CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. 02011 - 316

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, AMENDING
CHAPTER, 21A.20 RELATED TO ACCESSORY DWELLING UNITS AND
DUPLEXES OF THE SAMMAMISH MUNICIPAL CODE

WHEREAS, the City incorporated in August of 1999;

WHEREAS, the City Council adopted the City’s Comprehensive Plan on September 16,
2003, and the City has enacted zoning consistent with the comprehensive plan; and

WHEREAS, the City of Sammamish Comprehensive Plan Housing Element contains the
following goal and policies:

GOAL HG-7: The City shall address targets for housing affordable to low and
moderate income households which should be consistent with targets in the King
County Countywide Planning Policies.

HP-15: The City should support the design of affordable housing that is
compatible with neighborhood character and is dispersed throughout the
community.

HP-19: The City should consider land use regulations that will allow for the
modification of existing housing in order to preserve and/or increase
lower/moderate cost housing opportunities.

WHEREAS, the City Council adopted the Sammamish Municipal Code on October 7,
2003 and subsequent revisions have been made since that time; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non
Significance for the proposed code amendments were issued on August 25, 2011; and

WHEREAS, in accordance with RCW 36.70A, a request for expedited review was
received by the State of Washington Department of Commerce on August 10, 2011 and was
granted expedited review on August 25, 2011; and

WHEREAS, the Planning Commission and staff held public meetings on February 2,
March 3 and 17, April 21, May 5, June 16 and July 21, 2011; a public hearing on June 16,
2011 that addressed issues related to Cottage Housing and forwarded a recommendation to
the City Council on October 4, 2011; and
WHEREAS, the City Council considered the proposed code amendments (Attachment A), at a City Council public hearings on October 17, 2011 and November 14, 2011, and December 6, 2011, and

WHEREAS, the City Council considered the Planning Commission’s recommendation, public comment, and other available information.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. The proposed amendments to Title 21A are adopted as set forth in Attachment A to this Ordinance

SECTION 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

SECTION 3. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON TH 6th DAY OF NOVEMBER 2011.

CITY OF SAMMAMISH

[Signature]
Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

[Signature]
Melanie Anderson, City Clerk

Approved as to form:

[Signature]
Bruce L. Disend, City Attorney
Filed with the City Clerk: October 12, 2011
Public Hearing: October 17, 2011
First Reading: October 17, 2011
Public Hearing: November 14, 2011
Second Reading: November 14, 2011
Public Hearing: December 6, 2011
Passed by the City Council: December 6, 2011
Date of Publication: December 11, 2011
Effective Date: December 16, 2011
Sammamish Accessory Dwelling Unit Code.

SMC 21A.20.030 Residential land uses.
A. Table of Residential Land Uses.

**KEY**
P – Permitted Use
C – Conditional Use
S – Special Use

<table>
<thead>
<tr>
<th>SIC#</th>
<th>SPECIFIC LAND USE</th>
<th>ZONE</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Urban Residential</td>
<td>Neighborhood Business</td>
</tr>
</tbody>
</table>

### DWELLING UNITS, TYPES:

- * Single detached
  - P
  - C9
  - P
  - C9

- * Townhouse
  - P10
  - P
  - P2
  - P2
  - P2

- * Apartment
  - P3
  - P
  - P2
  - P2
  - P2

- * Mobile home park
  - C6
  - P

- * Duplexes (17)
  - P16
  - P
  - P2
  - P2
  - P2

### GROUP RESIDENCES:

- * Community residential facility-I
  - C
  - P
  - P2
  - P2
  - P2

- * Community residential facility-II
  - P2
  - P2
  - P2

- * Dormitory
  - C4
  - P

- * Senior citizen assisted housing
  - P
  - P2
  - P2
  - P2

### ACCESSORY USES:

- * Residential accessory uses
  - P5
  - P5
  - P5
  - P5
  - P5

- * Home occupation
  - P
  - P
  - P
  - P
  - P

- * Home industry
  - C
B. Development Conditions.

1. Except bed and breakfast guesthouses.

2. Only as part of a mixed use development subject to the conditions of Chapter 21A.30 SMC, except that in the NB zone on properties with a land use designation of commercial outside of center (CO) in the urban areas, stand-alone townhouse developments are permitted subject to the provisions of SMC 21A.25.040, 21A.30.020, 21A.30.040 and 21A.30.140.

3. Only in a building listed on the National Register as an historic site or designated as a landmark subject to the provisions of Chapter 21A.70 SMC.

4. Only as an accessory to a school, college/university, or church.

5. a. Accessory dwelling units:

   (1) Only one accessory dwelling per primary single detached dwelling unit;

   (2) Only in the same building as the primary dwelling unit when the lot is less than 10,000 square feet in area or when there is more than one primary dwelling on a lot;

   (3) The primary dwelling unit or the accessory dwelling unit shall be owner occupied;

   (a) One of the accessory dwelling units shall not exceed a floor area of 1,000 square feet when detached, except when one of the dwelling units is wholly contained within a basement or attic the existing residence then the floor area shall not exceed 40-50 percent of the floor area of the existing unit;

   (b) When the primary and accessory dwelling units are located in the same building, only one entrance may be located on each street side of the building;

   (c) The total number of occupants in both the primary residence and the accessory dwelling unit combined may not exceed the maximum number established by the definition of family in SMC 21A.15.450;

   (d) Additions to an existing structure or the development of a newly constructed detached ADU shall be designed consistent with the existing facade, roof pitch, siding, and windows of the primary dwelling unit;

   (4) Additional off-street parking space shall be provided required when the parcel contains four (4) or more parking spaces;

   (5) The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied; and

   (6) An applicant seeking to build an accessory dwelling unit shall file a notice approved by the department with the records and elections division that identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the department shall approve any permit for the construction of the
accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules.

b. One single or twin engine, noncommercial aircraft shall be permitted only on lots that abut, or have a legal access that is not a City right-of-way, to a waterbody or landing field, provided:

(1) No aircraft sales, service, repair, charter, or rental; and
(2) No storage of aviation fuel except that contained in the tank or tanks of the aircraft.

6. Mobile home parks shall not be permitted in the R-1 zones.
7. Only as an accessory to the permanent residence of the operator, provided:
   a. Serving meals to paying guests shall be limited to breakfast; and
   b. The number of persons accommodated per night shall not exceed five, except that a structure which satisfies the standards of the Uniform Building Code as adopted by the City of Sammamish for R-1 occupancies may accommodate up to 10 persons per night.

8. Only when part of a mixed use development.
9. Required prior to approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions, or binding site plans approved for multiple unit lots, and except as provided for accessory dwelling units in subsection (B)(5) of this section.
11. Level 1 and Level 2 charging only.
12. Level 1 and Level 2 charging are permitted in critical aquifer recharge areas and in other critical areas when serving an existing use.
13. Allowed only as accessory to a primary permitted use or permitted conditional use.
14. The term “Rapid” is used interchangeably with Level 3 and Fast Charging.
15. Only as an “electric vehicle charging station-restricted”.
16. Duplexes are allowed in R-4, R-6 and R-8 zones only. Duplexes must be new construction only, no additions to existing structures is allowed.
17. Duplexes only are subject to the design standards in 21B.30.270 and are defined in 21B.15.160. Affordable duplex units that meet the provisions of sections 21B.75.050 and 21B.75.060, shall be counted as one-half of a dwelling unit for the purpose of calculating density. Units in duplexes on the corners of rights of way shall be counted as one-half a dwelling unit for the purpose of calculating density. The entrances to the duplex dwelling units on corners shall be located with only one entrance facing on each street side of the building: