



Staff Report & Recommendations

Lockwood Meadows Subdivision Lot 16 Accessory Dwelling Unit

Type II Review

(2024-024-ADU) October 9, 2024

PROPOSAL:	The Applicant is proposing to build an accessory dwelling unit (ADU) located on a 7,500 square foot lot with a proposed single-family residence located in the Low Density Residential (LDR 7.5) zone district.
LOCATION:	<ul style="list-style-type: none">▪ 2217 E. Juniper Circle, La Center, WA 98629▪ Lockwood Meadows Subdivision Bk 312 Pg 298; NE 1/4,S02,T4N,R1E▪ Parcel number: 986066930
HEARING:	Not applicable. A Type II review does not require a hearing.
APPLICABLE STANDARDS	La Center Municipal Code (LCMC) 3.35, Impact Fees; Title 13, Public Utilities; 18.30, Procedures; 18.130, Low Density Residential District (LDR-7.5); 18.247, Accessory Dwelling Units; 18.360, Archaeological Resource Protection
RECOMMENDATION:	APPROVAL , subject to conditions

CONTACT LIST

OWNER/APPLICANT

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I. OVERVIEW AND PROCEDURAL BACKGROUND

Proposal

The applicant is proposing to build an accessory dwelling unit (ADU) on the east side of the proposed single-family residence. The proposed ADU will include a 781 square foot addition to the proposed 1,951 square foot single-family residence. The proposed ADU will have two bedrooms, two bathrooms, kitchen, living room, laundry room, and a one stall garage.

Application Timeline:

- Staff conducted a pre-application conference with the applicant on June 26, 2024.
- The applicant filed the application materials on August 29, 2024.
- The City made a completeness determination on September 18, 2024.
- Notice of application was mailed to all property owners within 150 feet of the subject property on September 23, 2024.
- The City provided this staff report on October 9, 2024 and notice of determination within 21 days after the application was deemed complete.

Applicable Standards and Approval Criteria

La Center Municipal Code (LCMC) 3.35, Impact Fees; Title 13, Public Utilities; 18.30, Procedures; 18.130, Low Density Residential District (LDR-7.5); 18.247, Accessory Dwelling Units; 18.360, Archaeological Resource Protection.

Chapter 3.35 - Impact Fees

Findings: The impact fees for accessory dwelling units are established with LCMC 18.247.080 as follows: the park impact fee is 25% of the current rate for single family residences, school impact fees are established by the La Center School District, the sewer capital facilities charges are 50% of the current rate for single family residences and the traffic Impact fee is 33% of the current rate for single family residences, water system connection charges are established by Clark Public Utilities.

Condition 1: Impact fees are required to be paid in conjunction with the Building Permit.

II. LAND USE REVIEW

Chapter 18.30 – Procedures

Findings: ADUs are processed as a Type II applications as required by LCMC 18.247.060 and pursuant to the review timelines and noticing procedures in LCMC 18.30.090. The Type II ADU application requires administrative review and approval with a 14-day public notice period with notice provided to properties within 150 feet of the subject property. A pre-application was held with the applicant on June 26, 2024. The application was submitted on August 29, 2024, and deemed Technically Complete (TC) on September 18, 2024, having provided all applicable submittal requirements as outlined in LCMC 18.30.050. The Notice of Application was mailed on September 23, 2024. The notice of decision was issued in accordance with the procedures of LCMC 18.30.090, within the 56-day review period after the application was deemed complete.

Staff finds that the applicant has met the burden of proving they meet the applicable regulations or can be conditioned to do so and that the applicant has made adequate provisions for public services in accordance with the City's adopted level-of-service standards.

Chapter 18.130 – Low Density Residential District (LDR-7.5)

18.130.030 Permitted Uses

The Accessory Dwelling Units (ADU's) are permitted within the LDR-7.5 zone district subject to the applicable approval criteria.

- (1) Single-family accessory dwelling units

Findings: The proposed attached ADU is located on the east side of the proposed home. The approved Lockwood Meadows Subdivision is zoned as Low Density Residential (LDR-7.5). Attached ADU's are an allowed use in accordance with LCMC 18.247.030. ADUs are permitted outright in zones where single-family detached homes are permitted if in compliance with additional ADU standards found under 18.247.050. Therefore, the ADU is a permitted use in the LDR-7.5 zone.

18.130.070 Height regulations

The maximum building height in all LDR districts shall be 35 feet measured from the lowest finished grade level to the highest point on the roof. Detached garages shall not exceed 18 feet in height. The maximum building height for a detached accessory structure is 12 feet.

