

CITY OF OKANOGAN

JON K. CULP, MAYOR



**Notice of Initiation of Text Amendments, Issuance of a DNS under SEPA
and Public Hearings on the Matter**
Accessory Dwelling Units
OKA RA 18-2

Official Date of Notice: August 22, 2018

NOTICE IS HEREBY GIVEN THAT the Planning Commission of the City of Okanogan, Washington has initiated zoning code text amendments that will amend the City of Okanogan Municipal Code in the following manner: make provisions that treat a single-family dwelling with an accessory dwelling unit the same as a single-family dwelling use. Subject to owner occupancy and other restrictions on proportional size, occupant load, attachment and parking.

PROJECT LOCATION: All areas within the City of Okanogan, Washington primarily located in Sections 2, 3, 4, 5, 6, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20 and 21 of Township 33 N., Range 26 E WM. and a portion of Section 33 of Township 34 N., Range 26 E.WM., Okanogan County, Washington.

SEPA: The lead agency for this proposal, which is the City of Okanogan Building & Permits Department, has determined that the proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 3.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This determination of non-significance (DNS) is issued under 197-11-340(2); the lead agency will not act on this proposal before September 10, 2018.

HEARINGS: On Monday, September 10, 2018 during their regular meeting the City of Okanogan Planning Commission will conduct an open record public hearing in accordance with 18.100.070 of the Okanogan Municipal Code (OMC) to take relevant testimony from the public, review the application and upon completion of the hearing, make a recommendation to the City Council.

The meeting is to begin at 7:00 p.m. in the Council Chamber Room, City Hall, 120 3rd Avenue, N. Okanogan, please consult the agendas as to what order of business the hearing is. All persons interested in presenting testimony are encouraged to be present to be heard.

Persons desiring to provide written comments on the proposal must file said comments at the Clerk's Office no later than 4:00 p.m. September 10, 2018 or at the hearing. Persons desiring a copy of the decision once made or party of record status must file said request at the Clerk's Office no later than 4:00 p.m. September 10, 2018 or at the hearing.

MORE INFORMATION: The complete project file consisting of the proposed text amendments, application, maps, SEPA Checklist, and Staff Report (when available) are available to the public and will be provided upon request, please contact the Clerk's Office, City Hall, (509) 422-3600 during normal business hours or by visiting the City's website at www.okanogancity.com and following the Public Notice links. For further information please contact the responsible official below.

Christian D. Johnson, C.B.O., Building Official * Permit Administrator (509) 422-3600

P.O. Box 752, Okanogan, WA 98840 e-mail: build@okanogancity.com

Issued this date: August 14, 2018

Signature:

APPEALS: This notice is given pursuant to Section 18.100.050 OMC, appeals under SEPA shall be processed under Chapter 16.08.220 OMC and appeals of the final decision on these applications may be filed by a party of record with standing in Okanogan County Superior Court within 21 days of issuance of the decision as provided by Chapter 36.70C RCW.

A. Background

1. Name of proposed project, if applicable:

City of Okanogan Accessory Dwelling Unit (ADU) Zoning Text Amendment

2. Name of applicant:

City of Okanogan Planning Commission

3. Address and phone number of applicant and contact person:

P.O. Box 752, Okanogan WA 98840 Christian Johnson, Permit Administrator (509)560-3534

4. Date checklist prepared:

August 2018

5. Agency requesting checklist:

City of Okanogan

6. Proposed timing or schedule (including phasing, if applicable):

Planning Commission first hearing in September 2018; Council consideration late 2018

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

None specific to this proposal; this proposal is part of ongoing activities fo the Planning Commission to review existing regulations for updates.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

SEPA review of the City's Comprehensive Plans

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Not applicable, Non-project action.

10. List any government approvals or permits that will be needed for your proposal, if known.

Passage of zoning text amendment ordinance by the City Council

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Revise the city code for provisisions that treat a single family dwelling with an accessory dwelling unit the same as a single family dwelling use.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

City Wide

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)?

