

Ordinance No. 725, 2002

An Ordinance amending the accessory housing standards of the Clallam County Zoning Code, and applicable policies of the Clallam County Comprehensive Plan. The proposed changes will rectify inconsistencies between the current standards of the Zoning Code and the governing policies contained in the Comprehensive Plan, to improve clarity and predictability of the regulation, and to balance the benefits of accessory housing development with other community goals and policies of the Comprehensive Plan. Proposed changes to Title 33, Zoning, include: amending the name of Chapter 33.50 from Accessory Dwelling Unit Standards to Accessory Housing; replacing the current provisions and standards of Chapter 33.50 and Chapter 33.40.100 (Hardship Dwellings) with amended and new standards for accessory dwelling units, adding provisions for accessory and caretaker apartments as a type of accessory housing, consolidating and amending standards for temporary medical hardship dwellings as a type of accessory housing; and adding and amending supporting definitions under Chapter 33.03.010, Definitions. Proposed amendments to Title 31, Comprehensive Plan, include: establishing countywide policies for accessory housing units by amending and adding policies under the County-Wide Comprehensive Plan, Chapter 31.02.280 (Housing); and deleting portions of the policies of the Sequim-Dungeness Regional Plan, Chapter 31.03.160(1); Port Angeles Regional Comprehensive Plan, Chapter 31.04.125(7); Straits Regional Comprehensive Plan, Chapter 31.05.100(7); and Western Regional Comprehensive Plan, Chapter 31.06.100(13).

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

**Section 1** Purpose. The purpose of the proposed Ordinance is to:

1. Further implement the requirements and intent of the Washington State Growth Management Act, Chapter 36.70A, RCW, as amended.
2. Recognize and provide for the different types of accessory housing to be available in Clallam County;
3. Rectify inconsistencies between the Comprehensive Plan and Zoning Code;
4. Improve the clarity and predictability of the zoning regulation;
5. Consolidate accessory housing policies and standards;
6. Balance the benefits of accessory housing units with other community goals and policies of the Comprehensive Plan; and
7. Maintain the public health, safety, welfare and interest.

**Section 2** Findings of Fact. The Clallam County Planning Commission finds the following facts to create the need for recommending adoption of amendments to the Clallam County Code:

1. The Clallam County Comprehensive Plan was amended in June, 1995 (Ord. No. 573, 1995) and again in February 1996 (Ord. No. 584, 1996) pursuant to the requirements of the State Growth Management Act (GMA). The amended Comprehensive Plan set forth policies consistent with the GMA that encouraged provision of affordable housing opportunities within Clallam County. Included were policies that promoted the use of accessory housing units in conjunction with existing residential developments and in conjunction with existing commercial and industrial developments where surplus building space was available (CCC 31.02.280 and 31.02.520).
2. The adoption of the four Regional Comprehensive Plans (Ord. No. 572, 1995; Ord. No. 574, 1995; Ord. No. 575, 1995; and Ord. No. 583, 1995)

established more direct policies that identified the scope, distribution and use of accessory housing throughout the corresponding planning regions. The intent of these policies was to ensure that accessory housing unit development remained incidental and subordinate to the primary uses of property so that neighborhood character, zoning densities, and impacts to infrastructure and environment did not result. Differences did exist in the applicable policies of the four separate Regional Comprehensive Plans.

3. The Clallam County Zoning Code was amended in December, 1995 (Ord. No. 581, 1995), implementing some of the policies contained in the County-wide and Regional Comprehensive Plans as they related to accessory housing. Specifically, a standard for the maximum size allowed for detached accessory dwelling units was established at 800 square feet, consistent with the corresponding comprehensive plan policies.
4. The Clallam County Zoning Code was again amended July 1996 (Ord. No. 601, 1996), resulting in a shift from the adopted policies of the Comprehensive Plan. Specifically, the standard for the maximum size allowed for detached accessory dwelling units was changed from 800 square feet to 1250 square feet. No amendments to the policies of the Countywide Comprehensive Plan or four Regional Comprehensive Plans were included in the Ordinance.
5. Over six (6) years have passed since the effective date of the standards contained in Ordinance No. 601, 1996. Since that time, the Clallam County Department of Community Development has issued permits for more than seventy (70) accessory dwelling units. This has allowed sufficient time and opportunity to collect and evaluate data with respect to the effectiveness of the current standards and policies for accessory housing development.
6. In review of the effectiveness and administration of the current regulation and Comprehensive Plan policies, some general problem areas have been identified by the Planning Commission. These problem areas include: identified inconsistencies between the Comprehensive Plan policies and the standards of the Zoning Code; identified inconsistencies between Countywide Comprehensive Plan and the policies of the four Regional Comprehensive Plans, and; identified difficulties with the clarity, interpretation and administration of the standards contained in the Zoning Code.
7. During review of the public record, the Planning Commission has found that great public benefit could be realized through the use of accessory housing developments in Clallam County in the following areas:
  - a. Convenience to property owners for providing solutions to guest housing, accommodating family members;
  - b. Alternatives that help to increase affordable housing stock in Clallam County; and
  - c. Providing necessary housing accommodations in cases of documented medical hardships where an on-site caregiver is necessary.
8. During review of the public record, the Planning Commission has also found that use of accessory housing development in Clallam County could also introduce adverse impacts if reasonable and appropriate standards are not legislated. Specifically, the Planning Commission finds that reasonable size and design standards are needed to ensure accessory housing developments remain truly incidental and subordinate

to the primary uses of property. Particular concern exists with the following areas:

- a. Neighborhood character could be jeopardized by proliferation of unregulated accessory housing, increasing development and residential use beyond that normally associated with single family residential developments.
  - b. Residential densities established by zoning could be impacted by proliferation of unregulated accessory housing.
  - c. Existing infrastructure could experience unanticipated demand not previously planned for by proliferation of unregulated accessory housing. Increasing residential dwelling units beyond that planned for in zoning would directly increase transportation demand, police and fire protection services, sewage disposal, potable water and other utility infrastructure. Such increase in demand could reduce services below acceptable levels, resulting in the need for increases in services and infrastructure as well as revenue sources adequate to fund them.
  - d. Proliferation of unregulated accessory housing could also result in unanticipated impacts to environmental quality throughout the County. Increased land consumption for uncontrolled accessory housing would displace habitat and wildlife, increase stormwater runoff through proliferation of impervious surfaces, and increase potential for surface water and groundwater contamination through non-point sources (i.e. multiple single-use wells, failed septic systems, increased presence of automobiles, etc.).
  - e. Proliferation of unregulated accessory housing in commercial and industrial areas could result in land use conflicts and reduce the area of available commercial and industrial-zone land for new commercial and industrial developments. This could result in higher demand for expansion of these areas into rural residential and resource lands, inconsistent with the goals and policies of the Comprehensive Plan intended to protect such areas from further encroachment of commercial and industrial uses.
  - f. Proliferation of unregulated accessory housing throughout the County is not consistent with the Policies of the Comprehensive Plan and the GMA that encourages growth to occur within existing urban growth areas and other areas of more intense development where adequate public services and facilities are present and can serve such development.
  - g. With the implementation of comprehensive standards for the placement of accessory housing, there exists a need to inform and notify existing and future land owners of the rights and restrictions contained in the County Code with respect to construction and on-going use of accessory housing units.
9. To achieve a balance between the benefits of accessory housing development and the potential adverse impacts represented by the potential proliferation of unregulated accessory housing, the Planning Commission recognizes the need for clear, objective policies, consolidated in the Countywide Comprehensive Plan, that identifies areas of concern and provides direction for the development and implementation of reasonable standards and development regulations that are consistently applied Countywide.

10. A Notice to Adopt an Existing Environmental Document and Determination of Non-Significance (DNS) was issued pursuant to the State Environmental Policy Act (SEPA) by the Clallam County Responsible Official on May 21, 2002. No comments or appeals pertaining to this determination have been received by Clallam County to date.
11. Whenever necessity, convenience and general welfare require, the provisions of the Clallam County Comprehensive Plan, Title 31, and the Clallam County Zoning Code, Title 33, may be amended consistent with the following criteria (CCC 31.07.370 and CCC 33.35.080):
  - a. The proposed amendment is consistent with the spirit and intent of Title 31, Clallam County Comprehensive Plan;
  - b. The proposed amendment is consistent with the spirit and intent of Title 33, Zoning Code and all other County road, utility, land use and environmental plans and policies adopted by the County;
  - c. The proposed amendment will not be detrimental to the public health, safety, and welfare;
  - d. The proposed amendment is necessary due to changed conditions or circumstances from the time the current regulation was adopted; and
  - e. The cumulative effects of the proposed amendment have been assessed and determined to be consistent with the spirit and intent of the Zoning Code and Comprehensive Plan.
12. The Clallam County Planning Commission held a total of five (5) advertised work sessions in the development of the public hearing draft of proposed changes to the accessory dwelling unit standards of Title 33, Zoning, and the applicable policies of Title 31, Comprehensive Plan. Work sessions were held at 6:30 PM on March 6, 2002; April 3, 2002; April 17, 2002; May 1, 2002; and May 15, 2002. The Planning Commission held a duly advertised public hearing on June 5, 2002, to receive public testimony regarding the proposed amendments to the Comprehensive Plan, four Regional Plans and the Zoning Code. Following the close of the public hearing, the Planning Commission moved to forward a recommendation for changes to the accessory housing policies of the Comprehensive Plan and applicable standards of the Zoning Code to the Board for consideration and adoption as amended. The motion passed with a unanimous vote of the attending members of the Planning Commission.
13. The Growth Management Act (Chapter 36.70A, RCW) generally allows amendments to comprehensive plans and development regulations only once per year, except in emergencies, so as to allow communities to consider the cumulative impacts of the proposed revisions (36.70A.130(2)(a), RCW). Clallam County Code also requires that cumulative effects of annual comprehensive plan and zoning amendments be evaluated and ascertained in relation to one-another (C.C.C. 31.07.330 and 33.35.010).

Planning Staff prepared and submitted a Work Plan for the Year 2002 to the Clallam County Planning Commission in January, 2002. The Planning Commission agreed to the content of the work plan, recognizing that establishing firm dates for public review and final action could not be ascertained until considerable effort and evaluation of the various items were first accomplished. Proposed amendments to the Comprehensive Plan and Zoning Code contained in the Work Plan

included; 1) a Type C Amendment (Rezone Application REZ2001-00002), 2) Diamond Point Airport and Vicinity Land Uses, 3) Quillayute Airport Land Use Plan, 4) an update to the Carlsborg Capital Facilities Plan, and 5) Home Enterprise Standards of the Zoning Code. To date, action has only been taken on Rezone Application REZ2001-00002, changing the zoning designation of approximately 26.5 acres from Commercial Forest (CF) to Rural Very Low (R20). In evaluation of the proposed amendment for changes to the accessory housing standards of the Zoning Code and applicable policies of the Comprehensive Plan, no significant correlation was found to exist between the subject proposal and other docketed items in the 2002 Work Plan. The cumulative effects of the proposed changes to the accessory housing standards of the Zoning Code and applicable Comprehensive Plan policies have been assessed and determined to contain no potential adverse cumulative impacts. Therefore, the proposed amendments are consistent with the spirit and intent of the Clallam County Comprehensive Plan, Title 31, C.C.C., and the Clallam County Zoning Code, Title 33, C.C.C.

14. Pursuant to the requirements of Chapter 36.70A.106(1), RCW, staff forwarded a notice to the Washington State Office of Community Development on May 22, 2002, indicating the County's intent to adopt the proposed changes. Accompanying the notification was a correct copy of the Public Hearing Draft prepared by the Planning Commission. No comments have been received to date from any state agencies regarding the proposed ordinance.
15. The Board of Clallam County Commissioners held a work session on June 24, 2002, to discuss the proposed ordinance as recommended by the Planning Commission. Following the work session, the Board directed planning staff to modify the proposed ordinance recommended by the Planning Commission before distribution for comment and public hearing. Specifically, the Board directed staff to amend the language under proposed Subsection CCC 33.50.040(3)(b), to eliminate the restriction on the renting or leasing of accessory dwelling units in zones with residential densities less than one (1) unit per 2.4 acres. The Board reached this conclusion and staff directive after finding that the proposed standard was in conflict with state and local affordable housing policies, that it was too difficult to administer and enforce, and that there was no substantial reason or identifiable benefit related to the proposed standard. This change was made in a revised Public Hearing Draft of the proposed changes, on June 24, 2002.

**Conclusions of Law:** The Planning Commission hereby adopts the following Conclusions of Law in support of their recommendation for adoption of amendments to the accessory housing standards of the Clallam County Zoning Code, Title 33, CCC, and the policies of the Clallam County Comprehensive Plan, Title 31, CCC:

1. The proposed amendments are consistent with the spirit and intent of Title 31, Clallam County Comprehensive Plan. The amended Comprehensive Plan policies provide for greater balancing of the otherwise competing objectives of the Comprehensive Plan for the provision of affordable housing opportunities with the need for protecting environmental quality, rural character, and efficient use of public services and infrastructure. The proposed amendments to Title 33, Clallam County Zoning Code, are consistent with and fully implement the amended policies of the Comprehensive Plan, ensuring that future development under the new regulation will be consistent with the spirit and intent of the Comprehensive Plan (Findings # 6, 7, 8 and 9).

2. The proposed amendments are consistent with the spirit and intent of Title 33, Zoning Code and all other County road, utility, land use and environmental plans and policies adopted by the County. The amendments to the Zoning Code provide greater protection of the residential densities established by residential zoning districts. Commercial and industrial zoning districts are also further protected from uncontrolled encroachment of incompatible residential developments. Infrastructure, public services and environmental quality will enjoy greater protection under the proposed amendments as well (Findings #6, 7, 8, 9 and 10).
3. The proposed amendments will not be detrimental to the public health, safety, or welfare. The proposed amendments enable a greater degree of protection for the public health as limits on the scope and density of accessory housing developments ensure that expansion of on-site septic systems and other potential sources of pollution will be controlled. The general welfare is also provided greater protection as the proposed standards ensure protection of neighborhood character and residential densities established by zoning (Findings # 9 and 10).
4. The proposed amendments are necessary due to changed conditions or circumstances from the time the current regulation was adopted. With the adoption of Ordinance No. 601, 1996, the regulation was made inconsistent with applicable Comprehensive Plan policies. Sufficient time has lapsed to evaluate the performance of the regulation and problems that have resulted. The proposed amendments will correct these identified problems and bring the regulation and applicable Comprehensive Plan policies into consistency with one-another and compliance with the GMA (Findings # 4, 5 and 6).
5. The cumulative effects of the proposed amendments have been assessed and determined to be consistent with the spirit and intent of the Zoning Code and Comprehensive Plan. In evaluating the potential impacts of the proposed amendments, the Clallam County Responsible Official determined that the evaluation provided under the Final Environmental Impact Statement (FEIS) for the adoption of the Clallam County Comprehensive Plan (Ord. No. 573, 995), meets the County's responsibility for evaluation of potential environmental impacts under SEPA (Chapter 197-11 WAC). The FEIS evaluated housing in relation to environment, infrastructure and other components of the natural and built environment. Since the proposed amendments constitute greater protection of these environmental elements, no additional evaluation is necessary (Findings # 10 and 13).

## Section 3

### Section 33.03.010, CCC - Definitions

C.C.C. 33.03.010 DEFINITIONS. For the purpose of this chapter, certain terms or words herein shall be interpreted as specifically defined in this chapter. All other words in this chapter shall carry the meanings as specified in the latest edition of Webster's New Collegiate Dictionary.

1. Accessory Apartment. An accessory housing unit located above the first floor of a multi-storied commercial or limited industrial use building.

24. Accessory Dwelling Unit or ADU. A separate dwelling unit within a single family dwelling or a separate structure associated with a single family dwelling which is incidental and subordinate to the primary residential use of the property. Accessory dwelling units are further defined as follows:

a. Detached. Those accessory dwelling units that are lawfully constructed within existing outbuildings, or stand alone, where the ADU does not share a common wall or floor/ceiling with the primary residential dwelling unit. ADU's that are connected to a primary residential structure only by a covered breezeway or similar appurtenant structure shall be considered detached.

b. Attached. Those accessory dwelling units that share a common wall or floor/ceiling with the primary dwelling unit and do not meet the definition of detached accessory dwelling unit.

3. Accessory Housing. An accessory single-family housing unit, the residential use of which remains a clearly incidental and subordinate use to a legally constructed primary single-family dwelling, commercial, or industrial use. Accessory housing includes accessory dwelling units, accessory apartments, caretaker apartments, and temporary medical hardship dwellings.

42. Accessory Use or Improvement. A use or improvement which is necessary for the full use and enjoyment of the main use of the property, is typically associated with the main use, and is subordinate to or incidental to the main use of a parcel and which includes the utilities necessary to serve the accessory use. Accessory uses and improvements are allowed in all zoning districts.

53. Administrator. The director of the Department of Community Development of Clallam County or his/her designee.

64. Affected Party. Those parties with standing to bring action on appeals of decisions rendered pursuant to this title and is limited to the following parties:

a. The applicant or owner of property on which the development is proposed.

b. Any person entitled to notice of the application pursuant to Section 33.37.010.

c. Any person who deems themselves aggrieved by a decision and who will suffer direct and substantial impacts from the proposal.

75. Agriculture. Improvements and activities associated with the raising and harvesting of crops and livestock. Agriculture includes ancillary activities, including equipment storage and repair, seasonal employee housing, and temporary on-site retail stands for the sale of agricultural goods.

86. Allowed Use. An activity or structure which is allowed outright by this chapter in one or more zones without issuance of a conditional use permit.

97. Antenna. Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves external to or attached to the exterior of any building.

108. Asphalt Plant. A permanent (longer than three months) installation of an asphalt plant, provided that the facility complies with all applicable water quality, air quality, and other environmental regulations.

119. Bed and Breakfast Inns. A single family dwelling on property occupied by the owner or manager which is constructed or converted partially or entirely into an overnight, short-term boarding house which does not detract from the residential appearance of the structure, and has five or fewer rooms for overnight accommodations.

120. Business Park. A commercial or industrial development supporting low intensity activities compatible with adjoining residential land uses when properly landscaped.

13. Caretaker Apartment. An accessory housing unit that is permitted in association with a commercial or industrial use where no residential dwelling exists, and the expressed purpose of the accessory housing unit is to provide housing for an on-site security or operations personnel.

144. Child Day Care Center. A facility providing regularly scheduled care for a group of thirteen or more children, within a one month of age through twelve years of age range exclusively, for periods of less than twenty-four hours.

152. Church. A building or buildings intended for religious worship including ancillary activity and improvements such as religious education, assembly rooms, kitchen, reading room, recreation hall and may include a residence for church staff. This definition does not include schools devoted primarily to nonreligious education.

163. Commercial Greenhouse or Nursery. A structure (greenhouse) or land (nursery) devoted to the cultivation and wholesale or retail sale of plants.

174. Commercial Horse Facility. A facility greater than 2,000 square feet for the commercial boarding, care, training or riding of horses.

185. Commercial Use. Any premises devoted primarily to the wholesaling or retailing of a product or service for the purpose of generating an income.

196. Commercial Use, Neighborhood. Commercial uses whose primary function are to serve a limited geographical market area intending to enhance a neighborhood or limited residential market.

2047. Commission. The Clallam County Planning Commission appointed by the Board of County Commissioners.

2148. Communication Relay Facilities. Telephone, telegraph, television, radio, cables, microwave stations, retransmission improvements, substations and any other communication conveyance. This definition includes commercial broadcast stations, accessory control buildings and security fencing.

2249. Comprehensive Plan. The Clallam County Comprehensive Plan, County Code Title 31.

230. Conditional Use. An activity or structure which is permitted in a zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood.

244. Corner Lot. A lot abutting on and at the intersection of two or more streets.

252. County. Clallam County.

263. Density. The number of dwelling units per gross acre of land, which includes road right-of-ways to the centerline of fronting streets, tidelands, and dedicated open space areas.

274. Development Right. A development right is defined as the difference between the existing use of a parcel and its potential use as permitted by existing law, i.e., a development right is equal to the unused development potential of a parcel of land. In simplest form a single development right usually represents the potential to build one dwelling unit.

