

CITY OF PACIFIC, WASHINGTON  
ORDINANCE NO. 2015-1894

AN ORDINANCE OF PACIFIC, WASHINGTON, RELATING TO LAND USE AND ZONING, ELIMINATING THE PROCEDURE ALLOWING NEIGHBORS TO OBJECT TO AN APPLICATION FOR AN ACCESSORY DWELLING UNIT (ADU) AND FOR THE CITY TO DENY THE SAME, INSTEAD ALLOWING FOR NOTIFICATION OF NEIGHBORING PROPERTY OWNERS OF THE CITY'S RECEIPT OF AN APPLICATION FOR AN ADU, LISTING THE ELEMENTS OF A COMPLETE APPLICATION FOR AN ADU, CHANGING THE DESIGN STANDARDS FOR ADU'S, AND ADDRESSING DEED RESTRICTIONS RELATING TO ADU'S, AMENDING SECTIONS 20.92.010, 20.92.050, 20.92.054, 20.92.060 and 20.92.070, REPEALING SECTIONS 20.92.058 AND 20.92.056 AND ADDING A NEW SECTION 20.92.057 TO THE PACIFIC MUNICIPAL CODE AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City's development standards relating to Accessory Dwelling Units needed to be updated to be consistent with law;

WHEREAS, the City SEPA Responsible Official issued a SEPA threshold determination of nonsignificance on this Ordinance, which was not appealed; and

WHEREAS, the City sent a copy of this Ordinance to the Washington Department of Commerce on December 12, 2014; and

WHEREAS, the City Planning Commission held a public hearing on this Ordinance on January 27, 2015, and provided a recommendation to the City Council; and

WHEREAS, the City Council considered this Ordinance during a regular City Council meeting on March 9, 2015; Now, Therefore,

IT IS HEREBY ORDAINED BY THE PACIFIC CITY COUNCIL AS FOLLOWS:

Section 1. Section 20.92.010 of the Pacific Municipal Code is hereby amended to read as follows:

**20.92.010 Purpose.** The purpose of this chapter is to:

- A. Create affordable housing units;
- B. Allow related people to live in close proximity while maintaining separate dwelling units;

C. Provide homeowners with a means of companionship and security;

D. Provide increased choice of housing for a variety of lifestyles, including young families and retirees;

E. Increase density in order to better utilize existing streets, utilities, transit, and other public infrastructure; and

F. Ensure that Accessory Dwelling Units (ADUs) are designed so as not to destabilize neighborhoods or lower property values.

Section 2. Section 20.92.050 of the Pacific Municipal Code is hereby amended to read as follows:

**20.92.050 Where permitted.** ADUs shall be permitted in the RS residential zones when all the ADR U requirements are met.

Section 3. Section 20.92.054 of the Pacific Municipal Code is hereby amended to read as follows:

**20.92.054 Neighborhood notification.**

Prior to issuance of the final decision on the submittal approval an ADU application, the ~~applicant~~ City shall ~~contact~~ notify the neighbors within 300 feet (plus any right-of-way widths, with the exception of SR 167) of the proposed ADU site, ~~to communicate the need and/or desire for an ADU. (Ord. 1558 § 1, 2003).~~ The applicant shall supply the names and addresses of all legal property owners as listed in either the King County or Pierce County Assessor's Offices. The applicant shall supply the necessary envelopes and stamps for the notification of adjacent property owners.

Section 4. Section 20.92.056 of the Pacific Municipal Code is hereby repealed.

Section 5. A new Section 20.92.057 is hereby added to the Pacific Municipal Code, which shall read as follows:

**20.92.057 Application Requirements** A complete application for an Accessory Dwelling Unit permit shall consist of:

- A. The name, address, phone number and e-mail address of the applicant;
- B. The address and legal description of the subject property;
- C. Title Report or other proof of ownership of the property;
- D. Plans at a scale of 1" = 10', 1" = 20' or 1" = 30';
- E. Dimension and shape of lot with adjacent street names;

- F. Adjacent street improvements, ingress and egress;
- G. Existing water courses, wetlands, utility lines, structures, rockeries, or other relevant manmade or natural features;
- H. The location of required parking spaces;
- I. Elevation Plans of the existing primary dwelling unit and of the proposed new dwelling unit;
- J. The permit fee.

