primary entrance.	Yes	Occupancy of ADU limited to family members or persons providing nursing care to owner. Additions for ADU shall not increase sq. ft. of structure by more than 10%. Home occupations prohibited in either principal or ADU unit.
Seattle 531,400	Yes	Attached	Floor area of at least one of the dwelling units shall not exceed 1,000 sq. ft.	2 parking spaces required (1 for primary unit and 1 for ADU)	No	Only one entrance may be located on each front or street side of residence.	Yes	Notice of permit issuance mailed to property owners within 200 ft. explaining standards and procedure for filing complaints.
Tacoma 182,800	Yes	Attached	Not less than 300 sq. ft.; not more than 800 sq. ft.; shall not exceed 33% of total floor area.	1 additional. (Must be located in rear of lot where access is available)	No	Second entry within same facade as main entry prohibited. Additions must be consistent with existing facade, roof pitch, siding and windows.	Yes	Notice of permit issuance mailed to property owners within 400 ft. Home occupations allowed in either ADU or main building, but not both.
Tumwater 11,200	Yes	Within existing (at least 2 years old) attached or detached structures.	Principal and accessory structures must have at least 2,000 sq. ft. gross floor area; ADU shall not exceed 25% of total floor area and can have no more than 2 bedrooms.	1 additional	No	Only one entrance may be visible from front. No external evidence of occupancy by more than one family.	No (may be installed only in structures at least two years old)	No additions to existing floor area allowed for conversion.
Walla Walla 28,730	Yes	Attached or detached	Not more than 800 sq. ft. or 33% of living area of primary structure, whichever is smaller.	1 additional (must be in rear or on a driveway)	No	No more than one entrance on front of house.	Yes	Home occupations prohibited. Reasonable deviations from standards allowed to facilitate accessibility for people with disabilities.

Appendix C



City of Bellevue
Design & Development Department
455-6864

ACCESSORY DWELLING UNIT Registration Application

INTAKE DATE	TECH INITIALS	PROJECT FILE #
-------------	---------------	----------------

Property Address _____ Zip Code _____

Owner _____ Phone _____

Mailing Address _____ City, State, Zip _____

Legal Description (attach if necessary) _____

Tax Assessor's # _____ Construction of original residence completed in 19 _____

Total square footage of residence (including accessory unit & excluding garage) _____

Square footage of accessory unit only _____

DESIGN & USE REQUIREMENTS: (See section 20.20.120 of the Bellevue Land Use Code for complete regulations)

1. One accessory unit is permitted as a subordinate use within an existing single family dwelling.
2. The primary unit or accessory unit must be owner occupied.
3. Only homes at least 3 years old at the time of application may have an accessory unit.
4. The accessory unit must be a least 300 sq. ft. and not more that 800 sq. ft unless approved by the Design & Development department. The accessory unit cannot exceed 40% of the total living area (excluding garage) of the residence, including the accessory unit.
5. Total residents of both units must not exceed City's definition of family (6 unrelated individuals).
6. Off-street parking equal to one more than required by underlying zoning (typically 3 total spaces) must be provided.
7. Only one front door entrance; additional entrances are permitted on the side and rear of the house.
8. Accessory units are not permitted in structures detached from the primary residence, including but not limited to guest cottages, detached garages, or workshops.
9. The accessory unit must meet all technical code standards (Title 23, BCC, including building, electrical, fire, and plumbing code requirements).
10. A site may not contain both an accessory unit and a business subject to the regulations in 20.30N for a Class A or Class B Home Occupation Permit.
11. An accessory unit may not be subdivided or otherwise segregated in ownership from the primary residence.
12. After approval by the City of Bellevue and registration with King County, all neighbors within 200 feet of the residence will be notified of the existence of the accessory dwelling unit.

I certify that I am the owner of the residence and have read the Design & Use requirements listed above. I also certify that the information I have given is correct and that I now comply and will continue to comply with all the above listed requirements.

Signed by Owner _____

FOR OFFICE USE ONLY	
☐ Approved	☐ Approved > 800 sf
☐ Denied	Date _____
Design & Development	

ACCESSORY DWELLING UNIT (ADU) Code Compliance Inspection

2/94

Your ADU must be inspected by a Code Compliance Officer prior to final occupancy approval. This inspection is separate from the building inspection required for all remodeling permits. Please contact the Code Compliance Officer assigned to your ADU permit, or call 455-6875 to schedule an inspection. ■ If you have any questions concerning your application submittal, please visit or call the Permit Center (455-6864) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4).

The Code Compliance Officer will inspect for the following minimum technical code standards necessary for ADU approval:

INSPECTION CHECKLIST**MINIMUM STANDARDS****Exit Facilities and
Emergency Escapes**

1. For every sleeping room -- At least one operable window or door approved for emergency escape directly to the outside and conforming to the following unobstructed dimensions:
 - Minimum net clear openable area 5.7 sq. ft.
 - Minimum net clear openable height 24 inches
 - Minimum net clear openable width 20 inches
 - Minimum finished sill height above floor 44 inches
2. Bars, grills, or grates -- Equipped with approved release mechanisms which are openable from the inside without the use of a key or special knowledge or effort.

