



City and Borough of Wrangell
Planning and Zoning Commission
AGENDA

Thursday, September 14, 2023
5:30 PM

Location: Borough Assembly Chambers
City Hall

Planning and Zoning Commission
5:30 PM

1. CALL TO ORDER

2. ROLL CALL

3. AMENDMENTS TO THE AGENDA

4. CONFLICTS OF INTEREST

5. APPROVAL OF MINUTES

- [a.](#) Approval of the Planning and Zoning meeting minutes from August 10, 2023.

6. CORRESPONDENCE

- a. Economic Development Director Report for July and August 2023.

7. PERSONS TO BE HEARD

8. NEW BUSINESS

- [a.](#) (PH) After the fact Conditional Use Permit application request for a short-term rental on Lot 15, Block 84, Wrangell Townsite, zoned Waterfront Development, requested by Chad and Bonnie Ritchie.
- [b.](#) (PH) Conditional Use Permit application request for a short-term rental on Lot B, Block 15, Third Street ROW Vacation, zoned Single Family Residential, requested by Heidi Milazzo and Clay Culbert.
- [c.](#) Preliminary plat review of the White-Etolin Replat, a replat of a portion of Lot C, Block 30B, USS 1119 (Plat No. 2019-2), Wrangell Townsite, creating Lot C1 and Lot C2, zoned Single Family Residential, owned and requested by Todd and Catherine White.
- [d.](#) Request from Randy Easterly to purchase borough tidelands identified as Lot 24A, Block 83-A, Wrangell Townsite (Plat No. 2006-6), zoned Waterfront Development.

9. UNFINISHED BUSINESS

- [a.](#) Approval of the Accessory Dwelling Unit code to be added to Wrangell Municipal Code Title 20 Zoning.

10. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

11. ADJOURNMENT

**Minutes of Planning & Zoning Commission
Held on August 10, 2023**

1. CALL TO ORDER: Call to order at: 5:31pm.

2. ROLL CALL

PRESENT: Chair Terri Henson, Jillian Privett, Kathy St. Clair

ABSENT: Vice Chair Don McConachie, Apryl Hutchinson – arrived during Section 5

STAFF PRESENT: Kate Thomas, Matt Henson

3. AMENDMENTS TO THE AGENDA: NONE

4. CONFLICTS OF INTEREST

Commissioner Privett states she has a conflict with item 8b. Chair Henson states that since the preliminary plat was previously approved (without Privett's vote) and the current item is for final review and there is no change from the preliminary plat and there would not be a quorum if she were to abstain, Privett shall vote on the item.

Kate Thomas reiterated that because there is no financial gain there is no conflict, as per a confirmation with the Borough Clerk.

5. APPROVAL OF MINUTES

- a. Approval of the July 20th, 2023, Planning and Zoning Commission Meeting Minutes.

Approved by viva voice vote. All in favor.

6. CORRESPONDENCE

- a. Citizen request to rezone property, submitted by Christian Ryll.

The secretary of commission read the letter into the record. Staff stated that due to time constraints, the contents of this letter were not able to be included in this agenda. Staff will be in communication with citizens regarding next steps.

7. PERSONS TO BE HEARD: NONE

8. NEW BUSINESS

- a. (PH) Conditional Use Permit application request for a temporary structure for personal use on a portion of Lot 3 and Lot 4, Shoemaker Bay, zoned Shoemaker Bay Development, Plat 99-8, requested by Bernard Massin.

Public Hearing Opened.

No public comment.

Public Hearing Closed.

M/S: JP/KS : Move to approve the findings of fact and the conditional use permit request for the construction of a temporary structure for personal use subject to the following conditions:

1. Construction shall not impede upon or obstruct the driving lane where it will impact harbor circulation.

2. Construction, maintenance, repair, and storage of vessels must occur indoors. WMC 20.49.040 (D and E).

TH: Asks if this is a tarp structure. Massin: Yes, this is like the structure on the adjacent lot. The purpose of the structure is to shelter belongings.

AH: Asks if there is a timeline on a more permanent structure? Massin states there is a rough timeline which is contingent on ability to build another structure.

Approved unanimously by polled vote.

- b. Final Plat review of the Privett Replat, a replat of a portion of Lot 3, Block 84, of USS 1119, Wrangell Townsite, Plat 65-87, creating Lot 3-BB and 3-CC, zoned Single-Family Residential, requested by William and Janell Privett.

Staff: No discussion

M/S: JP/KS Move to approve the final plat of the Privett Replat as presented.

