

Chapter 18.66 ACCESSORY DWELLING UNITS

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18.66.010 Purpose.

Expand the mix of affordable housing opportunities within the city by permitting the creation of secondary dwelling units as an accessory use to existing single-family detached dwellings while maintaining the visual and functional character of single-family residential neighborhoods. (Ord. 2001-002 § 1)

18.66.020 Definitions.

A. "Accessory dwelling unit (ADU)" means a subordinate dwelling unit with complete and independent living facilities on the same lot as and detached from, attached to or contained within an existing single-family dwelling.

B. "Rental occupancy" means nonownership including long term lease ownership per Chapter [18.59](#) RCW. (Ord. 2001-002 § 1)

18.66.030 Designation.

One accessory dwelling unit shall be permitted only on parcels which meet the following conditions:

- A. Is a legally created lot;
- B. Contains one existing single-family detached dwelling which is a conforming use;
- C. Contains no other accessory dwelling unit(s). (Ord. 2001-002 § 1)

18.66.040 Procedure.

Each accessory dwelling unit shall require an administrative permit as follows:

- A. The permit for an accessory dwelling unit shall be considered a Type A-1 permit per SMC Title [20](#) to be approved by the director of the department of community development.
- B. The required fee shall be submitted with the application for permit.
- C. The application shall be made in accordance with submittal requirements on file with the department of community development.
- D. Prior to submitting an application the applicant shall meet with the department of community development to determine compliance of the property with current zoning codes.
- E. The permit shall be recorded prior to occupancy as a deed restriction to run with the land or until removed with the concurrence of the city. (Ord. 2011-017 §§ 1, 2; Ord. 2001-002 § 1)

18.66.050 Standards.

A. New construction for an accessory dwelling unit shall comply with all the development standards for a single-family detached dwelling including, but not limited to, setbacks, height limits and lot coverage and ~~shall will~~ not increase any nonconforming aspect of any existing structure unless otherwise addressed by this chapter. ~~For the purposes of this chapter, converting an existing accessory structure such as a garage into an ADU that does not meet current setback requirements is not considered increasing that structures nonconformity with City setback requirements.~~

B. The following standards shall also apply:

1. The total floor area of the ADU ~~shall will~~ not exceed ~~700-850~~ square feet or ~~50-60~~ percent of the area of the primary unit, whichever is less.
- ~~2. The ADU shall not reduce the size of the primary unit to less than two times the size of the ADU.~~
- ~~3~~2. Both the ADU and the primary unit ~~shall must~~ comply with the International Building ~~and Fire~~ Code regulations, ~~for smoke alarms.~~
- ~~4~~3. If the ADU is attached to the primary unit, the main exterior entrances may not be on the same side of the building.
- ~~5~~4. The architecture of the ADU ~~shall must~~ match ~~and/or compliment~~ that of the primary unit.
- ~~6. One paved off-street parking space shall be provided in addition to those required for the primary unit.~~

Commented [BB1]: Proposed size increase to make ADU more desirable as living quarters

Commented [BB2]: Conflicts with B.1 above.

Commented [BB3]: Some jurisdictions are not requiring off-street parking. In most neighborhoods Sequim has plenty of on-street parking so this requirement may be unnecessary.

~~75.~~ There shall be no ~~E~~ exterior stairways leading to the ADU may not be on the front of the house.

~~8.~~ There shall be no more than two bedrooms in an ADU.

Commented [BB4]:

~~6.~~ The accessory dwelling unit shall meet all zoning development standards, such as setback, lot coverage and height restrictions, when increasing square footage or adding a new detached structure; and accessory dwelling units shall meet all building code standards adopted by the city, including building, electrical, fire, and plumbing code requirements (conversion of existing legally created on-site assessor structures such as garages to an ADU that do not meet setback requirements are exempt from meeting setback standards).

~~7.~~ Mobile homes, manufactured homes, or recreational vehicles shall not be considered an accessory dwelling unit.

~~8.~~ An ADU may not be used as a short-term rental and must be rented for a minimum of ninety days or more.

~~99.~~ Separate utility connections are not required by the city.

~~1010.~~ Any additions to the ADU shall-will meet the requirements of this chapter.

~~C.~~ An accessory dwelling units are not included in density calculations which conforms to the standards in this chapter shall not be considered to exceed the allowable density for the lot upon which it is located and shall-will be considered a residential use which is consistent with the comprehensive plan and zoning designation for the lot. (Ord. 2001-002 § 1)

18.66.060 Additional requirements.

Accessory dwelling units ~~shall bear~~ subject to the following requirements:

A. Sale or ownership of such unit separate from the primary residential unit without a subdivision is prohibited.

~~B.~~ The occupant of either the ADU or the primary unit shall be the owner of the entire property.

Commented [BB5]: Recommend removing ownership requirement

~~C.~~ No more than three persons shall occupy an ADU.

Commented [BB6]:

~~DB.~~ A permit for an ADU shall be subject to the payment of infrastructure impact or general facility fees equal to the established rate for a hotel/motel room.

E.C Prohibited occupancy or sale, in addition to authorizing all other remedies available to the city, ~~shall will~~ constitute a zoning violation and a nuisance subject to abatement. (Ord. 2001-002 § 1)

18.66.065 Approval

A. Any property owner seeking to establish an accessory dwelling unit must apply for an accessory dwelling unit permit with the Community Development Department (DCD). The ADU application will be processed consistent with the appropriate permit type.

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B. If approved, the city shall file the ADU application form and conditions of approval as a deed restriction with the Clallam County auditor's office to indicate the presence of the accessory dwelling unit. The deed restriction shall run with the land and bind all current and future property owner's assigns, beneficiaries and heirs; unless the ADU registration is otherwise cancelled.

C. Cancellation of the accessory unit's registration may be accomplished by the owner submitting notice to DCD for recording at the Clallam County auditor's office or may occur as a result of enforcement action. The cancellation notice will confirm that the residence has reverted to use as a single dwelling, and the cooking stove in the ADU has been removed.

D. The accessory dwelling unit will continue to be permitted upon transfer of property ownership and subject to the limitations of this chapter, the approved ADU permit and deed restriction, unless the ADU registration is otherwise cancelled

Also recommend changing the definition in SMC 18.08 as follows:

"Accessory dwelling unit (ADU)" means a second dwelling unit added to, created within, or detached from an existing single-family detached dwelling for a family member, by blood or by marriage only, to use as a completely independent or semi-independent unit with provisions for cooking, eating, sanitation and sleeping.