Light and Ventilation

1. Natural light for all rooms -- Exterior glazed openings with an area not less than one-tenth of the floor area of the room, with a minimum of 10 square feet.
2. Natural ventilation for all rooms -- Openable exterior openings with an area of not less than one-twentieth of the floor area of the room, with a minimum of 5 square feet.
3. Natural ventilation for bathrooms, laundry rooms, and similar rooms
 - Openable exterior openings with an area not less than one-twentieth of the floor area of the room, with a minimum of 1½ square feet OR
 - A mechanical ventilation system connected directly to the outside, capable of providing 5 air changes per hour. The point of discharge of exhaust air must be at least 3 feet from any opening into the building.

(OVER)

Room Dimensions	1. Ceiling height -- Not less than 7 feet 6 inches. Exception: Kitchens, halls, and bathrooms -- not less than 7 feet. 2. At least one room must have not less than 120 square feet of floor area; other rooms (except kitchens), not less than 70 square feet.
Smoke Detectors	1. Installed in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. 2. Installed in the hallway and in the adjacent room where the ceiling height of a room open to a hallway serving bedrooms exceeds that of the hallway by 24 inches or more.
Efficiency Dwelling Units	Must conform to other requirements of the code, except the unit must have: 1. A living room of not less than 220 square feet, with an additional 100 square feet for each occupant of the unit in excess of two. 2. A separate closet. 3. A kitchen sink, cooking appliances, and a refrigerator -- Each having not only a clear working space of not less than 30 inches in front, but also light and ventilation. 4. A separate bathroom containing a toilet, wash basin, and bathtub or shower.
Special Hazards*	1. Visual observation of possible electrical hazards: wiring, switches, outlets, fixtures, panel, etc., that appear unusual. 2. Visual observation of possible mechanical hazards: chimney, woodstove, fireplace, etc. * Note: If possible hazards to the life or safety of occupants are noted, a City inspector may be called in to verify conditions, and the owner may be <u>required</u> to make necessary corrections.



After Recording Mail To:

City of Everett
Department of Community Development
and Planning
3002 Wetmore Avenue
Everett, WA 98201

CITY OF EVERETT ACCESSORY DWELLING UNIT COVENANT

THIS COVENANT is executed this _____ day of _____,
19____, by _____
hereinafter referred to as "Owner."

RECITALS

WHEREAS, Owner is the owner of the following described property
on which a principal residential structure and an accessory
dwelling unit exist:

_____ ; and

WHEREAS, Owner has made application to the City of Everett for a
permit for an accessory dwelling unit in accordance with the
provisions of the City of Everett Zoning Code, Title 19 of the
Everett Municipal Code; and

WHEREAS, as a condition of approval of a permit for an accessory
dwelling unit Owner is required to provide a covenant in
accordance with the provisions of the City of Everett Zoning
Code;

NOW, THEREFORE, Owner does hereby covenant and agree as follows:

1. An accessory dwelling unit within Owner's single family
residence located on the herein described property is
permitted by the City of Everett subject to the conditions
set forth in the City of Everett Zoning Code, Chapter 19.39
as amended or hereafter superseded.

2. The permit for the accessory dwelling unit is issued to the Owner personally. This covenant does not run with the land. In addition to the requirements of Paragraph 1 herein, the continued existence of the accessory dwelling unit is predicated upon Owner's continued occupancy of the principal residential structure on the herein described property.
3. In the event there is a violation of any of the conditions of approval of the permit for the accessory dwelling unit, the Owner is to provide for the removal of all improvements added to covent the subject premises to an accessory dwelling unit and provide for complete restoration of the site to a single family dwelling.

OWNER

By: _____

By: _____

STATE OF WASHINGTON)

ss.

COUNTY OF SNOHOMISH)

On this day personally appeared before me _____
_____ to me known to be the individual(s)
described in and who executed the within and foregoing
instrument, and acknowledged that he/she/they signed the same as
his/her/their free and voluntary act and deed, for the uses and
purposes therein mentioned.