Approved unanimously by polled vote.

- c. Final Plat review of the Sprehe-Neyman Replat, a replat of a portion of Lot 5, Block 20, of USS 1119, Wrangell Townsite, creating Lot 5A and 8A, zoned Multi-Family Residential, requested by Dorianne Sprehe.

M/S: JP/KS Move to approve the final plat of the Sprehe-Neyman Replat as presented.

Staff: No discussion

Approved unanimously by polled vote.

- d. Request from Wrangell Cooperative Association to purchase a portion of Borough Real Property/Tidelands identified as Lot 1, Plat 84-5, of the ATS 1209 Subdivision, zoned Open Space/Public.

M/S: JP/KS: Move to recommend approval of the Wrangell Cooperative Association, Earth Branch's request to purchase a portion of Borough property/tidelands Lot 1, Plat 84-5, of the ATS 1209 Subdivision, zoned Open Space/Public with the following conditions.

- 1. Parcel shall be surveyed and subdivided with necessary access and utility easements maintained and/or established in the replat;**
- 2. Borough shall provide input on property lines established in the replat;**
- 3. Contract zone shall be established under the zoning district which best aligns with greenhouse use;**
- 4. Borough maintains ownership of the south lot created by the subdivision;**
- 5. Tidelands lease shall be established until the proposed improvements are complete;**
- 6. Public use is maximized to the degree possible;**
- 7. All expenses associated with the sale of the property are the responsibility of the purchasing party.**

Kate Thomas provided a verbal report of findings of fact and written summary from the staff report. Staff highlighted the internal discussion regarding critical infrastructure and the need to maintain ownership of the southern portion of the parcel to control the utilities. The conditions of sale require that the Borough be involved in the survey and replat of the parcel to ensure utilities concerns are addressed. Staff also discussed the transmission tower permitted by Coast Alaska. Coast Alaska will be notified of the request to purchase land prior to any action of the Assembly. The port commission will review the request at its September meeting.

Terri Henson stated that she is concerned about selling land with infrastructure. She suggested that the greenhouse be allowed through statement of permission but not through sale or lease of land so that the Borough can maintain control over utility easement. TH stated that having an agreement rather than a sale would save the WCA money and time. TH inquired about a previous proposal to develop the land with a greenhouse and the reason why the proposal was not approved. Staff reported that the WCA was opposed to the development due to the proximity of burial grounds. Staff suggested the main difference between that scenario and the present issue, was that the WCA is proposing development, who expressed in their proposal that they would act as stewards and caretakers of the burial grounds. Staff noted that most of the graves are in the forested area and ownership of the parcel where the burial sites are located will not be acquired in this transaction.

Jillian Privett stated that the City has not developed the property or maintained it beyond the community garden use, and that the WCA ownership would allow for better upkeep and maintenance in that area and therefore would agree to recommend sale. Katherine St. Clair agreed with JP.

Alex Angerman of the WCA stated that they are pursuing ownership due to verbiage of grant. However, they may be open to discussing other options. WCA is seeking ownership for the greenhouse project but also hoping to regain ownership to the burial site. Though there hasn't been sufficient discussion on control of property. WCA does state that they do not want to lease from CBW. The WCA is aware of the easements and is not worried about being able to maintain access to easements. Also states that there are currently three access points to the towers. The greenhouse would be a four-season greenhouse that would be powered and connected to utilities. Wants to help the city avoid complications. Leasing the land could be discussed, however, considering the structure will be large and not easily taken down this would not be ideal. Also stated that the WCA is a landless tribe and that any additional land they can acquire would be a benefit to the tribe.

Apryl Hutchinson stated she agrees with the recommendation. Once the process zoning and development of property lines have been completed, the WCA will see what will need to be done to the land and future decisions will be in their court. AH stated that the location of the grave sites are overgrown and are occasionally restored. AH stated she wants everyone to be able to access the site to be a publicly utilized space and beautify the community and enhance history. Without imposing on the utilities.

Staff stated that any correspondence going before the assembly from the director will include elements of this discussion and the record of voting. Should the process continue to a survey, an appraisal, a subdivision and re-plat, the subdivision and re-plat will still have to come back to the commission for approval. WCA may decide to go a different direction if the process and/or expenses are not feasible.

Motion approved with Privett, St. Clair and Hutchinson voting yes, Henson voting no.

9. UNFINISHED BUSINESS: NONE

10. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS: NONE

11. ADJOURNMENT

Next meeting is scheduled for September 14th at 5:30pm.