285. Development Standards. A set of requirements establishing parameters to be followed in site and/or building design and development.

296. Duplex. Two dwelling units having a common roof.

3027. Dwelling Unit. Any building or any portion thereof which is intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes having independent living facilities for one family including permanent provisions for living, sleeping, eating, cooking, sanitation and including accessory structures and improvements.

3128. Easement. A grant of one or more property rights by the property owner to and/or for a specific or general use by a person or public.

3229. Family Child Care Home. A facility in the family residence of the licensee providing regularly scheduled care for twelve or fewer children, within a birth through eleven-years-of-age range exclusively, for periods of less than twenty-four hours.

330. Grocery Store. A structure devoted primarily to the sale of staple foodstuffs and household commodities.

344. Gross Floor Area. For structures used for commercial or industrial purposes, gross floor area shall include the sum of the horizontal areas of one or more floors of a building measured from the exterior face of exterior walls or from the centerline of a wall separating two commercial uses but not including interior parking spaces, storage spaces, loading spaces and basements which are not used for human habitation or service to the public. For structures used



for residential purposes, gross floor area shall include the sum of the horizontal areas of one or more floors of a building measured from the exterior face of exterior walls but not including garages or exterior storage spaces.

352. Group Home. A facility licensed by the state which is located in a single building utilized for the full-time shelter and care of a group of unrelated people. A group home is considered to be a multiple family dwelling when it is occupied by seventeen (17) or more clients. A group home is considered to be a home enterprise when occupied by sixteen (16) or fewer clients and when consistent with the standards for a home enterprise.

363. Hazardous Waste

a. Any discarded, useless, unwanted, or abandoned non-radioactive substances, including but not limited to certain pesticides or any residues or containers of such substances which are disposed of in such quantities or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes: have short-lived toxic properties which may cause death, injury, or illness or have nutrogenic, teratogenic or carcinogenic properties; or are corrosive, explosive, flammable, or may generate pressure through decomposition or other means.

b. Any waste described in section a above which: will persist in a hazardous form for several years or more at a disposal site and which in its persistent form presents a significant hazard and may be concentrated by living organisms through a food chain or may affect the genetic makeup of man or wildlife and is highly toxic to man or wildlife; or if disposed of at a disposal site in such quantities as would present an extreme hazard to man or the environment.

374. Hazardous Waste Treatment and Storage Facility. A site or facility used to store or treat hazardous waste as defined in Section 33.03.010 (28) Clallam County Code.

385. Home Based Industry. A revenue generating enterprise which is located on a residential parcel and which generates or involves outdoor activity and/or outdoor storage of equipment or supplies.

396. Home Enterprise. A revenue generating enterprise which is conducted entirely within a dwelling and/or inside other legally existing buildings on a residential property and is subordinate to and incidental to the residential use of the dwelling..

4037. Indoor Shooting Range. A facility, commercial, public or private, which provides for recreational shooting and hunter education within a fully enclosed and soundproof structure which is clearly subordinate to the residential use, if applicable, of the property.

4138. Industrial Use. Any premises devoted primarily to the manufacturing of semi-finished products, finished products and the processing of materials. This definition includes accessory facilities such as but not limited to storage facilities, transfer facilities, warehousing, heavy vehicular storage and repair, log storage milling and sorting.

4239. Kennels. An establishment which is designed to accommodate the temporary boarding of six or more household pets owned by persons other than the owner of the premises.

430. Land Use. An activity on land serving man in some manner.

444. Limited Industrial Use. Those industrial uses which generate minimal amounts of noise, odor, glare, traffic, and other nuisance characteristics.

452. Lodges. Any structure accommodating an organization which is operated not for profit where entrance to the premises is contingent upon the payment of a monthly or yearly fee.

463. Lot Coverage. The total ground coverage of all buildings or structures on a site measured from the outside of the external or supporting walls, but not to include: at-grade, off-street parking lots; deck areas; terraces; swimming pools; pool deck areas; walkways; and roadways; and driveways.

474. Lot Depth. Depth of a lot shall be considered to be the horizontal length of a straight line drawn from the midpoint of the front property line of the lot to the midpoint of the rear property line.

485. Lot Line, Front. The boundary of a lot which is common to a public or private road or access easement. Where the lot abuts two or more roads the lot owner may designate one of the lot lines common to one of the roads as the front lot line at the time the lot is developed.

496. Lot Line, Rear. The property line of a lot that is most opposite or most distant from the designated front lot line and that does not intersect any front lot line. In the case of a triangular lot, it means a line ten (10) feet in length within the lot parallel to and at the maximum distance

from the front lot line. In the event that the front property is a curved line, then the rear property line shall be assumed to be a line parallel to a line tangent to the front property line at its midpoint. In the case of waterfront property, the rear lot line is that which adjoins the ordinary high water line, unless otherwise designated by the Zoning Administrator

5047. Lot Line, Side. Any lot line that is not a front or rear lot line, or any lot line that intersects a front lot line.

5148. Lot, Parcel, Tract. A lot, parcel or tract shall be an ownership of land in which the boundary is defined by a deed recorded in the County Auditor's Office and assigned a tax parcel number by the County Assessor; or a lot which has been defined by a survey recorded pursuant to Washington State surveying or platting laws and is assigned a tax parcel number by the County Assessor; or parcels recognized by resolution of the Board of County Commissioners adopted prior to the effective date of this title.

5249. Lot Width. The horizontal distance between side lot lines measured at right angles to lot depth line at a point midway between the front and rear property line. If the side property lines are not parallel, the width of the lot shall be the length of a line at right angles to the depth line of the lot at a distance midway from the front and rear lines required for the district in which the lot is located.

530. Master Planned Resort. A self contained and fully integrated planned unit development, in a setting of significant natural amenities, with primary focus on destination resort facilities consisting of short term visitor accommodations associated with a range of developed on-site indoor or outdoor recreation facilities.

54. Medical Hardship. A physical or mental incapacitation requiring daily care by an on-site caregiver and is attested to, in writing, by a licensed practicing physician in the State of Washington.

55. Medical Hardship Dwelling. A mobile home or manufactured home, as defined by WAC 296-150M-0020, allowed to provide temporary housing in cases of documented medical hardship.

564. Medical Service Facility. A licensed medical physicians clinic or outpatient care clinic where overnight accommodations are not provided.

572. Mineral Extraction. Activities involved in the extraction and processing of minerals from the earth for industrial, commercial, or construction uses, excluding water. For the purpose of this chapter, removal of solid materials from the earth is not deemed mineral extraction until the activity collectively results in more than 3 acres of land being disturbed or that results in pit walls more than 30 feet high and steeper than one horizontal to one vertical. This definition does not include disturbances greater than 3 acres of land during any time period if the cumulative area that has not been rehabilitated according to the State's reclamation requirements outlined in RCW 78.44 is less than 3 acres. Farming, road construction, mineral exploration testing and site preparation for construction shall not be deemed mineral extraction activities.