Dated: _____

(Seal or stamp)

(Signature of notary public)

Title

My appointment expires: _____

City of Redmond

Instructions for Filing Application

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

GENERAL DEVELOPMENT PERMIT - ACCESSORY DWELLING UNIT

The following information must be submitted with the application:

1. A written description of the interior and exterior modifications that will be done to accommodate the accessory dwelling, the location on site, and the square footage of the accessory dwelling unit.
2. A written statement explaining how this proposal meets the criteria contained in Section 20C.20.012 - Accessory Dwelling Units.
3. A copy of any covenants, conditions and restrictions (CC & R's) affecting the property. If there are no CC & R's affecting the property, a written statement that indicates no CC & R's affect the proposal shall be submitted.
4. Legal description and King County Tax Assessment Number for the property.
5. Vicinity map showing location of subject property.
6. Names and addresses of adjoining property owners (available from King County Assessor's Office).
7. A site plan showing dwelling location, elevation changes to dwelling, if any, and location of parking to serve accessory unit. (15 copies required)
8. Explanation of any modifications to existing codes or standards if proposed.
9. Affidavit of ownership/occupancy and parking status.
10. Additional information may be required by the Technical Committee. The applicant will be notified in writing if necessary.

NOTE:

Approval of the General Development Permit does not exempt the proposal from any covenant, condition or restriction which may be in effect at the time of issuance. It is the owners responsibility to comply with any CC & R's; City review of covenants are not intended to be a determination of compliance.

Rev. 10/10/90

c:\Forms\Form80

AFFIDAVIT OF OWNER - OCCUPANCY AND ON-SITE PARKING

I understand that for the purposes of establishing an accessory dwelling unit in the City of Redmond the single family dwelling in which such a unit is created must be owner-occupied, per Section 20C.20.012(10) of the Redmond Community Development Guide.

"Owner-occupied" shall be defined as the primary, established, fixed, or permanent dwelling place owned by a person in which he or she lives and intends to be his or her legal residence and to which he or she intends to return despite temporary residences elsewhere or despite temporary absences.

Also, Section 20C.20.012(15) Parking - stipulates that the dwelling in which the accessory dwelling unit is provided shall have adequate off-street parking, in addition to that which is provided for the single family dwelling. One additional off-street parking space must be provided for the accessory dwelling unit. Off-street parking includes private garages, carports, or off-street areas reserved for vehicles.

I hereby acknowledge compliance with the owner-occupancy and parking provisions of the Redmond Community Development Guide, Section 20C.20.012 Accessory Dwelling Units.

Signature of Applicant

20C.20.012(25) Penalty for Violations - In addition to all other penalties provided elsewhere in the Redmond Municipal Code and Community Development Guide, each owner of a structure who maintains or permits an accessory unit therein in violation of any provision of this Section 20C.20.012, shall be subject to a civil penalty in the amount of One Hundred Dollars (\$100) per day, for each day the violation is allowed to persist after receiving notice thereof from the Code Administrator.

Application to Establish an Accessory Dwelling Unit

Project Number _____

Address _____

Owner _____ Daytime Phone # _____

Assessor's Parcel Number _____

Submit this form along with required plans and other documents.

Parking Waiver Request, if necessary

1000 Max. sq. ft. Waiver Request, if necessary

Name(s) of Tenant(s) _____ Phone: _____

_____ Phone: _____

_____ Phone: _____

Owner Occupancy Certificate, completed and notarized

Date Unit was Created (to best of your knowledge): _____

Value of Construction Work Needed to Legalize Unit: _____

Copy of the Contractor's Registration/Lien Law Form (completed)

Copy of Agent's Authorization Letter from Owner (if agent)

Applicant's Name _____ Date received _____
(PLEASE PRINT)

Applicant Signature _____ Date signed _____

Relationship of applicant: (circle one) owner, agent, architect, contractor, engineer

Receipt # _____ Date of receipt _____

For DCLU Use only

Project #	Address	Zone	Type	Parking Waiver?	Granted?	Parking Spaces Provided	Size of Unit	HOUSING/ZONING		
								OK No corrections	OK w/checklist	Denied

SAMPLE

NOTICE OF ISSUANCE OF A PERMIT

for an

ACCESSORY DWELLING UNIT

Dear Resident:

Although accessory dwelling units have existed in the City of Seattle for many years, the City's Land Use Code did not allow for their legal establishment until the enactment of new legislation effective December 1, 1994. The City Council decided to allow these units in single family homes in order to promote availability of affordable housing. The Council established a number of regulations and safeguards to ensure that these units can be accommodated appropriately in single family neighborhoods.

This notice is to inform you that your neighbor at _____ has been issued a permit for an accessory dwelling unit. The unit complies with the standards and conditions of the legislation and has been inspected by the Department of Construction and Land Use.

Proj. No. _____ Permit No. _____ Issue Date: _____

Project description:

Permit to establish an accessory dwelling unit in a single family residence.

REQUIREMENTS FOR MAINTAINING THE USE

Standard Requirements:

1. One unit must be owner-occupied.
2. One accessory unit is permitted per lot.
3. One off street parking space for each unit is required. Waivers are available.
4. Accessory unit may not be located in a detached structure.
5. Accessory unit may not exceed 1000 sq. ft. Waiver for size is available for an existing unit that becomes legal.
6. If unrelated persons occupy either unit, the maximum number of persons for the whole structure is eight. If all persons in each unit are related, there is no maximum number of persons. (This will allow two separate households, unrelated to each other, to occupy the structure with no maximum number of related persons per unit.)
7. Only one entrance may be located on each front or street side unless the entrance already existed as of January 1, 1993.
8. Accessory Dwelling Unit permit must have a final permit inspection within no more than 2 years from the date of application.