Adjourned at 6:11pm

ATTEST: _____
Matt Henson, Secretary

Terri Henson, Chair

City and Borough of Wrangell, Alaska
Planning and Zoning Commission
Regular Meeting September 14th, 2023
Staff Report

Agenda Item: New Business, Item 8A
From: Kate Thomas, Economic Development Director

Subject: (PH) After the fact Conditional Use Permit application request for a short-term rental on Lot 15, Block 84, Wrangell Townsite, zoned Waterfront Development, requested by Chad and Bonnie Ritchie.

Review: Chad and Bonnie Ritchie are seeking approval for a conditional use permit to operate a transient, short-term rental at their residence on Peninsula Street.

Recommendation: Staff recommend approval of the conditional use permit for the purpose of a transient, short term rental property.

Motion: Move to approve the findings of fact and the conditional use permit request for a business within their residence to serve as transient, short-term rental subject to the following conditions:

1. Provide Guest Guidance or similar document on noise, behavior, to encourage respect for the area and neighbors; and
2. Two off-street parking places must be provided.

Review Criteria:

Chapter 20.49: Shoemaker Bay Waterfront Development
 Chapter 20.52: Standards
 Chapter 20.68: Conditional Use Permits

Attachments:

1. Aerial Map of Property, 2. Conditional Use Permit application.

Findings of Fact:

Conditions of approval for conditional use applications include:

1. Minimal impacts on adjacent neighbors from noise, traffic, appearance, yards etc.:

Principal uses permitted (WMC 20.50.020) within the Waterfront Development District include temporary dwellings to include modular dwellings or manufactured housing for guards or caretakers employed on site. The Waterfront Development District (WMC 20.50.040) requires a conditional use permit for other uses if there is no suitable upland alternative for a non-water related and non-water dependent use assuming the activity does not create a nuisance or hazard. The adjacent properties host a variety of uses given that the area of land is where zoning districts merge single family, light industrial and waterfront development. A rental property of a short-term transient duration (under 30 days) could see an increase in traffic to the area as a visitor comes and goes from their overnight stay. However, the

traffic may be no different than a typical resident or other water dependent activities. Many visitors will not have a vehicle and will be on foot, but some will have vehicles. The increase in traffic is likely to be minimal.

Noise could be more than typical if the property is rented by vacationers interested in partying, however, typically noise is not an issue. City Hall has not yet received any complaints from neighbors of B&B's or of Airbnb type rentals. The owner can provide rules and reminders to all guests to minimize potential issues. This is further supported by the industrial nature of the surrounding uses.

This property has served as a short-term rental for some time and no adversarial impacts have been reported by adjacent property owners.

2. Provisions of sewer and water:

The property is connected to sewer and water.

3. Entrances and off-street parking available without safety issues:

Access to the property is from Peninsula Street. Following the off-street parking requirements of similar establishments, the property shall have at least two off-street parking places. Many visitors will not have a vehicle and will be on foot, but some will have vehicles. The property has two off-street parking places.

CITY AND BOROUGH OF WRANGELL, ALASKA

CONDITIONAL USE APPLICATION

PLANNING AND ZONING COMMISSION

P.O. BOX 531

WRANGELL, ALASKA 99929

Application Fee: \$100.00

RECEIVED
AUG 22 2023
WRANGELL CITY HALL

I. Applicant's Name and Address:

Chad + Bonnie Ritchie
PO Box 79
Wrangell AK.

Applicant's Phone Number:

Applicant's Email

907-305-1211

II. Land Owner's Name and Address:

Loveritchie@yahoo.com
Chad Ritchie
PO Box 79 Wrangell AK.

Land Owner's Phone Number:

907 305-1211

III. Legal Description: Lot _____, Block _____, U.S. Survey _____

Parcel ID No. _____ Peninsula Street.

IV. Zoning Classification: _____

V. Specific Request: Requesting to provide short and long term rental.

VI. Site Plan shall be submitted with the application. The plan shall show existing and proposed structures, driveways, parking areas, and roadways, existing and proposed grading. Additional information shall be furnished upon request of the Zoning Administrator.