583. Minimum Lot Size. The smallest parcel size upon which a dwelling may be placed or constructed, provided that roads and open spaces which are dedicated to the public and tidelands shall be excluded when calculating lot size, provided that lots in the Rural (R1) zoning district may include roads dedicated to the public as part of a land division in the minimum lot size calculation.

594. Mixed-Use. Development that combines two or more different land uses on the same lot or contiguous lots in the same zone, such as retail uses and residential uses.

6055. Mobile Home Park. A lot or parcel of land occupied by two or more mobile homes on a rent or lease basis, and approved by Clallam County pursuant to County regulations.

6156. Motel/Hotel. A structure which provides overnight, short-term boarding to transient guests and not defined as a bed and breakfast inn facility.

6257. Multiple Family Dwelling. A building containing three or more dwelling units.

6358. Non-Conforming Use or Structure. A lawful structure or use existing at the time this chapter or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located.

6459. Off-Street Parking. Any space specifically allocated to the parking of motor vehicles that is not located within a public right-of-way, a travel lane, a service drive, or any easement for public use.

650. Outdoor Oriented Recreation Facilities. Buildings, land alterations, or other facilities which are intended to provide for recreational activity including, but not limited to, campgrounds, boat launching facilities, golf courses and ballfields.

664. Outdoor Shooting Range. A facility, commercial, public or private, and use, part of which occurs outdoors, which is established for the purpose of recreational shooting and hunter education/training. An outdoor shooting range includes the discharge of firearms for any lawful purposes. Accessory uses which directly relate to the use of the site as an Outdoor Shooting Range such as campgrounds and indoor retailing of shooting supplies are included.

672. Parking Space. A parking space is an area set aside for the parking of one motor vehicle.

683. Performance Standards. Criteria that are established and must be met before a particular use will be permitted. These measures are designed to guide development of property and include, but are not limited to, open space requirements, water and waste water requirements, buffer zones, screening, size and height limits for buildings, noise, vibration, glare, heat, air or water contaminants, and traffic.

694. Permitted Use. An activity or structure which is either allowed in a zone pursuant to this chapter without conditions or formal action by the County, or is identified as a conditional use.

7065. Person. A man, woman, firm, association, partnership, political subdivision, government agency, corporation or any other human entity whatsoever.

71. Primary Dwelling Unit. A structure consistent with the definition of Single Family Dwelling, as set forth in this Section; PROVIDED, that this definition applies to those single family residential structures on parcels where an accessory dwelling unit, consistent with the standards of Chapter 33.50 of this Title, is also present.

7266. Primitive Campground. A campground for day use and overnight accommodations by tenters only (no recreational vehicles or tent-trailer's). A primitive Campground is also an Outdoor Oriented Recreation Use, unless specified in each zoning district.

7367. Professional Offices. A structure accommodating the following professional offices: medical, dental, chiropractic; accounting, consulting, cosmetologist, real estate offices or such other offices of persons required to be licensed by the State of Washington following completion of required training.

7468. Public Building. A building or improvement which is used or owned by a governmental agency.

7569. Public Improvement. A facility which is used or owned by a governmental agency.

769. Race Track. An area devoted to the racing of motor and non-motorized vehicles or animals, and all improvements normally associated with racing such as off-street parking, patron seating, concessions, and a fixed race track.

774. Research Facility. An improvement devoted to or supporting research activities and having minimal nuisance characteristics related to odor, noise, glare and radiation. Research is an activity devoted to the obtaining of knowledge and does not include any product retailing or wholesaling activity. Testing for surface and subsurface minerals is not a research activity.

782. Retail Use. A land use devoted primarily to the wholesale and retail sale of a product or service to the general public.

793. RV Park. A campground for day use and overnight accommodations by motor homes, travel trailers, truck campers and camping trailers.

8074. Satellite Dish Antenna. A round, parabolic antenna intended to receive signals from orbiting satellites and other sources. Noncommercial dish antennas are defined as being less than four meters in diameter. Commercial dish antennas are typically those larger than four meters and typically used by broadcasting stations.

8175. School. A building where instruction is given to persons to enhance their knowledge or skills. Buildings where instruction is given primarily on religious matters are not deemed to be schools.

8276. Setback. The minimum distance allowed by this chapter between a lot line or the centerline of a street right-of-way and the foundation of any building on the lot, provided, however, that eaves, decks, porches, bay windows, chimneys or other architectural elements may project no more than two (2) feet in any required yard except in instances where such projection would be over or on an easement, which is not allowed, and provided further that

structures and improvements associated with utilities or roads dependent on location on or near road right-of-way shall be allowed without meeting the setback standards of the Zoning Code.

8377. Shooting Ranges. A facility established for the purpose of recreational shooting, including, but not limited to target and skeet shooting.

8478. Single Family Dwelling. A dwelling unit detached from any other dwelling unit and intended for occupation by one family and including accessory improvements and uses. This definition includes manufactured homes such as mobile homes, modular homes and other homes manufactured in components or as one complete dwelling unit.

8579. Storage Facility. A building or fenced open yard used solely for the storage of goods and materials provided that automobile wrecking or salvage facilities are excluded from this definition.

860. Street. Any vehicular right-of-way which:

- a. is an existing state, county or municipal roadway or,
- b. is a publicly owned easement or
- c. is shown upon a plat or short plat or survey approved pursuant to County regulations or
- d. is approved by other governmental action. The street shall include all land within the boundaries of the street right-of-way which is improved.

874. Street Classifications. Those functional classifications given to streets by the Clallam County Board of Commissioners under the provisions of RCW 36.86.070.

882. Street Right-Of-Way. A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation, and intended to be occupied by a street, as specified by recorded easements, recorded ownership instruments, or dedications accepted by the Board of County Commissioners for public transportation purposes.

893. Tavern. Any establishment with special space and accommodation for sale by the glass and for consumption on the premises, of beer and/or wine.

9084. Timber Harvesting. Improvements and activities associated with the growing and harvesting of trees. Such activity includes land preparation for tree planting, road construction, tree thinning, brush control, log storage and sorting yards, tree nursery facilities, research activity related to timber growing, improvements required for environmental impact mitigation, temporary chipping and barking activity utilizing portable equipment, storage of materials, vehicles and equipment supporting timber growing, harvesting and transportation activities, staging areas and facilities, timber trans-shipment facilities, log scaling facilities, the extraction of gravel and rock necessary to support timber management activity and all other silviculture and associated practices which are recognized by and consistent with the regulations of the Washington State Forest Practices Act of 1974.

9185. Timber Labor Camp. Facilities which are designed to accommodate persons who are employed in timber management activities. Such facilities provide overnight sleeping, waste disposal and one cooking facility to serve the entire facility.