Findings: The proposed ADU is 26 feet tall at the highest point on the roof which is below the maximum height requirement of 35 feet. Height requirements specific to ADUs are discussed below in section LCMC 18.247. There are no proposed detached structures.

18.130.080 Density and dimensional Requirements

- (1) New lots and structures and additions to structures subject to this chapter shall provide a minimum density of no less than four dwelling units per net acre.

Findings: Density requirements for ADUs are regulated by LCMC 18.247.050. Therefore, this requirement is not applicable.

- (4) An accessory building or structure shall not be erected unless there exists a residence and/or other primary and permissible use on the lot.

Findings: The applicant is proposing a new single-family residence with an accessory dwelling unit on the lot, therefore, the ADU is allowed to be constructed.

- (5) Maximum building lot coverage shall not exceed 35 percent. Maximum impervious surface area shall not exceed 50 percent.

Findings: LCMC 18.247.050(4)(e) states that an ADUs building footprint shall not be included towards the maximum lot coverage calculation of the underlying zone, therefore, the maximum building lot coverage requirement is not applicable.

LCMC 18.247.050(4)(b) Footnote 3 - ADUs require a setback of 10 feet from street side lot lines, five feet from interior side and rear lot lines, and six feet from the single-family dwelling.

Findings: The proposed attached ADU is located on the east side yard of the primary residence. It will be setback approximately ten (10) feet from the interior property line. The setback criteria meets the requirement.

Chapter 18.247 – Accessory Dwelling Units

18.247.030 Applicability

- (1) ADUs shall be allowed outright in all zones where detached single-family dwellings are permitted if in compliance with all of the development standards contained in LCMC 18.247.050.
- (2) ADUS shall not be allowed on properties not containing an existing or proposed single-family dwelling.

Findings: As discussed in 18.130.30, the ADU is located on a property zoned LDR-7.5, where accessory dwelling units are permitted in conjunction with an existing or proposed single-family residence. The proposed ADU will be attached to a proposed single-family residence, therefore, the ADU is an allowed use.

18.247.40 Establishment

- (1) An ADU may be:
 - (b) An addition of new square footage to an existing or proposed single-family dwelling, creating an attached unit.

Findings: The proposed ADU is a new attached structure in compliance with dimensional and development requirements of LCMC 18.130 and 18.247.

18.247.050 Development standards

- (1) Lot size: A detached ADU shall not be established on any parcel smaller than 5,000 square feet.
- (2) Density: No more than one ADU shall be associated with each primary single-family dwelling.
- (3) Size:
 - (a) Minimum size. The gross floor area shall not be less than 300 square feet.
 - (b) Maximum size. The gross floor area shall not exceed 900 square feet or 40 percent of the primary single-family structure, not include the garage and/or detached accessory buildings, whichever is less.

Findings: The proposed ADU is on a 7,500 square foot lot, which exceeds the required minimum lot size. It will be the only ADU that is associated with the primary single-family dwelling on the lot. The primary single-family dwelling is 1,951 square feet. The proposed ADU is 781 square feet. Staff has determined that the ADU conforms with the required minimum and maximum size requirements.

Condition 2: As a condition of approval, the ADU shall comply with the plan sheets submitted with the ADU application packet.

- (4) Setbacks and Lot Coverage.

- (a) ADUs shall adhere to the front setback of the underlying zone and shall not be closer to the front lot line than the single-family dwelling.
- (b) Consistent with Table 18.130.090, Footnote 3, ADUs require a setback of 10 feet from the street side lot lines, five feet from interior side and rear lot lines, and six feet from the single-family dwelling.
- (e) An ADU building footprint shall not be included in the maximum lot coverage calculation of the underlying zone.

Findings: As discussed in 18.130.090, Footnote 3, the ADU adheres to the underlying zone and meets the setback requirements. The single-family dwelling and ADU meet the maximum lot coverage.

(5) Height

- (a) Maximum building height, including any mechanical equipment notwithstanding LCMC 18.40.010, for detached ADUs shall not be taller than the primary single-family dwelling or 25 feet, whichever is less.*
- (b) Building height requirements of the underlying zone apply to internal or addition ADUs.*

Findings: The proposed attached ADU and single-family residence meet the 25-foot height requirement.