VII. Construction Schedule: BEGIN: _____ END: _____

SIGNATURE OF OWNER: Chad Ritchie DATE: 8-15-2023

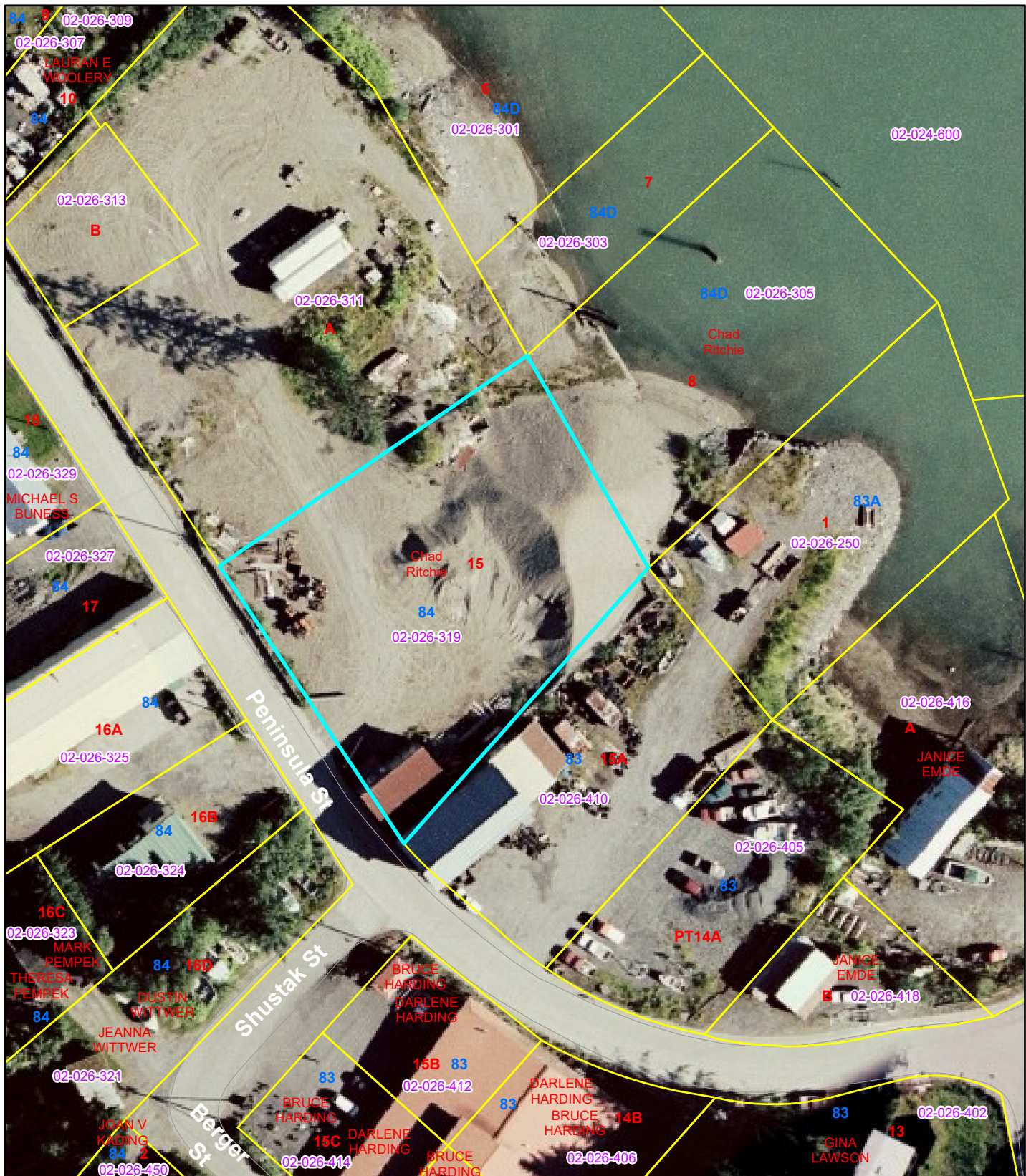
SIGNATURE OF APPLICANT: Chad Ritchie DATE: 8-15-2023

If more than one owner or if more than one parcel is involved, attach all signatures on a separate piece of paper identifying which parcels are owned by which persons.

Written authorization of the property owner must be submitted with this application if the applicant is other than the owner.

CITY AND BOROUGH OF WRANGELL, ALASKA

Item a.



1 inch = 70.912306 feet

9

ate: 9/2/2023

Public Map



**DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE. AERIAL 2002.**

City and Borough of Wrangell, Alaska
Planning and Zoning Commission
Regular Meeting September 14th, 2023
Staff Report

Agenda Item: New Business, Item 8B

From: Kate Thomas, Economic Development Director

Subject: (PH) Conditional Use Permit application request for a short-term rental on Lot B, Block 15, Third Street ROW Vacation, zoned Single Family Residential, requested by Heidi Milazzo and Clay Culbert.