Not applicable, Non-project action.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Not applicable, Non-project action.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Not applicable, Non-project action.

City of Okanogan Accessory Dwelling Unit (ADU) Zoning Text Amendment

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable, Non-project action.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable, Non-project action. Regulated elsewhere.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable, Non-project action. Regulated elsewhere

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

No additional measures proposed, existing regulations will be applicable.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not applicable, Non-project action.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable, Non-project action.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

No additional measures proposed, existing regulations will be applicable.

3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Not applicable, Non-project action. The Okanogan River and Salomon Creek and Elgin Creek are in the city.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable, Non-project action.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable, Non-project action.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable, Non-project action.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Not applicable, Non-project action. Portions of the city are, flood hazard reductions standards will

apply.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable, Non-project action. None as a result of this amendment.

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Not applicable, Non-project action. All water will come from the city system for domestic use and

irrigation.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Not applicable, Non-project action. None likely from this amendment.

c. Water runoff (including stormwater):

City of Okanogan Accessory Dwelling Unit (ADU) Zoning Text Amendment

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable, Non-project action.

2) Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable, Non-project action. Not likely due to existing regulations.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Not applicable, Non-project action.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

No additional measures proposed, existing regulations will be applicable.

4. Plants

a. Check the types of vegetation found on the site:

___ deciduous tree: alder, maple, aspen, other

___ evergreen tree: fir, cedar, pine, other

___ shrubs

___ grass

___ pasture

___ crop or grain

___ Orchards, vineyards or other permanent crops.

___ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

___ water plants: water lily, eelgrass, milfoil, other

___ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Not applicable, Non-project action.

c. List threatened and endangered species known to be on or near the site.

Not applicable, Non-project action.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable, Non-project action.

e. List all noxious weeds and invasive species known to be on or near the site.

Not applicable, Non-project action.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

Not applicable, Non-project action.

b. List any threatened and endangered species known to be on or near the site.

Not applicable, Non-project action.

c. Is the site part of a migration route? If so, explain.

Not applicable, Non-project action.

d. Proposed measures to preserve or enhance wildlife, if any:

Not applicable, Non-project action.

e. List any invasive animal species known to be on or near the site.

Not applicable, Non-project action.

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable, Non-project action.

b. Would your project affect the potential use of solar energy by adjacent properties?

If so, generally describe.

Not applicable, Non-project action.

c. What kinds of energy conservation features are included in the plans of this proposal?

List other proposed measures to reduce or control energy impacts, if any:

Not applicable, Non-project action.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?

If so, describe.

1) Describe any known or possible contamination at the site from present or past uses.

Not applicable, Non-project action.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Not applicable, Non-project action.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable, Non-project action.

4) Describe special emergency services that might be required.

Not applicable, Non-project action.

5) Proposed measures to reduce or control environmental health hazards, if any:

No special measures, existing regulations apply.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Not applicable, Non-project action.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Not applicable, Non-project action.

3) Proposed measures to reduce or control noise impacts, if any:

No special measures, existing regulations apply.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Not applicable, Non-project action.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Not applicable, Non-project action.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

Not applicable, Non-project action.

c. Describe any structures on the site.

Not applicable, Non-project action.

d. Will any structures be demolished? If so, what?

Not applicable, Non-project action.

e. What is the current zoning classification of the site?

Not applicable, Non-project action.

f. What is the current comprehensive plan designation of the site?

Not applicable, Non-project action.

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable, Non-project action.