9286. Tourist Shop. A facility devoted primarily to the sale of a product or service to the traveling public, including antique or curio shops, crafts, memorabilia.

9387. Transfer of Development Rights or TDR. An innovative voluntary program in which unused Transferable Development Rights (TDR's) credited by the county to one parcel can be sold and transferred without buying and selling the land. These transferable development rights may be utilized in an urban growth area to increase allowable densities.

9488. Unclassified Use. An activity or land use not defined by this title and not listed as allowed use, a conditional use, or a prohibited use in this title.

9589. Urban Growth Area. Those areas designated by Clallam County pursuant to the policies in the County-Wide Planning Policy and the comprehensive plan.

960. Urban Level of Facilities and Services. Those services defined as "urban governmental services" with levels of service as defined within the Capital Facilities Element of the Clallam County Comprehensive Plan.

974. Utility. A fixed, conveyance type improvement serving two or more ownerships. Said improvement conveys power, gas, water, sewage, surface drainage, or communication signals. This definition does not include inter-county or inter-state transmission facilities.

982. Variance. An exception from the minimum standards of this chapter allowed by the provisions of Chapter 33.30 of this title.

993. Vehicular Repair. A structure or land use devoted to the repair of motor vehicles and not otherwise defined as a home-based industry.

10094. Wholesale Commercial Use. Establishments or places of business primarily engaged in selling merchandise or services to retailers, industrial customers, institutional agencies, professional business users or to other wholesalers.

10195. Wood Manufacturing. Any wood manufacturing premises devoted primarily to the manufacturing of semi-finished products, finished products and the processing of materials. This definition includes accessory facilities such as but not limited to storage facilities, transfer facilities, warehousing, heavy vehicular storage and repair, log storage, milling and sorting.

10296. Wood Manufacturing (Small Scale). Any wood manufacturing activity meeting the following criteria: cabinet shops and other wood finishing facilities; all activity takes place indoors; and the structure is less than 5,000 square feet.

10397. Wrecking Yard Or Junk Yard. An open area where scrap materials or motor vehicles are bought, sold, exchanged, recycled, stored, disassembled or handled, but which cannot be used again for the purpose for which it was originally intended.

10498. Zone. A mapped area to which a uniform set of regulations applies. The Clallam County Official Zoning Map describes the extent and boundaries for the zones described within this title.

10599. Zoning. The process by which a county or municipality legally controls the use of property and physical configuration of development upon tracts of land within its jurisdiction.

### **Chapter 33.50, CCC - Accessory Dwelling Units**

C.C.C. 33.50.010 ACCESSORY DWELLING UNITS. In all zones an accessory dwelling unit is permitted subject to the following requirements:

1. The rural property on which the accessory dwelling is located is at least one and one-half (1 1/2) acres unless served by a community sewage disposal system and property located within an urban growth area which is large enough to support more than one dwelling unit without violating the maximum residential density of the urban zone.
2. The single-family dwelling within which an accessory dwelling is located must have at least 1,200 square feet of gross floor area, exclusive of garage space.
3. The total floor area of a separate structure utilized for an accessory dwelling unit shall not exceed 1,250 square feet. This shall include areas for closets, bathrooms, lofts, or second stories and kitchens, but shall not include areas for garages, shops, or other non-living areas.

### **Chapter 33.50, CCC - Accessory Housing**

C.C.C. 33.50.010 Accessory Housing - Purpose and Intent. Clallam County recognizes the benefits that accessory housing can provide as a housing alternative where such benefits consider and are balanced with other community goals. The purpose and intent of this Chapter is to:

1. Ensure that accessory housing remains clearly an incidental and subordinate use to the existing single-family dwelling or business.
2. Protect the rural and neighborhood character in areas where accessory housing is allowed.
3. Accommodate unique or special housing needs and circumstances such as caretaker housing.
4. Increase and diversify available low-income rental housing stock inside the County's designated urban growth areas.
5. Provide for the general convenience of area land owners to accommodate family and guests with independent living quarters.
6. Allow for accessory apartments above commercial and industrial buildings without consuming valuable commercial and industrial property with residential uses.
7. Create alternative housing opportunities that promote more efficient use of existing or planned public and private transportation facilities and utilities.
8. Encourage accessory housing where public and private utilities, transportation facilities, and other facilities already exist.

C.C.C. 33.50.020 Applicability. Accessory housing units are allowed land uses in all zones where otherwise consistent with the standards of this Chapter and the Clallam County Code. Accessory housing includes accessory dwelling units (ADU), accessory apartments, caretaker apartments, and medical hardship dwellings. Accessory housing 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 be considered a residential use which is consistent with the comprehensive plan and zoning designation for the lot.

C.C.C. 33.50.030 Accessory Housing - General Requirements. The requirements listed below apply to all accessory housing:

1. Certificate of Occupancy. A certificate of occupancy is required pursuant to the Uniform Building Code and shall be obtained from the Building Official and posted within the accessory housing unit. The code inspection required to obtain a Certificate of Occupancy in an existing structure shall be restricted to the portion of the structure to be occupied by the accessory housing unit and shall apply only to new construction, and not the existing components of the primary dwelling.
2. Structure Type. Accessory housing units shall not be travel trailers, recreational vehicles, buses, truck storage containers, or similar manufactured units which are not originally intended to be used for permanent residences. Structures described under WAC 296-150R-0020 as "temporary living quarters" shall not be permitted or placed under the provisions of this Section. If such structures are occupied for a period of ninety (90) or

more consecutive calendar days in the same location, such occupation shall be considered a violation of this Chapter and subject to enforcement under Clallam County Code.

3. Water and Wastewater Disposal.
  - a. Accessory housing shall be required to utilize the same potable water source as the associated primary residential dwelling, commercial or industrial use.
  - b. Accessory housing shall not be permitted unless the Environmental Health Division certifies that the water supply and sewage disposal facilities are adequate for the projected number of bedrooms.
4. Recording. To ensure continued compliance with owner-occupancy and other ordinance requirements by current, as well as any subsequent owners, a registration of the accessory housing unit in the form of a Notice to Title shall be filed and recorded with the Clallam County Auditor. The Notice to Title shall be on a form provided by the Administrator and filled out completely by the applicant prior to filing. The Notice to Title shall run with the land and serve as notice to all future purchasers/owners of the subject property of the presence of the accessory housing unit and applicable restrictions regarding accessory housing units contained in the Clallam County Code. Proof of registration, in the form of a copy of the filed document, shall be submitted to the Department of Community Development prior to issuance of a certificate of occupancy. Said registration may only be removed upon a demonstration to the Department of Community Development that the accessory housing unit has been lawfully removed from the subject property, or the portion of the subject property containing the accessory housing unit is legally subdivided from the remainder of the property pursuant to Title 29, CCC.
5. Sale or Transfer of Accessory Housing Units. Accessory housing units shall not be sold as separate dwelling lots from the subject property, unless the portion of the subject property containing the accessory housing unit is legally subdivided from the remainder of the property pursuant to Title 29, CCC.
6. Density. There shall be no more than one (1) accessory housing unit allowed per lot.