Review: Heidi Milazzo and Clay Culbert are seeking approval for a conditional use permit to operate a transient, short-term rental at their residence on Third Street.

Recommendation: Staff recommend approval of the conditional use permit for the purpose of a transient, short term rental property.

Motion: Move to approve the findings of fact and the conditional use permit request for a home occupation allowing the residence to serve as transient, short-term rental subject to the following conditions:

1. Provide Guest Guidance or similar document on noise, behavior, to encourage respect for the residential district and neighbors; and
2. Two off-street parking places must be provided.

Review Criteria:

Chapter 20.16: Single Family Residential
 Chapter 20.52: Standards
 Chapter 20.68: Conditional Use Permits

Attachments:

1. Aerial Map of Property, 2. Conditional Use Permit application.

Findings of Fact:

Conditions of approval for conditional use applications include:

1. Minimal impacts on adjacent neighbors from noise, traffic, appearance, yards etc.:

Home Occupations (WMC 20.08.380) are allowed as an accessory use within the home if there are no changes from the characteristics of the permitted use. Cottage Industry (WMC 20.08.200) requires a conditional use permit and is for uses that are compatible with the underlying zone but could potentially have impacts to the adjacent property owners. A rental property of a short-term transient duration (under 30 days) could see an increase in traffic to the neighborhood as a visitor comes and goes from their overnight stay. However, the traffic may be no different than a typical resident. Many visitors will not

have a vehicle and will be on foot, but some will have vehicles. The increase in traffic is likely to be minimal. A single long-term rental is allowed as a permitted use based on the definition of dwelling unit (WMC 20.08.260) with the residence utilized for residential living.

Noise could be more than typical if the residence is rented by vacationers interested in partying, however, typically noise is not an issue. City Hall has not yet received any complaints from neighbors of B&B's or of Airbnb type rentals. The owner can provide rules and reminders to all guests to minimize potential issues.

2. Provisions of sewer and water:

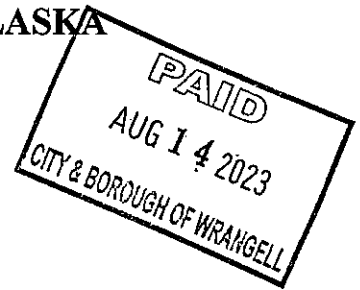
The property is connected to sewer and water.

3. Entrances and off-street parking available without safety issues:

Access to the property is from Third Street. The residence is required to have at least two off-street parking places. Many visitors will not have a vehicle and will be on foot, but some will have vehicles. The property has two off-street parking places.

CITY AND BOROUGH OF WRANGELL, ALASKA
CONDITIONAL USE APPLICATION

PLANNING AND ZONING COMMISSION
P.O. BOX 531
WRANGELL, ALASKA 99929
Application Fee: \$100.00



I. Applicant's Name and Address: CLAY CULBERT & HEIDI MILAZZO
207 THIRD STREET PO BOX 553
WRANGELL, AK 99929

Applicant's Phone Number: 907-738-2879, 907-738-4172

Applicant's Email clayculbert@hotmail.com

II. Land Owner's Name and Address: APPLICANTS ARE THE LAND OWNERS

Land Owner's Phone Number: _____

Subdivision Third Street ROW Vacation

III. Legal Description: Lot B, Block 15, U.S. Survey _____

Parcel ID No. 02-010-508

*Plat no.
11-10*

IV. Zoning Classification: Single family

V. Specific Request: Allow for short term rentals on the property. The property has been
used for long term rental. The property has an Alaskan business license and a City of
Wrangell sales tax account.
Adequate off street parking exists on the property.

VI. Site Plan shall be submitted with the application. The plan shall show existing and proposed structures, driveways, parking areas, and roadways, existing and proposed grading. Additional information shall be furnished upon request of the Zoning Administrator.

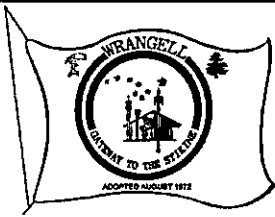
VII. Construction Schedule: BEGIN: N/A END: _____

SIGNATURE OF OWNER: *Clay Culbert* **DATE:** 8.12.2023

SIGNATURE OF APPLICANT: _____ **DATE:** _____

If more than one owner or if more than one parcel is involved, attach all signatures on a separate piece of paper identifying which parcels are owned by which persons.