Special Requirements and/or Waivers Granted for this Project:

This permit will continue to be in effect unless revoked by the owner or by the City as a result of code compliance action for violations of the Accessory Dwelling Unit requirements. Violations of the above standard and special requirements can be reported to the Housing and Zoning Enforcement Division at 684-7899.

To obtain general information about Accessory Housing in the City of Seattle or about the application process, please call 684-8850 and ask to speak to a Land Use Technician.

ACCESSORY DWELLING UNIT
CONCOMITANT AGREEMENT

This AGREEMENT, entered into this _____ day of _____, 1995, by and between _____, hereinafter referred to as the "Applicant" and the CITY OF TACOMA, Washington, a municipal corporation, hereinafter referred to as the "City,"

W I T N E S S E T H:

WHEREAS the Applicant has applied for an Accessory Dwelling Unit (ADU);

WHEREAS the City and the Applicant are both interested in complying with the Land Use Management Plan and the ordinances of the City of Tacoma relating to the provision of ADUs;

WHEREAS the Applicant is the property owner (i.e. title holder or contract purchaser) of the property described as follows:

hereinafter sometimes referred to as the "Site," and

WHEREAS the Applicant has indicated willingness to cooperate with the Building and Land Use Services (BLUS) Division of the City Public Works Department, and the Hearings Examiner of the City to ensure compliance with all City Ordinances and all other local, state, and federal laws relating to the use and development of the Site; and

WHEREAS the City, in addition to civil and criminal sanctions available by law, desires to enforce the rights and interests of the public by this Concomitant Agreement;

NOW, THEREFORE, the Applicant does hereby covenant and agree as follows:

CONCOMITANT AGREEMENT - 1

f:\kjc\lagt\adu.doc

1. The Applicant promises to comply with all terms of this agreement;
2. The Applicant hereby agrees to be bound by and to comply with the following requirements, which shall not be subject to waiver or variance:

A. *Number One* ADU shall be allowed per residential lot as a subordinate use in conjunction with any new or existing single family structure in the City of Tacoma.

B. *Occupancy* Occupancy shall be limited to the following: No more than two persons in a unit of 300-400 square feet, no more than three persons in a unit ranging from 401-600 square feet, and no more than four persons in a unit ranging from 601-800 square feet.

C. *Location* The ADU shall be permitted as a second dwelling unit added to or created within the main building.

D. *Composition* The ADU shall include facilities for cooking, living, sanitation and sleeping.

E. *Size* The ADU, excluding any garage area and other non-living areas such as workshops or greenhouses, shall not exceed 33% of the total square footage of the main building and the ADU combined after modification. The ADU shall not contain less than 300 square feet nor more than 800 square feet.

F. *Ownership* The property owner (i.e. title holder or contract purchaser) must maintain his/her residency in the main building or the ADU. Owners shall sign an affidavit which attests to their residency and attests that at no time shall they receive rent for the owner-residency unit. Falsely attesting owner-residency shall be a misdemeanor subject to a fine not to exceed \$5,000, including all statutory costs, assessments and fees. In addition, ADUs shall not be subdivided or otherwise segregated in ownership from the main building.

G. *Design* An ADU shall be designed to maintain the architectural design, style, appearance and character of the main building as a single-family residence. If an ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing facade, roof pitch, siding and windows. Only one entrance for the main building is

permitted to be located in the front facade of the dwelling. If a separate outside entrance is necessary for an ADU, it must be located either off the rear or side of the main building. Such entrance must not be visible from the same view of the building which encompasses the main entrance to the main building and must provide a measure of visual privacy.

H. *Parking* One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the main building, pursuant to Section 13.06.350 of the Tacoma Municipal Code. Such parking must be provided in the rear of the lot where adequate access is available. Adequate access shall be defined as a dedicated street or alley with a minimum gravel surface.

I. *Home Occupations* Home occupations shall be allowed, subject to an existing regulations, in either the ADU or the main building, but not both.

J. *Concomitant Agreement* Upon issuance of an ADU permit by the City, a property owner must record with the Pierce County Auditor a Concomitant Agreement. Specific procedures are identified in subsection (B)(5).

K. *Legalization of Nonconforming ADUs* Nonconforming ADUs existing prior to the enactment of these requirements may be found to be legal if the property owner applies for an ADU permit prior to December 31, 1995, and brings the unit up to Minimum Housing Code standards. After January 1, 1996, owners of illegal ADUs shall be guilty of a misdemeanor and upon conviction thereof, subject to a fine not to exceed \$1,000, including all statutory costs, assessments, and fees, plus \$75 per day after notice of the violation has been made. All owners of illegal ADUs shall also be required to either legalize the unit or to remove it.