Section 6. Section 20.92.058 of the Pacific Municipal Code is hereby repealed.

Section 7. Section 20.92.060 of the Pacific Municipal Code is hereby amended to read as follows:

**20.92.060 Design standards.**

Accessory dwelling units shall meet the following standards for approval.

- A. Be on the same lot as a larger, principal dwelling unit, whether attached to it or detached;
- B. The size of an attached or detached ADU shall meet all of the following requirements;
  - 1. Contain no more than ~~60~~ 45 percent of the floor area of the principal dwelling if located in the principal residence. Garage and staircase areas shall not be included in the calculations.
  - 2. Shall be no more than ~~1,200~~ 800 square feet if detached from the principal dwelling and located within the RS – 6 (Single-family residential, 6,000 square feet) zoning district. ~~excluding any related garage and stair areas;~~
  - 3. Shall be no more than 1,000 square feet if detached from the principal dwelling and located within the RS – 11 (Single-family residential, 11,000 square feet) zoning district.
  - 4. If attached to the principal dwelling, the ADU shall be no greater than 45% of the principal dwelling or have a floor area of 800 sq. ft. whichever is the smaller area.

~~DC.~~ Be equipped with two (2) off-street parking spaces if the ADU has two bedrooms and one (1) off-street parking space if the ADU has one bedroom or it is a studio ADU. These spaces shall be in addition to the spaces required for the principal dwelling unit;

~~ED.~~ Be allowed only so long as the owner or contract purchaser of the lot resides in the accessory or principal dwelling unit;

~~FE.~~ Meet all building, electrical, fire, plumbing and other applicable code requirements;

~~GF.~~ Be designed to maintain the appearance of the existing single-family residence;

G. Be consistent with the color, roof pitch, siding and windows of the principal residence, whether the accessory dwelling unit is attached or detached;

~~IH.~~ ~~Have their~~ The ADU entrances shall be on the side or rear of the building, not visible from the street;

~~KI.~~ The maximum height of an ADU shall be 25 feet.

Section 8. Section 20.92.070 of the Pacific Municipal Code is hereby amended to read as follows:

**20.92.070 Deed restriction.**

~~Upon issuance of a conditional use permit for an ADU,~~ The property owner shall record with the appropriate county recording office a notarized deed restriction. Such deed restriction shall be in a form specified by the director, and shall include the restrictions and limitations contained in this chapter and any further conditions attached to the ~~conditional use~~ Accessory Dwelling Unit permit. ~~An Accessory Dwelling Unit Permit shall be a "Type 1" permit.~~ The property owner shall submit proof that the deed restriction has been recorded prior to issuance of a certificate of occupancy.

Section 9. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

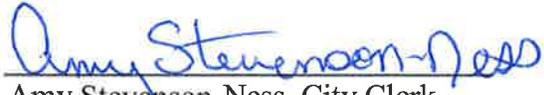
Section 10. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 11. Effective Date. This Ordinance shall take effect and be in full force and effect five days after publication, as provided by law.

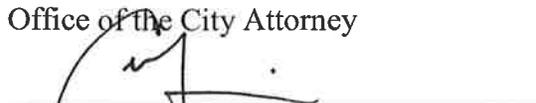
PASSED by the City Council of Pacific this \_\_\_<sup>nd</sup> day of \_\_\_\_, 2015.

  
Leanne Guier, Mayor

AUTHENTICATED:

  
Amy Stevenson-Ness, City Clerk.