Written authorization of the property owner must be submitted with this application if the applicant is other than the owner.



CITY AND BOROUGH OF WRANGELL
PO BOX 531
205 BRUEGER STREET
WRANGELL, AK 99929
PHONE: (907) 874-2381

RECEIPT # 43051
8/14/2023

Item b.

Received From Clay Culbert & Heidi Milazzo
PO Box 553
Wrangell, AK 99929

<u>Lookup</u>	<u>Name</u>	<u>Payment Type</u>	<u>Check #</u>	<u>Amount Received</u>
4663	Clay Culbert & Heidi Milazzo	Check	0000117	100.00

Description:

Conditional Use Application Short Term Rentals

Planning & Zoning Permit Revenue 100.00

CITY AND BOROUGH OF WRANGELL, ALASKA

Item b.



1" = 53.184229 feet
Date: 9/2/2023
14

Public Map



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City and Borough of Wrangell, Alaska
Planning and Zoning Commission
Regular Meeting September 14th, 2023
Staff Report

Agenda Item: 8C

From: Kate Thomas, Economic Development Director

Subject: Preliminary plat review of the White-Etolin Replat, a replat of a portion of Lot C, Block 30B, USS 1119 (Plat No. 2019-2), Wrangell Townsite, creating Lot C1 and Lot C2, zoned Single Family Residential, owned and requested by Todd and Catherine White.

Review: Applicants are proposing to subdivide a parcel into two lots, creating Lot C1 and Lot C2. This is a preliminary plat.

Recommendation: Staff recommend approval of the preliminary plat of the White-Etolin Replat.

Motion: Move to approve the preliminary plat for the White-Etolin Replat as presented, owned and requested by Todd and Catherine White.

Review criteria:

Chapter 19: Subdivisions
Chapter 20: Standards

Attachments:

1. Preliminary plat, 2. Aerial Map of Property

Findings of Fact:

The minimum lot size for lots zoned Single Family Residential is 5,000 square feet (WMC 20.52.090). The applicant is subdividing Lot C (19,314 SF) into two lots creating Lot C1 (9,745 sq. ft.) and C2 (9,569 sq. ft.). Both lots are greater than the minimum lot size. There is a 10 ft. wide utility easement that will continue through both lots along the right-of-way.

CITY AND BOROUGH OF WRANGELL, ALASKA

Item c.



1 inch = 70.912306 feet
Date: 9/2/2023
17

Public Map



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City and Borough of Wrangell, Alaska
Planning and Zoning Commission
Regular Meeting September 14, 2023
Staff Report

Agenda Item: 8D

From: Kate Thomas, Economic Development Director

Subject: Request from Randy Easterly to purchase borough tidelands identified as Lot 24A, Block 83-A, Wrangell Townsite (Plat No. 2006-6), zoned Waterfront Development.

Background: Randy Easterly is requesting to purchase tidelands as identified in the attached drawing. Mr. Easterly has had a lease agreement with the Borough for the lots in question since 2002. He wants to acquire these tidelands to expand his existing residence and develop the property for storage.

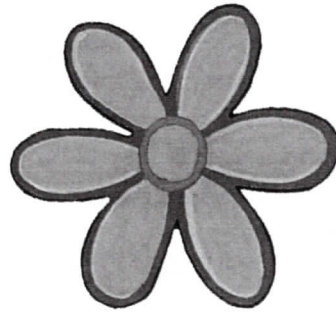
The adjacent tidelands are commonly owned by private parties. The Borough does not have any plans to develop the property at this time.

The Port Commission reviewed the request on September 7th, 2023. The Port Commission voted to recommend the sale of tidelands to Mr. Easterly.

Supporting Documents: 1.) Letter from Randy Easterly requesting the purchase, 2.) Public Map of proposed area, 3.) Memo in support of purchase from the Port Commission.

Recommendation: Staff recommend approval of the request.

Recommended Motion: Move to recommend approval of Randy Easterly's request to purchase tidelands Lot 24A, Block 83-A, Wrangell Townsite (Plat No. 2006-6), zoned Waterfront Development.



Hi Kim,

8-15-23

We would like to request
to purchase our Tideland:

Block-83A Lot 24A Parcel no#
02-025-228

We would like to fill out our
rockpad onto the tideland for
parking & a shop.