3. Applicant agrees and understands that prior to obtaining a final Certificate of Approval, all required improvements shall have been completed and accepted by the City.

4. No modifications of this agreement shall be made unless mutually agreed upon by the parties in writing.

5. The City may, at its discretion, bring a lawsuit to compel specific performance of the terms of this agreement. In addition to all other remedies

available to the City by law, the City reserves the right to revoke its approval of the ADU permit should the Applicant fail to comply with any of the terms and conditions of this agreement.

6. If any condition or covenant herein is not performed by the Applicant, the Applicant hereby consents to entry upon the Site by the City of Tacoma or any entity, individual, person or corporation acting on behalf of the City of Tacoma for purposes of curing said defect and performing said condition or covenant. Should the City in its discretion exercise the rights granted herein to cure said defect, the Applicant, his successors and assigns, consent to the entry of the City on the above described property and waive all claims for damages of any kind whatsoever arising from such activity and the Applicant further agrees to pay the City all costs incurred by the City in remedying said defects or conditions. The obligations contained in this section are covenants running with the land, and burden the successors and assigns of the respective parties. Upon the sale of the property a new owner shall be required to sign a new affidavit of residency pursuant to Tacoma Municipal Code 13.06.196B.3.

7. In the event that any term or clause of this agreement conflicts with applicable law, such conflict shall not affect other terms of this agreement which can be given effect without the conflicting term or clause, and to this end, the terms of this agreement are declared to be severable.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year first above written.

CITY OF TACOMA

Attest:

City Clerk

By: _____
MAYOR

Legal Description Approved:

Director of Planning

(Applicant Name)

Approved as to form:

Assistant City Attorney

By: _____
Title: _____

CONCOMITANT AGREEMENT - 4

f:\kjc\agthadu.doc

County of Pierce) ss.

GIVEN under my hand and official seal the day and year last above written.

NOTARY PUBLIC in and for the state of
Washington, residing at: _____
My commission expires: _____

Gores, Alanna

From: Jason Carroll <jcarroll360@gmail.com>
Sent: Tuesday, March 22, 2022 6:00 PM
To: Johnson, Randy
Subject: Changes to ADU Zoning

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

Commissioner Johnson,

I was reading the PDN today and saw that a proposal had been drafted to change some of the zoning restrictions in Clallam County with regard to Accessory Dwelling Units (ADUs). It was the first I had heard of the drafted proposal and it took me by surprise. Last September I went to the permitting and zoning desk at the Clallam County Courthouse to discuss permitting the construction of an ADU in a building that already exists on my property. I own approx. 3.5 acres on Garling Rd. up Mt. Pleasant Rd. I was told that because I was located in Rural Character Conservation 3 (RCC3) that I could not build an ADU. The reasoning was that RCC3 requires 10 acres or more for the allowance of an ADU but I could apply for a hearing for approximately \$3000 and it would be to the board. Upon reviewing RCC3 zoning regulations, I discovered that the maximum residential density was one dwelling for every 10 acres, except for cluster developments. However, the cluster developments are still being governed by the more stringent RCC3 code, not a cluster specific code. It might be more appropriate and realistic if the cluster developments (smaller than 10 acres or even 5 acres) were governed by a zoning code more in line with the housing density of the cluster. Or, more simplified, reduce the RCC3 density requirement and ADU lot size requirement, 10 acres is a big requirement. 2 or 3 acres should be sufficient.

I would like to build an ADU within an existing structure on my 3.5 acre property so that I have the ability to house aging family, friends or rent out if needed. Under current zoning regulations I cannot utilize my property in a manner that I feel is reasonable. As you move forward with the proposal to draft and implement a new ADU ordinance, please consider verbiage that reduces the unrealistic expectations that are currently on the books. RCC3 Zoning as written does not resemble the actual environment that it governs.

Thank you for your work as a Commissioner, I know it isn't easy. Additionally, thank you for your service to your country in the Army and in Vietnam. I'm an Army Vet and my son is currently a freshman at West Point. We are fortunate to live in this great Nation.

Very Respectfully,
Jason E. Carroll
Retired, US Border Patrol
360-406-0863
jcarroll360@gmail.com

Gores, Alanna

From: Caleb Smith <calebsmith40@gmail.com>
Sent: Wednesday, March 23, 2022 8:59 AM
To: Gores, Alanna
Subject: ADU Feedback

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

Dear Clallam County Commissioners

We just found out about the proposed changes to ADU's in Clallam County recently, and would like to provide feedback if it is still possible. We just read an article which mentioned that you have not received much public comment. Our family does not subscribe to local newspapers (except through Facebook feed), so we only heard about the proposals from a friend very recently.