C.C.C. 33.50.040 Additional Standards for Accessory Dwelling Units. In addition to the General Requirements of CCC 33.50.030, accessory dwelling units shall be subject to the following requirements.

1. Size.
  - b-a. Size of Detached ADU. Detached ADU's shall not exceed 50% of the gross floor area of the primary dwelling unit, nor exceed 1,250 square feet in gross floor area.
  - e-b. Size of Attached ADU. Attached ADU's shall not exceed 35% of the gross floor area of the primary dwelling unit.
2. Density.
  - a. The property on which an ADU is to be located must comply with the minimum lot size of the underlying zone. Parcels not meeting the minimum lot size may be allowed an attached ADU, but detached ADU's are prohibited.
  - b. Outside of designated urban growth areas, the property on which a detached ADU is to be located shall be at least 1.5 acres in size. This standard may be waived by the Administrator where it can be demonstrated that the detached ADU will be served by a community water supply and community sewage disposal system.
  - c. Inside areas zoned Agricultural Retention (AR), detached ADU's are prohibited except on lots that are subject to the agricultural retention development standards of C.C.C. 33.07.010(4) to C.C.C. 33.07.010(10), or where the existing parcel is thirty (30) acres or larger in size.
  - d. Inside areas zoned Commercial Forest (CF), detached ADU's are prohibited.
3. Occupancy.
  - a. The owner of the parcel shall live either in the primary dwelling or ADU as their primary residence. For the purpose of this standard, "permanent residence" shall mean occupancy by the underlying property owner for no less than 120 days during a calendar year.

- b. ADU's may be used for occupation by family members, guests, renters, lessees, and estate caretakers/groundskeepers.
- 4. Design. ADU's shall be designed so that the appearance of the lot remains that of a single family residential development through the following standards:
  - a. All building entrances shall be located so that only one entrance faces the road frontage of the development.
  - b. On-site parking area shall be provided.
  - c. Access for vehicle ingress and egress shall share the same legal access onto a public or private road as the primary dwelling unit and no new access shall be established for the ADU.

C.C.C. 33.50.050 Additional Standards for Accessory Apartments and Caretaker Apartments in Commercial and Industrial Zones. In addition to the General Requirements of CCC 33.50.030, accessory apartments and caretaker apartments shall be subject to the following requirements.

- 1. The gross floor area of an accessory or caretaker apartment shall not exceed 1,250 square feet.
- 2. In order to ensure accessory apartments do not constitute an encroachment into commercial areas or otherwise compete with commercial or industrial developments for limited commercial or industrially-zoned land, accessory apartments shall only be allowed to locate above the first floor of multi-storied commercial or industrial buildings.
- 3. Caretaker apartments shall be permitted in commercial or industrial zones.

C.C.C. 33.50.060 Additional Standards for Temporary Medical Hardship Dwellings. In addition to the General Requirements of CCC 33.50.030, temporary medical hardship dwellings shall be subject to the following requirements.

- 1. The mobile home, manufactured home or the primary single family dwelling will be occupied by a person who is caring for or being cared for by the person occupying the second dwelling on the same parcel.
- 2. Evidence of the medical hardship shall be documented in writing by a licensed physician practicing in the State of Washington, on a form provided by the County, stating the nature of the medical hardship and verifying that one of the occupants of the temporary hardship dwelling or dwelling specified in item (1) above requires care by the care-giver living on the parcel due to a documented medical hardship.
- 3. This exception from the single family dwelling and density standards of the underlying zone does not excuse the applicant from Uniform Building Code, Environmental Health Code, or any other applicable land use or construction regulation. All other applicable permits shall be procured by the applicant prior to construction.
- 4. The mobile home or manufactured home will be removed following termination of the medical hardship within a period not to exceed ninety (90) days from the date the medical hardship terminated, unless the hardship dwelling can be brought into compliance with the requirements of Title 29, C.C.C. (Land Division Code), or the accessory dwelling unit standards of C.C.C. 33.50.020.
- 5. A certificate of occupancy shall be issued by the Clallam County Building Division for the mobile or manufactured home when all applicable requirements and permits have been satisfied. The certificate of occupancy shall be valid for a period not to exceed three (3) years from the date of issue. The applicant shall be allowed the opportunity to renew the certificate of occupancy prior to expiration.
- 6. As a condition of approval for the Temporary Medical Hardship Dwelling exception, the applicant must demonstrate to the satisfaction of the Zoning Administrator that suitable living accommodations can not be provided for consistent with the CCC 33.50.040, Accessory Dwelling Unit Standards. Any waiver by the Administrator shall be based on a finding that it is necessary to accommodate the medical hardship. Any waiver shall be the minimum necessary to accommodate the medical hardship.

**Section 33.40.100, CCC - Hardship Dwelling**



C.C.C. 33.40.100 HARDSHIP DWELLING - EXCEPTION FROM MINIMUM LOT SIZE REQUIREMENTS. A mobile home may be placed on a parcel without compliance to the minimum lot size requirements of this chapter if all of the following conditions apply to the placement:

1. The mobile home or single family dwelling will be occupied by a person who is caring for or being cared for by the person occupying the second dwelling on the same parcel.
2. One of the occupants of the hardship dwelling or dwelling specified in item (1) above requires care by the care giver living on the parcel due to a documented medical hardship.
3. The mobile home will be removed following termination of the medical hardship.

## Chapter 31.02 Countywide Comprehensive Plan – Housing Element.

C.C.C. 31.02.280 Housing. The Growth Management Act requires a Housing Element in addition to a sub-section in the Land Use Element. This section will briefly describe the proposed general distribution, location and extent of housing to be available throughout Clallam County. For more specific information, please refer to the Housing section.