City of Okanogan Accessory Dwelling Unit (ADU) Zoning Text Amendment

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.
Not applicable, Non-project action.
- i. Approximately how many people would reside or work in the completed project?
Not applicable, Non-project action.
- j. Approximately how many people would the completed project displace?
Not applicable, Non-project action.
- k. Proposed measures to avoid or reduce displacement impacts, if any:
Not applicable, Non-project action.
- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
By narrowing the scope of when and where a ADU may be permitted and providing controls limiting the use.
- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:
Not applicable, there are no long-term ag or forrest land within the city.
9. **Housing**
- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
No specific number is known; proposal will enable the opportunity to create middle to low income housing.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
Not applicable, Non-project action.
- c. Proposed measures to reduce or control housing impacts, if any:
Proposal will enable additional housing opprotuniities.
10. **Aesthetics**
- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
Not applicable, Non-project action.
- b. What views in the immediate vicinity would be altered or obstructed?
Not applicable, Non-project action.
- b. Proposed measures to reduce or control aesthetic impacts, if any:
Not applicable, Non-project action.
11. **Light and Glare**
- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
Not applicable, Non-project action.
- b. Could light or glare from the finished project be a safety hazard or interfere with views?
Not applicable, Non-project action.
- c. What existing off-site sources of light or glare may affect your proposal?
Not applicable, Non-project action.
- d. Proposed measures to reduce or control light and glare impacts, if any:
No additional measures proposed, existing regulations apply.
12. **Recreation**
- a. What designated and informal recreational opportunities are in the immediate vicinity?
Not applicable, Non-project action.
- b. Would the proposed project displace any existing recreational uses? If so, describe.
Not applicable, Non-project action.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
Not applicable, Non-project action.
13. **Historic and cultural preservation**
- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.
Not applicable, Non-project action.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Not applicable, Non-project action.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Not applicable, Non-project action.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Not applicable, Non-project action.

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Not applicable, Non-project action.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Not applicable, Non-project action.

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Not applicable, Non-project action.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Not applicable, Non-project action.

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

Not applicable, Non-project action.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Not applicable, Non-project action.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

Not applicable, Non-project action.

h. Proposed measures to reduce or control transportation impacts, if any:

Proposal does include provisions for requiring off street parking to reduce the likeliness of congestion on streets.

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Not applicable, Non-project action.

b. Proposed measures to reduce or control direct impacts on public services, if any.

Not applicable, Non-project action.

16. Utilities

a. Circle utilities currently available at the site:

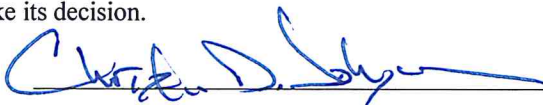
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____



Name of signee CHRISTIAN JOHNSON
Position and Agency/Organization PERMIT ADMIN., CITY OF OKANOGAN
Date Submitted: 8/14/2018

D. supplemental sheet for nonproject actions

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

At a rate that is less than traditional housing.

Proposed measures to avoid or reduce such increases are:

Essentially be gaining 2 DU for space allocated for 1 DU

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Not likely.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

No additional measures are proposed.

3. How would the proposal be likely to deplete energy or natural resources?

At a rate that is less than traditional housing

Proposed measures to protect or conserve energy and natural resources are:

Essentially gaining 2 DU for space allocated for 1 DU

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Not likely

Proposed measures to protect such resources or to avoid or reduce impacts are:

No additional measures are proposed.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposal is consistent with existing plans.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Proposal should reduce pressure to develop elsewhere by provided for greater density where already developed.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Incrementally as per typical housing developments.

Proposed measures to reduce or respond to such demand(s) are:

No additional measures are proposed.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

No such conflicts are known.

CITY OF OKANOGAN
LAND USE PERMIT APPLICATION COVER SHEET QUESTIONNAIRE

PROJECT TITLE: Accessory Dwelling Units

FILE ID #: OKA RA 18-2

This application is for (check all that are relevant):

<input type="checkbox"/> Long Plat	<input type="checkbox"/> Zoning Conditional Use Permit
<input type="checkbox"/> Long Plat Alteration	<input type="checkbox"/> Zoning Variance
<input type="checkbox"/> Short Plat	<input checked="" type="checkbox"/> Zoning Text Amendment
<input type="checkbox"/> Planned Development	<input type="checkbox"/> Zoning Map Amendment
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Other; _____