We purchased almost 11 acres zoned for forestry in the Agnew area in 2020. Prior to that, the land had been forested and replanted about five years earlier. We have also had some friends help us plant another 700 trees a few weeks back, and plan to plant a lot more trees in the future. At the same time, we would also like to add several ADU's onto our property in between the trees. These would be beautiful log cabins or similar that would be consistent with the rural character of the area. I (Caleb) have an undergraduate degree in Landscape Architecture and have also worked in GIS with local/provincial governments (in South Africa). I grew up in rural New Zealand, so planning, ecology and aesthetics, including rural character, are important to me. We would take all of these factors into consideration before adding any ADU's, if such was indeed possible.

We would ask on behalf of ourselves (and presumably others) that properties 10 acres or larger could install two ADU's (or more) on their properties. Please also stop the proposed requirements that ADU's must be 300 feet from the main dwelling unit. Such might mean that homeowners with larger properties are not able to add an ADU on the most optimal space of their land, in terms of aesthetics and ecology. This could then contribute to negative changes to the rural character and/or the ecology of our area.

We hope that you will consider these two requests of ours:

1. To allow for two (or more) ADU's for larger properties in Clallam County; and,
- 2: To stop the proposed requirement that ADU's must be 300 feet from the main dwelling unit.

Please don't hesitate to contact us if you have any feedback or questions.

Cell. 360.912.2853

Email. calebsmith40@gmail.com

**Sincerely Yours,
Drs. Caleb & Janine Smith**

Gores, Alanna

From: Team McAleer <michael@teammcaleer.com>
Sent: Thursday, March 24, 2022 3:27 PM
To: Gores, Alanna
Subject: Loosening restrictions on ADU's in Clallam County

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

To whom it may concern:

For numerous reasons, there is a housing shortage in Clallam County. The impact of this shortage is showing in various ways, the most obvious and direct impact being the steep increases in market rents and home sale prices. These increases are pushing people at the bottom of our social/economic ladder into relocation and even homelessness. According to the owner of one of our biggest property management firms, rents have increased between over 35% over the past two years while home sale prices have increased just over 30% over the past two years. Our supply is not matching the demand and the community members with the greatest financial insecurities are bearing the biggest brunt. Wages, social security checks, and other income sources have not come close to matching the increases in rents or home values. Younger people are moving away to find places where the housing costs better match wages which is making it difficult for businesses to keep staff and/or hire. Our financially vulnerable neighbors are cutting back on costs like preventative medical care and discretionary spending at local businesses. More people are squeezing into housing with other family members or friends which of course puts added pressure on septic systems, creates parking issues and of course is hard on those relationships and our collective mental health.

Relaxing rules on where permitted Accessory Dwelling Units can be built and what types can be built are some of the few tools within our control that can be used to help alleviate this supply issue. Allowing ADUs on parcels 1 acre or larger, assuming setbacks and septic capacity can be in compliance is a good start. Allowing "tiny homes" or similar that also conform to setbacks and have adequate septic capacity is another tool. Please be bold with your decisions. This is a big problem and will require bold solutions. Please do all that you can do within your power to help create more housing. Turning this crisis around will take time but it must begin with deliberate actions now.

Thank you for your consideration.

Michael McAleer
President, Sequim Association of Realtors
Managing Broker
Team McAleer @ RE/MAX Prime
CRS, GRI, ABR, CNE, SRES
360.460.2839
www.teammcaleer.com

Gores, Alanna

From: Clark, Donella
Sent: Friday, March 25, 2022 12:32 PM
To: Fleming, Holden; Gores, Alanna
Subject: FW: ADU ordinance

[ADU comment.](#)

From: Tina Vogel [mailto:tina_vogel@centurylink.net]
Sent: Friday, March 25, 2022 8:02 AM
To: Clark, Donella
Subject: ADU ordinance

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

Good Morning Donella,

I'm writing about my concerns regarding the ADU ordinance. I have two concerns, one of which, as noted in the Peninsula Daily News, is the impact on the rural nature of Clallam County. Most people move here for that very thing and changing the density of housing will invariably change the character of the county. Second, in the article someone mentioned eventually living in their 400 sq. ft. art studio, while family lived in her home. While we all make choices, as an older woman this is a somewhat frightening scenario. The potential for family to pressure granny into living in a shed while they take over her home is quite concerning. Perhaps the Area Agency on Aging might have more insight into the potential for abuse. Developers are welcome to build apartments to provide affordable housing for those who need. Please take into consideration these concerns when deciding changes to Clallam County's ordinances.

Thank you for your time and consideration,

Sincerely,
Tina Vogel

Gores, Alanna

From: Ed telenick <e.telenick@hotmail.com>
Sent: Monday, March 28, 2022 8:58 AM
To: Gores, Alanna
Subject: Comment on proposed ADU

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

Good morning Commissioners:

I am writing to voice my opposition to the proposed ADU amendment, but for a reason that is not just limited to the concern for decreasing the "rural character" of the County that has been referenced in the recent public comments made by the Planning Department.

I am unsure exactly what "rural character" means but if it means increased accumulations of junk vehicles, occupied illegal trailers, solid waste, and overtaxed septic systems then we certainly don't need to make that problem worse than it already is.

My main objection to this Ordinance and most of these Ordinances Revisions that the Commissioners debate and vote on are the mechanisms that are used to enforce (or not enforce) these rules. Until this County gets serious about enforcing the existing codes and holding the various departments involved accountable then all of these revisions are pointless!! While the Commissioners may not have direct enforcement authority in these matters, they do control the purse strings of the various departments and have both the authority and responsibility to require measurable outcomes to these changes, rather than just passing them and hoping for the best!

I have lived along a beautiful creek in this County that falls within the Shoreline Management Act Critical Area zone boundaries for 31 years and have witnessed, first hand, the illegal occupation of multiple trailers on small parcels with non functioning septic systems, solid waste dumped in the creek and the increased criminal behavior that these types of occupations foster; while personnel from Environmental Health, Code Enforcement, Building, Planning, and the Sheriff's department all claim that is not their job or they are inadequately staffed in order to enforce the laws.

The idea of making it easier for homeowners to add an ADU to their property may sound like a noble cause to help alleviate the housing situation that exists in this County; but the reality is you are only going to make it easier for those people who know that they will not be held accountable to game the system; because of the dysfunction that exists within the current County government. Other opportunists will turn these dwellings into cash cows for their Air B and B's or vacation rentals and the neighbors will inherit the traffic and increased activity that occurs when large groups of people cram into a single dwelling in their attempt minimize their hotel bills while recreating on the Peninsula. In the meantime those who are legitimately trying to add an ADU to their property will be soaked with additional fees and enter the bureaucratic nightmare that they will subject themselves to by following the rules.

Please focus your efforts on fixing the enforcement mechanisms of our current Ordinances before enacting new ones that will only become more words and numbers on a piece of paper that have very little real consequences except to punish those of us who are actually trying to follow the rules.

Thanks for your time and consideration.
Ed Telenick

Gores, Alanna

From: Maureen <beachit@centurytel.net>
Sent: Monday, March 28, 2022 8:46 PM
To: Gores, Alanna
Subject: FW: adu commissioners mtg
Attachments: table water systems.PNG

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

I failed to provide my address and full name. I have added it to my letter below.

From: Maureen <beachit@centurytel.net>
Sent: Monday, March 28, 2022 4:26 PM
To: 'Gores, Alanna' <agores@co.clallam.wa.us>
Subject: adu commissioners

The following are my comments regarding the ADU regulations being considered by the commissioners. Please include my testimony for the meeting to be held Tuesday, March 29, 2022.

To: Clallam CO Commissioners
From: Maureen McElravy
1411 hwy 112 Sekiu, WA 98381

There is much more to consider when increasing the number of connections and people to a water system than stated. For instance, there are various classifications of Group A water systems and each has differing requirements which you do not see listed and are more expensive and regulated than others. Testing, treatment, operator certification, equipment and storage requirements increase, waivers previously earned may be lost, reporting, planning, licensing fees, review costs, all increase. So does water usage, chemicals, power and the wear and tear of infrastructure. Etc etc

The following link is one of many state regulations, often open to interpretation and personal opinions and objectives of individual state employees. The table attached above would not copy and paste, but comes from the same page and describes the determination of the various groups and classes of systems such as is written in the text of the wac.

The form required to obtain a permit from the county for an adu includes the requirement that the property owners primary residence be on the same property. Mr. Peach wants to allow the owners to increase their options for revenue, but let it be for the people who actually live and work here, whom together create a community. They need the affordable housing, which is now being let out nightly for extraordinary fees.

Commissioners should also consider the requirements imposed on owners over the years which have already defined their neighborhoods and restricted the owners for various causes. Their efforts to comply should not be overlooked in favor of increased revenue for the owners and county coffers.

There are many definitions regarding incidental and subordinate.
The following definitions of incidental and subordinate use come from
<https://www.lawinsider.com/dictionary/incidental-use>

incidental use means that the property or service is used infrequently or for a minor portion of the total time it is used.

incidental use means a use of premises which is ancillary and subordinate to the predominant use; Accessory Structure or Use means a detached subordinate structure or a use which is clearly incidental to, and customarily found in connection with the principal structure or use to which it is related, and which is located on the same lot as the principal structure or use. An accessory structure shall not have habitable living spaces.

<https://app.leg.wa.gov/WAC/default.aspx?cite=246-290-020>

PDF WAC 246-290-020

Applicability.