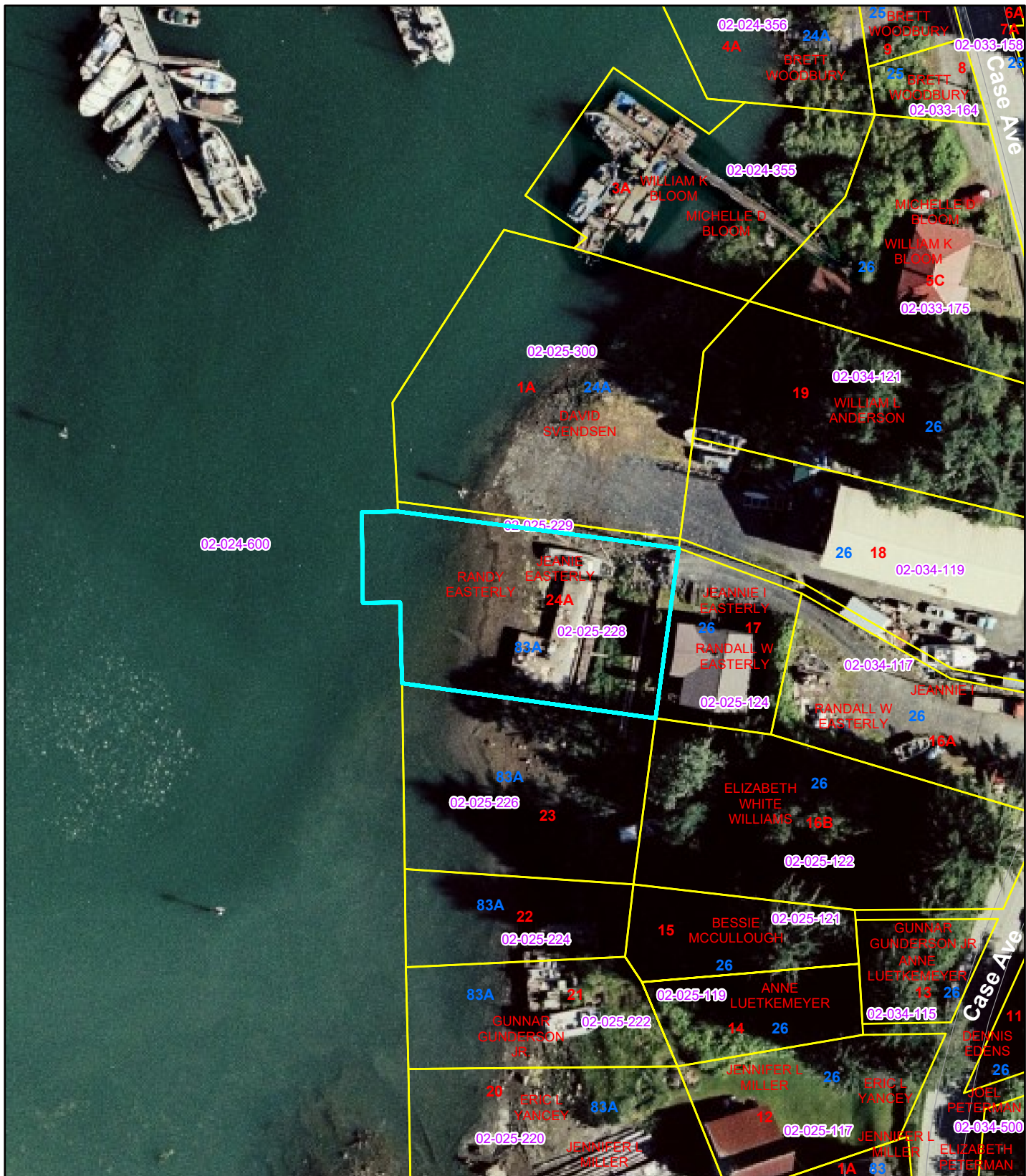
It would be beneficial to
the city for Property Taxes &
possibly a future business.

We really don't want to
Spend a bunch of money to
develope the cities property.

Thank You,
Randy Easterly

CITY AND BOROUGH OF WRANGELL, ALASKA

Item d.



1" = 70.912306 feet
Scale: 9/2/2023

Public Map



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MEMORANDUM

**TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY
CITY AND BOROUGH OF WRANGELL**

**FROM: Steve Miller
Port Director**

**SUBJECT: Request from Randy Easterly to purchase Borough Real Property/Tidelands
identified as Lot 24A, Plat 2006-6, Block 83A.**

DATE: September 7, 2023

The Port Commission at their regular meeting of September 6, 2023, reviewed the request from Randy Easterly to purchase tidelands property identified above.