1. Housing opportunities should be distributed throughout most areas of Clallam County, with the following limitations:
  - a. Housing in commercial forest lands should be strictly limited to those parcels that were pre-existing the commercial forest designation and/or do not interfere with commercial forest production.
  - b. Housing in designated commercial and industrial areas should support the primary use of those areas.
  - c. Housing in critical areas should be consistent with the policies to protect critical areas from incompatible development.
  - d. Housing in commercial agricultural lands should be limited to cluster housing developments or agricultural worker homes.
2. Urban growth areas shall promote a variety of housing types, including multi-family, single family, mixed uses, and accessory living units and manufactured homes.
3. Rural areas shall promote a focus on single family housing and accessory living units.
4. Preservation and enhancement of existing manufactured mobile home parks in urban and rural areas is encouraged.
5. Provision of additional rental housing stock is encouraged through support of multi-family developments, particularly in urban growth areas, and use of accessory housing units dwelling units in all residential land use categories.
6. Clallam County should encourage the provision of affordable, low-income housing in areas suitable for such developments when adjacent properties are not adversely impacted.
7. Support accessory housing as a means to promote affordable housing alternatives, particularly in urban growth areas; to provide for the general convenience of area land owners to accommodate family and guests with independent living quarters; to accommodate unique or special housing needs and circumstances such as caretaker housing, and to allow opportunities for housing above businesses without consuming the County's valuable commercial and industrial land base.
8. Balance the benefits that accessory housing provides with other community goals including, but not limited to: providing safe and adequate housing; retaining neighborhood and rural character; promoting more efficient use of existing public and private utilities, transportation facilities and other facilities; conserving natural resource lands; and protecting environmental quality.
  - a. Protect public health and safety by requiring that accessory housing units be located in structures designed to be used for permanent occupancy.
  - b. Ensure that accessory housing remain clearly an incidental and subordinate use to the existing single-family dwelling or business through the adoption of size, occupancy, design standards, and other appropriate controls.
  - c. Limit accessory housing to no more than one (1) accessory housing unit per lot.
  - d. Avoid development of new individual, community or public water supplies to serve an accessory housing unit in order to reduce the creation of new potential avenues (e.g., a new well) of pollutants to shared groundwater resources that serve as the sole source of drinking water for most County residents, and also to minimize the potential impacts that additional well development may have on existing wells.
  - e. Require that accessory housing be located on a minimum lot size of 1.5 acres where located outside of urban growth areas, except where served by adequate community water supply and sewage disposal systems, in order to control impacts to rural character and governmental services, and to direct more intensive residential development into areas where public facilities and services are available.
9. Notify current and future purchasers/owners of property containing an accessory dwelling unit that such housing is considered "accessory" by Clallam County and that

restrictions on such use exists. Notification of the existence of an accessory housing unit should be recorded with the Clallam County Auditor prior to the issuance of a building permit.

10. Monitor accessory housing development to identify potential situations where such housing is becoming a more dominant neighborhood land use. The existence of accessory housing shall not be used as the primary or sole justification for allowing higher residential densities supported by the Official Comprehensive Future Land Use and Zoning Maps.

#### **Chapter 31.04 – Port Angeles Regional Plan.**

##### **C.C.C. 31.04.125 Affordable Housing - Policies**

7. ~~Accessory apartments or "granny flats" should be allowed in both rural and urban areas in the Port Angeles Region under the following conditions:~~
  - a) ~~Detached accessory rental units should not exceed 800 square feet in total floor area.~~
  - b) ~~Detached accessory rental units shall not be sold separately from the primary residential unit unless a legal subdivision has taken place.~~
  - c) ~~An accessory dwelling unit in a single family dwelling may be permitted if the unit does not occupy more than 35 percent of the total floor area of the single family dwelling unit.~~
  - d) ~~In order to have an accessory housing unit, the owner of the parcel shall live on the property.~~
  - e) ~~In rural areas, the property on which the detached dwelling unit is allowed is at least 1.5 acres in size unless the area is served by a community water system and no more than one accessory housing unit is allowed per lot.~~
  - f) ~~The Health Division certifies that the water supply and sewage disposal facilities are adequate for the projected number of residents.~~
  - g) ~~The accessory housing unit shall be designed so that the appearance of the building(s) remains that of a single family residence through such means as locating entrances so that more than one entrance does not face the road frontage of the residence, through screening added parking from view and ensuring that there is only one vehicular access to the dwelling units.~~

#### **Chapter 31.03 – Sequim-Dungeness Regional Plan.**

##### **C.C.C. 31.03.160 Affordable Housing - Policies**

1. Flexible zoning techniques, cluster housing (provided adjacent property owners are protected from adverse impacts), and transfer of density on a parcel should be allowed in order to lower the cost of land for affordable housing opportunities. All types of housing opportunities, including multi-family, should be allowed in approved planned unit developments.
  - a) ~~Detached accessory dwelling units, accessory apartments or granny flats should be allowed in both rural and urban areas, provided that the following standards are met:~~
  - b) ~~Detached accessory dwelling units should not exceed 800 square feet in total floor area and should utilize the same access as the principle dwelling unit.~~
  - c) ~~In rural areas, the property on which the detached accessory dwelling unit is located is a minimum of one and one-half (1.5) acres in area, unless the property is served by a community sewage disposal system.~~
  - d) ~~An accessory dwelling unit attached to a single family dwelling (e.g. converted basement) may be permitted if the accessory unit does not occupy more than 35 percent of the single family dwelling floor area.~~
  - e) ~~In order to have a accessory dwelling unit, the owner of the parcel shall live on the property.~~

#### **Chapter 31.05 – Straits Regional Plan.**

C.C.C. 31.05.100 Housing Goals

7. ~~Accessory apartments or "granny flats" shall be allowed in both rural and urban areas in the Straits Planning Region under the following conditions:~~
- a. ~~Detached accessory rental units should not exceed 800 square feet in total floor area.~~
  - b. ~~Detached accessory rental units shall not be sold separately from the primary residential unit unless a legal subdivision has taken place.~~
  - c. ~~An accessory dwelling unit inside or attached to a single family dwelling may be permitted if the unit does not occupy more than 35 percent of the total floor area of the single family dwelling unit.~~
  - d. ~~In order to have an accessory housing unit, the owner of the parcel or a member of his/her family shall live on the property.~~
  - e. ~~No more than one accessory housing unit is allowed per lot.~~
  - f. ~~The Health Division certifies that the water supply and sewage disposal facilities are adequate for the projected number of residents.~~

**Chapter 31.06 – Western Regional Comprehensive Plan.**

C.C.C. 31.06.100 Rural Land Principles

13. ~~Accessory Dwelling Units or Granny Flats with the intent of providing non-rental housing should be allowed throughout the Planning Region. Uses of such structures should be limited to housing for the elderly (in order to provide at home care by family members), family members, and guest housing. The existence of such structures should not be justification for rental operations or higher land use densities.~~

**Section 4** SEVERABILITY. If any provisions of this Ordinance, or its application to any person or circumstances, is held invalid, the remainder of the Ordinance, or application of the provisions of the Ordinance to other persons or circumstances, is not affected.

**Section 5** EFFECTIVE DATE. This Ordinance shall take affect ten (10) days after the date of adoption.

ADOPTED this 6<sup>th</sup> day of August, 2002

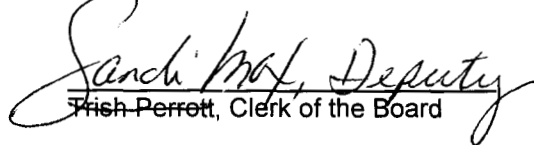
BOARD OF CLALLAM COUNTY  
COMMISSIONERS

  
Howard V. Doherty, Jr., Chair

  
Stephen P. Tharinger

  
Michael C. Chapman

ATTEST:

  
Trish Perrott, Clerk of the Board