(1) Public water system shall mean any system providing water for human consumption through pipes or other constructed conveyances, excluding a system serving only one single-family residence and a system with four or fewer connections all of which serve residences on the same farm. This term includes:

(a) Collection, treatment, storage, and/or distribution facilities under control of the purveyor and used primarily in connection with the system; and

(b) Collection or pretreatment storage facilities not under control of the purveyor, but primarily used in connection with the system.

(2) The rules of this chapter shall apply to all **Group A** public water systems except those systems meeting all of the following conditions:

(a) Consists only of distribution and/or storage facilities and does not have any source or treatment facilities;

(b) Obtains all water from, but is not owned by, a public water system where the rules of this chapter apply;

(c) Does not sell water directly to any person; and

(d) Is not a passenger-conveying carrier in interstate commerce.

(3) **Group A** public water systems meeting all of the provisions under subsection (2) of this section may be required by the department to comply with such provisions of this chapter as are necessary to resolve a public health concern if the department determines a public health threat exists or is suspected.

(4) A **Group A** system shall be defined as a public water system providing service such that it meets the definition of a public water system provided in the 1996 amendments to the federal Safe Drinking Water Act (Public Law 104-182, Section 101, subsection b).

(5) **Group A** water systems are further defined as **community** and **noncommunity** water systems.

(a) **Community** water system means any **Group A** water system providing service to fifteen or more service connections used by year-round residents for one hundred eighty or more days within a calendar year, regardless of the number of people, or regularly serving at least twenty-five year-round (i.e., more than one hundred eighty days per year) residents.

Examples of a **community** water system might include a municipality, subdivision, mobile home park, apartment complex, college with dormitories, nursing home, or prison.

(b) **Noncommunity** water system means a **Group A** water system that is not a **community** water system. **Noncommunity** water systems are further defined as:

(i) **Nontransient (NTNC)** water system that provides service opportunity to twenty-five or more of the same nonresidential people for one hundred eighty or more days within a calendar year.

Examples of a **NTNC** water system might include a school, day care center, or a business, factory, motel, or restaurant with twenty-five or more employees on-site.

(ii) **Transient (TNC)** water system that serves:

(A) Twenty-five or more different people each day for sixty or more days within a calendar year;

(B) Twenty-five or more of the same people each day for sixty or more days, but less than one hundred eighty days within a calendar year; or

(C) One thousand or more people for two or more consecutive days within a calendar year.

Examples of a **TNC** water system might include a restaurant, tavern, motel, campground, state or county park, an RV park, vacation cottages, highway rest area, fairground, public concert facility, special event facility, or church.

(c) A **Group B** water system is a public water system that does not meet the definition of a **Group A** water system. (See Table 1 and chapter [246-291](#) WAC for further explanation of a **Group B** water system.)

(6) A **Group A** system meeting more than one of the categories described in this section shall be classified by the department in the following order:

- (a) **Community** water system;
- (b) **NTNC** water system; or
- (c) **TNC** water system.

Gores, Alanna

From: larjdyng@olypen.com
Sent: Tuesday, March 29, 2022 9:58 AM
To: Gores, Alanna; Gores, Alanna
Cc: larjdyng@olypen.com
Subject: More follow up concerns/comments about proposed ordinance amending CCC33.50

Commissioners:

Please add for your consideration and for the record the following comments and information (and as noted earlier to be added to details of comments from Protect the Peninsula's Future, which is also to include all of concerns made by Shogren).

A review of materials in your 3/29/22 Agenda packet, pp 234-343, pertaining to CCC 33.50 shows:
*Letters from Jason Carroll, Drs.Caleb & Janin Smith AND others indicate that the County and local media have not been timely or thorough in providing sufficient details about this proposed ordinance and its potential impact.

*It is not clear that H.Fleming or other DCD staff have reviewed County's own documents or history of WW GMHB decisions pertaining rural lands:
-CC Rural land Policies (311.03. .260(4)& 270(6); 31.08 .100(4) & (5);
31.08 .200(3) .200(20)(d); 31.08.370(6); -County CP review you all signed on 8/7/2018 regarding item(38) Rural Element;
-WW GMHB case #07-2-0018c decision on 11/3/2009.

I did not hear you or staff discuss other pertinent materials referenced in previous comments/concerns emailed to you at your 3/21/22 Work Session.

I have further investigated the references I made to you/staff about materials associated with Thurston County's Rural ADU Project and think you would find materials of concern/interest including:
-Comments submitted by Bruce Yadon and Tim Trohimovich of Futurewise, -Comments submitted by Holly Gadbar, former member of WWGMHB.

You should have further analysis conducted, especially regarding inconsistencies with GMA and CC's Comprehensive Plan and cumulative environmental and rural character impacts. If you could continue an ordinance revision about Fireworks for over 2 years, it is not clear why you should be rushing to make this ordinance amendment, which actually is at the level of need for a major CP update.

Thank you for your consideration again.

Respectfully,
Judy Larson
1070 W. Palo Verde Loop
Sequim,WA