ALSO USE JARPA APPLICATION FOR FLOODPLAIN AND SHORELINE PROPOSALS

For proposals/projects with multiple permit/approvals, do you want your entire project processed under a consolidated review process? Yes ___ No ___

(City Use Only)	
APPLICATION FEES: _____ n/a _____	RECEIPT #: _____
DATE OF APPLICATION: <u>8/13/18</u>	BY: <u>PC</u>

APPLICANT: **City of Okanogan Planning Commission**

Mailing Address: **POB 752, Okanogan WA 98840**

Contact Person: **Christian Johnson, Permit Administrator** Phone: **(509)560-3534**

ENGINEER / SURVEYOR OF RECORD: _____

Firm Name: _____ Phone: _____

Mailing Address: _____

OWNER OF PROPERTY: _____

Mailing Address: _____

Contact Person: _____ Phone: _____

GENERAL PROJECT INFORMATION:

This application is made pursuant to the following Municipal Code Sections or relevant State Laws: **Section 18.108.010 OMC**

Description of the proposal: **Amend the Zoning Code to make provisions that treat a single-family dwelling with an accessory dwelling unit the same as a single-family dwelling use. See attached.**

Description of the existing use(s) of the property: **City wide.**

Description of the proposed use(s) of the property: **Non project action**

Street address of the site: **City Wide**

Legal description of the subject property: **City Wide**

*CITY OF OKANOGAN
LAND USE PERMIT APPLICATION COVER SHEET QUESTIONNAIRE
PAGE 2*

Current land use designation for the subject property:

Zoning District: **City wide, will not change status of existing non-conforming single-family dwellings, with the addition of a ADU.**
Comprehensive Plan: **City wide**
Flood Plain Zone: **City wide, all except floodways.**
Shoreline Environment: **City wide**
Critical Areas: **City wide, all except Wetlands & Riparian Habitat**

Are there existing relevant permits or approvals held to the subject property? If yes, state the permit number and issuing agency: **None**

Will the proposal affect the access to the property? If yes, please describe: **Non project action.**

Will the proposal require work within an existing public right-of-way? If yes, please describe: **Non project action**

Will the proposal require additions or changes to the water and/or sewer services? If yes, please describe: **Non project action**

Water service is provided by: **Most likely from the City.**

(If water service is not provided by the City, please attach evidence of adequate water supply as required by RCW 19.27.097)

Sanitary sewer service is provided by: **Most likely from the City**

Storm sewer service is provided by: **Most likely addressed on site.**

<p>If the water and/or sewer service is new or the use is expanding or changing, please request a copy of the water and sewer system development fee / E.R.U. schedule. (Ordinance #928).</p>

Is the property served by an irrigation district? If yes, note the name of the servicing district and describe any effect the proposal will have on the service: **Non project action**

CITY OF OKANOGAN
LAND USE PERMIT APPLICATION COVER SHEET QUESTIONNAIRE
PAGE 3

PLEASE ATTACH THE FOLLOWING DOCUMENTS: SUBJECT PERMIT APPLICATION, REQUIRED LEGIBLE PLANS AND SPECIFICATIONS, RELATED SEPA DOCUMENTS, LIST OF ADJACENT LANDOWNERS AND APPLICATION FEES.

I hereby apply for the above noted permit(s). By signing below, I hereby certify that I am the above applicant and hereby state that the foregoing information, and all information attached hereto, is true to the best of my knowledge, with the understanding that inaccurate, incomplete and/or false information may cause delays and/or provide cause to void this application and any subsequent approvals. Further, I understand that in addition to the filing fees, I am responsible for reimbursement to the City for all costs incurred in processing this application, these costs may include, but are not limited to: postage, publishing, copies, peer review and special consultant review and inspection.

(n/a)

_____ Date

Applicant's Signature

AFFIDAVIT AND CONSENT OF OWNER

I (We) the owners of the property affected by this application do hereby swear/affirm under penalty of perjury that I (We) am (are) of exclusive ownership and this application has been submitted with my (our) consent.