APPROVED AS TO FORM:  
Office of the City Attorney

  
Carl Morris, City Attorney

## Comparison of ADU Standards

City	Maximum Size - Detached	Maximum Size – Attached	Minimum Size – Attached/Detached
<i>Pacific – Current Code</i>	1,200 sq. ft.	60% of floor area of principal dwelling or 1,200 sq. ft. whichever is less	None
<b>Pacific - Proposed</b>	800 sq. ft. <i>1,000 sq. ft. (in RS 11 District)</i>	45% of the primary residence	None
Algona	The lesser of 1,000 sq. ft. or 40% of the combined total area of the dwelling unit and ADU	The lesser of 1,000 sq. ft. or 40% of the combined total area of the dwelling unit and ADU	300 sq. ft.
Auburn	950 sq. ft.	50% of the floor area or 950 sq. ft., whichever is the lesser	None
Covington	1,000 sq. ft.	1,000 sq. ft.	None
Sumner	800 sq. ft. or 40% of the primary structure (excluding garage area) whichever is the lesser	800 sq. ft. or 40% of the primary structure (excluding garage area) whichever is the lesser (May be increased to 50%)	300 sq. ft.
Kent	Existing house or new const. – 33% of principal unit or 800 sq. ft., whichever is less	New SF Residence – 40% of principal unit.	None
Federal Way	800 sq. ft. or 40% of the primary residence whichever is the lesser (excluding garage, workshop, & similar areas)	800 sq. ft. or 40% of the primary residence whichever is the lesser (excluding garage, workshop, & similar areas)	300 sq. ft.
Milton (Accessory Apartment)	Not Allowed	Not more than 60% of the floor area of the principal dwelling (Minimum lot size – 9,600 sq. ft. or 8,000 sq. ft.)	None
SeaTac	800 sq. ft. (not including garage)	45% of the primary residence	220 sq. ft.
Sequim	700 sq. ft. or 50% of primary unit, whichever is less.	700 sq. ft. or 50% of primary unit, whichever is less.	None
Puyallup	650 sq. ft. if new structure 900 sq. ft. or 40% of an existing structure (such as a detached garage), whichever is less	900 sq. ft. or 40% of floor area, whichever is less of primary structure	None

## Comparison of ADU Standards

City	Maximum Size - Detached	Maximum Size – Attached	Minimum Size – Attached/Detached
Des Moines (Accessory Living Quarters)	800 sq. ft.	<ul style="list-style-type: none"> <li>800 sq. ft., if addition to existing house or designed into new house</li> <li>Existing house. 35% of the total sq. footage of residence</li> </ul>	350 sq. ft.
Black Diamond	800 sq. ft. or 50% of the primary dwelling unit, whichever is less	800 sq. ft. or 50% of the primary dwelling unit, whichever is less	None
Bonney Lake	1,200 sq. ft. or 45% of the sq. ft. of the primary and accessory residence, whichever is less (excluding garage and stair areas)	1,200 sq. ft. or 45% of the sq. ft. of the primary and accessory residence, whichever is less (excluding garage and stair areas)	300 sq. ft. primary residence 450 sq. ft. detached unit
Maple Valley	Only on lots greater than 10,000 sq. ft. – 50% of primary residence	50% of primary residence (living area)	None
North Bend	800 sq. ft. or 10% of lot area, whichever is smaller	800 sq. ft. or 10% of lot area, whichever is smaller	None
Mercer Island	900 sq. ft. or 80% of the primary residence whichever is less (excluding garage area)	900 sq. ft. or 80% of the primary residence whichever is less (excluding garage area)	220 sq. ft.
Bellevue	Not Allowed	800 sq. ft. or 40% of the primary or accessory unit combined, whichever is less	300 sq. ft.
Fife	Not Allowed	800 sq. ft. or 30% of the residence, whichever is the lesser (excluding garage)	300 sq. ft.
University Place	600 sq. ft. (not including garage)	800 sq. ft.	None
Renton	800 sq. ft. or 75% of primary residence, whichever is smaller	800 sq. ft. or 75% of primary residence, whichever is smaller	None
Burien	800 sq. ft.	1,000 sq. ft. or 50% of the residence, whichever is smaller	None
Kirkland	800 sq. ft. or 40% of the primary residence and ADU combined, whichever is less	40% of the primary residence and ADU combined	None
Pierce County	1,000 sq. ft. Urban Growth Area	1,000 sq. ft. Urban Growth Area	None
King County	1,000 sq. ft. Urban Growth Area	1,000 sq. ft. Urban Growth Area	None