RECOMMENDATION:

The Port Commission voted to recommend to the Assembly to move forward with the Tidelands Sale to Randy Easterly. They believe this sale will not impede future growth or other users of the harbor.

City and Borough of Wrangell, Alaska
Planning and Zoning Commission
Regular Meeting September 14th, 2023
Staff Report

Agenda Item: Unfinished Business, Item 9A
From: Kate Thomas, Economic Development Director
Subject: Accessory Dwelling Unit Draft Code

Background: As the housing market continues to see a rise in land, development and home costs, the availability of affordable housing is decreasing in Wrangell and beyond. In order to expand industry, bolster our economy and ensure that interested persons and residents can build their lives here, beginning with safe and accessible housing, Wrangell has established standards and requirements for developing Accessory Dwelling Units (ADU), which can be defined as a second dwelling that is located on the same parcel as the primary single-family residence.

These standards were developed over a series of planning meetings with the commission. A recent review of the final iteration from the commission has been completed by the Borough Attorney. The attached final draft reflects the desires of the commission, and the amendments recommended by the attorney.

Pending approval from the commission a definition of accessory dwelling units will need to be added to WMC 20.08, Definitions.

City and Borough of Wrangell
Accessory Dwelling Unit (draft code)

Updated August 28th, 2023

I. Purpose and Intent.

The purpose and intent of this chapter is to allow accessory dwelling units within residential zoning districts as designated in the code, while preserving the appearance and character of existing neighborhoods. Accessory dwelling units give homeowners flexibility in establishing separate living quarters adjacent to their homes so that they might provide housing opportunities for elderly or other family members, obtain rental income, provide affordable housing opportunities within the community, or utilize their property more efficiently.

II. Definitions.

a. As used in this chapter, “accessory dwelling unit” or “ADU” means a detached second dwelling unit that is located on the same parcel as the primary single-family dwelling unit. ADUs must provide a complete, independent residential living space and shall include permanent provisions for living, including sleeping, eating, cooking and sanitation. An ADU may be created through the following methods:

1. Constructing a detached ADU on a parcel with an existing single-family home.
2. Constructing a new-single family home with a detached ADU.

b. As used in this chapter, “residential zoning districts” means the following zoning districts established in the WMC Title 20: Single-family residential (SF); Multifamily residential (MF); Rural residential-1 (RR-1); Rural residential-2 (RR-2); and Remote residential mixed-use (RMU).

III. Accessory Dwelling Unit Requirements.

ADU’s may be permanently established on a lot in a residential zoning district under the following standards:

- a. ADUs must meet all the development requirements of local, state, and federal regulations, including, but not limited to, all requirements of WMC Titles 18 and 20.
- b. ADUs shall be incidental and subordinate to the primary residence and limited in size to 800 sq. ft. to include exterior finishes such as decks, stairs and home access points.
- c. Only one ADU is allowed per lot. The ADU must be located on the same lot as the primary dwelling, even if the lot’s owner owns two or more adjacent lots. An ADU shall not be located on lots that contain a two-family or multiple-family dwelling and shall not be located on lots that already contain two or more dwellings.
- d. The minimum lot size for a lot containing an ADU is 10,000 square feet.
- e. ADUs may be no closer to the front lot line than the primary residence.
- f. ADUs may only be placed in a side or rear yard, except in the case of a new or converted garage with an integrated apartment, which may be in the front yard providing minimum setbacks are met.

- g. The building height of an ADU shall not exceed the building height of the principal dwelling. A building height variance shall not be granted for construction of a detached accessory dwelling unit.
- h. Lots containing an ADU must provide at least two (2) off-street parking spaces.
- i. ADUs should utilize a common driveway with the primary residence from the adjacent street, unless impractical due to topographic constraints.
- j. An ADU may be used as a vacation rental dwelling or a bed and breakfast inn with a Conditional Use Permit obtained in accordance with the requirements of WMC 20.68.
- k. Mobile homes, travel trailers, and recreational vehicles may not be used as an ADU.
- l. Lots containing an ADU may not be subdivided unless the proposed subdivided lots will comply with all minimum lot size, setback, lot coverage, and other requirements in WMC Titles 19 and 20.
- m. An ADU shall not have a material adverse impact on adjacent properties, including but not limited to viewsheds, parking, or compatibility (e.g., mass and scale of development).
- n. An ADU shall share the principal dwelling's sewer and septic system where practical and the system shall be adequately sized and approved by ADEC for two dwelling units.
- o. An ADU shall not be constructed on flag lots or lots accessed by access easements.