

PROPOSAL

Accessory Dwelling Units

(Proposed amendment to Zoning Ordinance No. 62678 and Title 19 of Klickitat County Code)

Definition:

Dwelling Unit: A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

3.10 Accessory Dwelling Unit (ADU)

Various zoning districts limit the number of dwelling units allowed on a lot to one (1) as a primary dwelling unit. This provision allows one additional dwelling unit as an Accessory Dwelling Unit (ADU) that may be established for personal or financial reasons (e.g. provide a home for an elderly parent or young adult, housing for an onsite caretaker or groundskeeper, or as a guest house, or to provide rental income), subject to approval of a CUP (conditional use permit). ADU's may be detached or attached to an existing or new primary dwelling unit. CUP applications to establish a detached dwelling may be accepted with simultaneous submittal of a building permit application for the primary dwelling unit (i.e. on a parcel with no existing dwelling units), or for converting portions of existing dwelling units to ADU use may be accepted.

3.10.1 General requirements. One ADU may be established in addition to one primary dwelling unit, existing or new, on lots located in the FR, OS, EA, GR, RRL, RR2, RR1, SR and R-1 zones subject to approval per the conditional use permit process (e.g. notification to surrounding landowners, public hearing, demonstration that proposed ADU meets requirements of a conditional use permit and affirmative findings that the proposal is or will be compliant with all the following requirements, as well as shoreline, critical area and floodplain requirements; building, fire, health and safety requirements applicable to residential development:

1. The property on which an ADU is to be located must comply with the minimum lot size of the underlying zone. Lots not meeting the minimum lot size may be allowed an attached ADU, but detached ADU's are prohibited.
2. CUP applications to establish a detached dwelling unit may be accepted with simultaneous submittal of a building permit application for the primary dwelling unit (i.e. on a parcel with no existing dwelling units), or for converting portions of existing dwelling units to ADU use may be accepted
3. No new access from the lot to a private or public access road shall be allowed (the ADU must use the existing/new dwelling access point; access approach or road improvements may be required).
4. An ADU may not be established on a lot with two or more existing dwelling units.
5. Detached or attached ADU's shall not exceed one thousand two hundred (1200) square feet (including area of attached garage, shop or other structures) and include no more than two partitioned areas to be used or potentially used as bedrooms.
6. Detached ADU's shall not exceed 50% or 1200 square feet (which ever is less) of the gross floor area of the primary dwelling unit (including area of garage, shop or other area attached to the primary dwelling unit).
7. Attached ADU's shall not exceed 35% or 1200 square feet (which ever is less) of the gross floor area of the primary dwelling unit (including attached garage, shop or other area).
8. As part of the application, the landowner must agree to a notarized written acknowledgment that the ADU may not be sold as a separate dwelling unit lot from the subject property unless the portion of the subject property containing the ADU is legally subdivided from the remainder of the property and each resulting new lot is at

least the minimum lot size; and that future landowners of the lot are bound to the same. The notarized acknowledgement will be recorded in the Auditor's records as a means of notification of the same to future owners of the property.

9. As part of the application, the landowner must provide a notarized written acknowledgement that the landowner or an immediate relative will use either the primary dwelling unit or the ADU as their primary residence.
10. Application for an ADU must include a plot plan showing location of access, parking, footprints of the ADU and primary dwelling unit, setbacks from lot lines, easements and other structures, existing and proposed well locations, existing/proposed primary and reserve sewage disposal areas; also, the application must include verification of adequacy of water and sewage provisions from the responsible agency (e.g. verification of suitable soils from Health Department, verification of commitment by water purveyor to provide water, verification that community sewage collection agency will serve the ADU).
11. To ensure lot setback requirements are maintained, a land survey may be required if the proposed lot has not previously been surveyed or locations of lot lines are uncertain.
12. A title report may be required. Minimally, the applicant must provide copies of easements, home owner covenants/restrictions or other agreements affecting the property. A proposed ADU that would violate a home owner association agreement, easement agreement, or other restriction may not be approved.
13. The landowner or their representative must demonstrate that the ADU will not be detrimental to the surrounding property (e.g. additional sewage disposal, ground water withdrawal, traffic will not adversely affect health/safety or adversely affect property values) and will not

violate any private or public agreements/easements or similar restrictions.

14. Approval of an ADU on an existing non-conforming parcel less than two acres or an ADU proposed on a parcel zoned less than two acres may require public water and/or sewer. Approval shall be obtained from Environmental Health.

15. Proposed ADU's shall comply with all applicable Building Code requirements.

3.10.2 ADU's used continuously since April 30, 1979 shall be considered legally established uses with regard to zoning. Building Code Requirements were enacted in Klickitat County September 8, 1970.