(Not required for Planning Commission Initiated Proposals)

_____ Date

Property Owner's Signature

(Attach additional affidavits as needed)

ACKNOWLEDGMENT

This is to certify that on the ____ day of _____, _____ before me _____ did personally appear, to me known to be the Person(s) who executed the foregoing affidavit and consent and signed the same. WITNESS my hand and official seal the day and year last above written.

_____, Notary public in and for the State of _____, residing at _____.

CITY USE ONLY:

Is the proposal categorically exempt from a threshold determination in accordance with the State Environmental Policy Act? If yes, state the basis of exemption: **No.** *DNS 8/14/18 emf*

**ZONING CODE TEXT / MAP AMENDMENT PETITION
SUPPLEMENTAL QUESTIONNAIRE**

PROJECT TITLE: **Accessory Dwelling Units**

FILE ID #: **OKA RA 18-2**

The purpose of this questionnaire is for the applicant to point out specific attributes of their proposal. The information may also be included in support documentation; but is also to be included here for clarity.

The applicant hereby petitions the City Council of the City of Okanogan to change the **Zoning Code Text** / ~~Map~~ in Title 18 of the City's Municipal Code as follows (attach additional sheet if necessary): **Amend the Zoning Code to make provisions that treat a single-family dwelling with an accessory dwelling unit the same as a single-family dwelling use. See attached.**

1. Describe why the proposed zoning code text / map amendment is more desirable than the existing zoning code text / map: **To provide an avenue to provide additional cost effective housing in cases where multi-family use, apartment and/or duplex use designations or existing single-family dwellings are prohibited or not desired.**

2. Describe how the proposed zoning code text / map amendment complies with the intent of the comprehensive plan: **Stated goals of the housing element of the Comp Plan are:**
 - a. **Provide for all types of housing.**
 - b. **Allow second units in most single-family and all multi-family residential zones.**
 - c. **Encourage development of second units in certain zoning districts.**
 - d. **The plan calls for facilitating development of second, or granny-flat units on single-family lots.**

3. Identify the zoning districts in the City to which this proposed amendment would apply: **City wide.**

4. Identify what has changed or transpired since the adoption of the current text and / or boundaries of the district to warrant a change: **The existing text is in a 1985 context; since then the concept of "Mother-in-law apartment" and "2nd Unit" have grown in popularity. The 1995 Comp Plan speaks to making provisions for such units in several places, but there has been little pressure to make provisions for them city wide when generally, multi-family use in some form is allowed in most districts. Given the costs associated with developing a 2nd unit, such smaller units are seen as desirable; considering CPI that a 1985 dollar had the buying power of \$2.33 now.**

Chapter 18.70
Accessory Dwelling Units

Sections:

18.70.010	Purpose
18.70.020	Use
18.70.030	Definitions
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18.70.10 Purpose. The purpose of allowing accessory dwelling units (ADU) is to:

- A. Provide homeowners with a means of obtaining, through tenants in either the ADU or the principal unit, rental income, companionship, security, and services.
- B. Add affordable housing units to the existing community housing stock.
- C. Provide opportunities for development of additional housing units for moderate-income people who might otherwise have difficulty finding homes within the city.
- D. Provide flexibility for development of additional housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.
- E. Protect neighborhood stability, property values, and the single-family residential appearance of the neighborhood by establishing clear and consistent conditions that will be applied to ADUs within defined areas in the City.
- F. Limit accessory dwelling unit to small subordinate spaces such that they may be readily converted back to living space of the primary unit.

18.70.020 Use. The construction of one (1) ADU in a new or existing single-family dwelling (hereinafter the principal unit) shall be allowed the same as a single-family dwelling use in all zones subject to specific development, design, and owner-occupancy standards.

18.70.030 Definitions. The following definitions are section specific:

“Accessory dwelling unit (ADU)” shall mean a legally permitted small separate habitable living unit added to, created within, the main residence (principal unit) that provides separate basic requirements for living, sleeping, eating, cooking, and sanitation and is subordinate to the principle or allowed use on the property. For the purposes of this chapter, ADUs are subject to the standards herein and are not a two-family (duplex), or multi-unit dwelling, or multi-family use, or a nightly rental.