(6) Architectural Design

- (a) The exterior appearance of an addition or detached ADU shall match the single-family dwelling's siding, color, and roof form and pitch.*

Findings: The applicant has provided materials showing the proposed ADU and single-family residence as one building and meeting the exterior appearance required for the architectural design. Staff has determined that the exterior appearance of the ADU matches the single-family dwelling's siding, color, and roof form and pitch as required.

Condition 3: The ADU shall adhere to the provided plans submitted with the land use application packet.

(7) Parking. One off-street parking space is required for ADUs in addition to the parking required for the single-family dwelling. The parking requirement can be met by existing parking on site. If insufficient off-street parking exists on site to meet the single-family requirements plus the one additional space for the ADU, then additional off-street parking shall be provided.

Findings: Single-family dwellings are required by LCMC Table 18.280.030 to have two off-street parking spaces. The proposed home and accessory dwelling unit has a three-car garage and driveway fulfilling this requirement. The ADU will have its own attached one-car garage, exceeding the minimum additional off-street parking requirement.

(8) Access.

- (a) An ADU may be accessed by the same driveway serving the single-family dwelling.*
- (b) An additional access may be provided to an ADU if it meets city driveway standards.*

Findings: As indicated in the provided plans from the applicant, the ADU will take access from the three-car driveway.

Condition 4: The applicant shall construct the driveway improvements as shown on the approved site plan and meet International Fire Code fire access standards prior to issuance of the occupancy permit.

(9) Utilities

(a) ADUs constructed on sites that are already connected to public sewer and water, or such systems are adjacent to the site in the public street, shall connect to these systems.

(b) ADUs may connect to an existing septic system if a public sewer connection is not available and the homeowner provides verification from Clark County public health that the septic system has adequate capacity to support the unit.

(e) An ADU may have a shared or separate water system than the single-family dwelling.

Findings: The proposed home and ADU will be connected to public water and sewer.

(10) Construction and Safety Standards. The design and construction of the ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.

Findings: A complete set of building plans were not provided or required with the application submittal to determine if the ADU conforms to applicable building, plumbing, electrical, mechanical, fire, health, and other standards.

Condition 5: The ADU must obtain a building permit prior to construction to ensure conformance with applicable building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.

Condition 6:

In the event that any archaeological or historic materials are encountered during project activity, work in the immediate area (initially allowing for a 100-foot buffer; this number may vary by circumstance) must stop and the following actions must be taken:

- Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering;
- Take reasonable steps to ensure confidentiality of the discovery site; and,
- Take reasonable steps to restrict access to the site of discovery.

The applicant shall notify the concerned Tribes and all appropriate county, city, state, and federal agencies, including the Washington Department of Archaeology and Historic Preservation and the City of La Center. The agencies and Tribe(s) will discuss possible measures to remove or avoid cultural material and will reach an agreement with the applicant regarding actions to be taken and disposition of material. If human remains are uncovered, appropriate law enforcement agencies shall be notified first, and the above steps followed. If the remains are determined to be Native, consultation with the affected Tribes will take place in order to mitigate the final disposition of said remains.

Copies of the above inadvertent discovery language shall be retained on-site while project activity is underway.

Contact	Information
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III. CONCLUSIONS & RECOMMENDATION

Land Use

1. Impact fees are required to be paid in conjunction with the Building Permit.
2. As a condition of approval, the ADU shall comply with the plan sheets submitted with the ADU application packet.
3. The ADU shall adhere to the provided plans submitted with the land use application packet.
4. The applicant shall construct the driveway improvements as shown on the approved site plan and meet International Fire Code fire access standards prior to issuance of the occupancy permit.
5. The ADU must obtain a building permit prior to construction to ensure conformance with applicable building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.
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IV. APPEALS

A final decision regarding an application subject to a Type II process may be appealed by the applicant or applicant's representative or by any person, agency, or firm. An appeal together with the requisite fee and information must be received by the City Clerk within 14 calendar days of the date of the decision being appealed. For an appeal regarding a decision subject to a Type II process, the City Clerk shall schedule and conduct a public hearing to be held by the hearing examiner not more than 35 days from the date a complete appeal was filed with notice and a staff report. The hearings examiner shall make a final decision of the appeal with notice within seven calendar days of the date of decision.

Angie Merrill
Associate Planner

 Date: 10/9/2024

V. EXHIBITS

Exhibit A – Application Materials

1. Application
2. Deed
3. Affidavit of Mailing
4. Plot Plan
5. Plans
6. CC&R's
7. House Matching Information
8. Pre-Application Conference Notes
9. Notice of Application
10. Technical Completeness Letter