“Owner occupancy” means a property owner, as reflected in title records, who makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, utility payment records, or similar means.

18.70.040 Standards and Requirements. Accessory dwelling units in new or existing single-family dwelling units shall be allowed as provided for single family dwellings use and shall only be permitted as appurtenant to the permitted use.

Accessory dwelling units are subject to the following design and occupancy standards:

A. The property owner, which may include title holders or contact purchasers, must occupy either the principal unit or the accessory dwelling as their permanent residence, provided that the administrator may upon the request of the owner, waive this requirement for temporary absences of less than one year and for military deployment/service as appropriate; and,

B. The accessory dwelling unit shall contain not less than one hundred ninety (190) square feet of floor area and not more than 30% of the square footage (25% in the R-1 District) of primary dwelling interior habitable space, excluding any related garage area and other non-living areas such as workshops or greenhouses; provided, that if the accessory dwelling is completely located on a single floor level within an existing and established building, the administrator may, with cause, allow a reasonable minor increase in size in order to efficiently use the existing floor area, so long as all other standards set forth in this section are met; and,

C. Accessory dwelling units shall not be permitted in structures detached from the primary residence, including but not limited to guest cottages, detached garages or workshops; and,

D. Provided all persons are related in either the primary unit and the ADU, there shall be no occupancy restriction; provided that if unrelated persons occupy either unit, the total number of persons occupying that unit may not exceed three (3); and,

E. Not less than three (3) off-street parking spaces shall be required for the accessory dwelling and for the primary dwelling, said spaces shall be located as required elsewhere in this code; and,

F. Where the Property Owner converts an existing off-street parking space(s), such as garages, carports or pads, into an ADU, Property Owner shall be required to provide equivalent parking spaces, up to and including a total of three parking spaces on the lot for the completed project; and,

G. No more than two required off street parking spaces can be in the tandem configuration; and,

H. Any additions to an existing building and new construction for the purpose of installing an accessory dwelling, shall not exceed the allowable lot coverage or encroach into the existing setbacks; and,

I. A form as specified by the administrator shall be filed by the owner with the county auditor, as a deed restriction, to indicate the presence of the accessory dwelling unit, the requirement of owner occupancy, and other standards for maintaining the unit as described in this section. Said deed restriction shall be by notarized affidavit affirming that the owner occupies either the main building or the ADU providing notice to future owners or long-term lessors of the subject lot that the existence of the accessory dwelling unit is predicated upon the occupancy of either the accessory dwelling unit or the principal dwelling by the person to whom the accessory dwelling unit permit has

been issued. The covenant shall also require any owner of the property to notify a prospective buyer of the limitations of this Section and to provide for the removal of improvements added to convert the premises to an accessory dwelling unit and the restoration of the site to a single-family dwelling in the event that any condition of approval is violated. Said deed restriction shall also include that release of the restriction require certification of the administrator of zoning compliance; and,

J. Accessory dwelling units may not be subdivided or otherwise segregated in ownership from the primary residence structure; and,

K. City utilities and services shall be connected, managed and charges for shall be as provided in Title 13 OMC and Chapter 8.04 OMC

18.70.050 Deviations. In order to encourage the development of housing units for people with disabilities, the administrator may allow reasonable deviation from the stated spatial requirements to install features that facilitate accessibility. Such facilities shall be in conformance with the State Building Code as adopted by the city.

18.70.060 Existing. That portion of a single-family dwelling structure, which meets the definition of an accessory dwelling, and which was in existence prior to the effective date of this title may continue in existence provided the following requirements are met:

A. The accessory dwelling complies with the minimum requirements of the State Building Code as adopted by the city related to efficiency dwellings.

B. The accessory dwelling complies with of Section 18.70.040 OMC.