

CITY OF BINGEN, WASHINGTON

ORDINANCE NO. 2023-04-737

**AN ORDINANCE ADDING BINGEN MUNICIPAL CODE CHAPTER 17.30
ACCESSORY DWELLING UNITS**

WHEREAS, the Bingen City Council has reviewed Bingen Municipal Code Title 17 Zoning and finds that Accessory Dwelling Units are not presently permitted in Bingen; and,

WHEREAS, the residents of Bingen have been requesting that Accessory Dwelling Units be added as a permitted use in Bingen;

NOW, THEREFORE, the City Council of the City of Bingen do ordain as follows:

Chapter 17.30 of the Bingen Municipal Code (BMC) shall read as follows:

Chapter 17.30

ACCESSORY DWELLING UNITS

Sections:

- 17.30.010 Purpose.
- 17.30.020 Permitting.
- 17.30.030 Development Standards.
- 17.30.040 Utilities.
- 17.30.050 Underground Utilities Required.

17.30.010 Purpose.

- 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 affordability options to the existing housing base.
- C. Allow for development of housing units in residential zoning districts that are appropriate for people at a variety of life stages.
- D. Protect neighborhood stability, property values, and the residential appearance of the neighborhood by ensuring that ADUs are installed under the condition of the ordinance.

17.30.020 Permitting.

Approval of a proposed ADU shall be accomplished through review by the city planner and building inspector, whether employed by the City of Bingen or contracted by a third party. In addition to the standard application form, the following shall be submitted to the planner and building inspector:

- A. Scale drawings of the ADU project depicting sufficient detail to interpret the requirements of this section.
- B. A proposal for a Detached ADU, when located on a lot with more than double the minimum lot area of BMC section 17.20.040, shall provide a site plan showing whether the proposed building would hinder future division of the lot.

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17.30.030 Development Standards.

- A. Accessory Dwelling Units shall comply with the following standards and criteria:
- a. Density. Only one ADU may be established in the Residential zone.
 - b. Minimum Lot Size. An ADU shall not be established on any parcel smaller than 5,000 square feet.
 - c. Minimum Unit Size. The gross floor area of an ADU shall not be less than 300 square feet.
 - d. Setbacks and Lot Coverage. Additions to existing structures, or the construction of new detached structures, associated with the establishment of an ADU shall not exceed the allowable lot coverage or encroach into required setbacks as prescribed in the underlying zone. The applicable setbacks shall be the same as those prescribed for the primary structure, not those prescribed for detached accessory structures unless a variance is requested and approved. The ADU shall be oriented in a way that considers and maintains the privacy of residents in adjacent or adjoining dwellings to a practical extent.
 - e. Construction 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 codes.
 - f. Accessibility. To encourage the development of housing units for people with disabilities, the building official may allow reasonable deviation from the stated requirements to install features that facilitate accessibility. Such facilities shall be in conformance with the International Building Code.
 - g. Parking. Additional off-street parking of one space is required in conjunction with the ADU. The off-street parking requirements set for in Chapter 17.20.050 shall be maintained for the primary residence. Spaces provided to serve the ADU shall be dedicated to that purpose and must be kept open and available by residents and guests of the ADU.
 - h. Garage Conversions. An existing garage structure may be incorporated as part of an ADU addition to the principal structure, provided that the structure complies with the setback standards applicable to the principal structure in the underlying zone and complies with applicable building codes. The off-street parking requirements for the primary residence shall be provided for elsewhere on-site.
 - i. Proximity. To ensure adequate access for fire suppression, newly constructed detached ADUs cannot be located closer than ten feet from the primary unit.
 - j. Land Division. The City encourages locating Detached ADUs so as not to hinder future division of the lot.

17.30.040 Utilities.

Water and sewer utilities for the accessory dwelling unit are permitted to be connected to the water and sewer utilities of the primary dwelling per BMC 13.44.060 Later Expansion of Service. In the event such a change occurs, the applicant shall pay an upgrade charge equal to the difference between the charge then in effect for a hookup equal in size to the original hookup and the charge then in effect for the size of additional service the user seeks to install.

Water and sewer utilities may also be connected separately and are subject to connection fees outlined in BMC 13.04.070 Water service connection charges and 13.12.040 Sewer connection charge.

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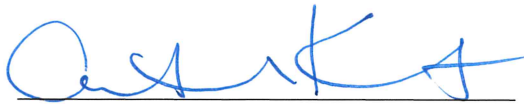
17.30.050 Underground Utilities Required.

All new structures shall be serviced by underground utilities.


PASSED BY THE CITY COUNCIL OF THE CITY OF BINGEN, and effective five
(5) days after the first date of posting or publication.

DATED this 1st day of August, 2023.

ATTEST:

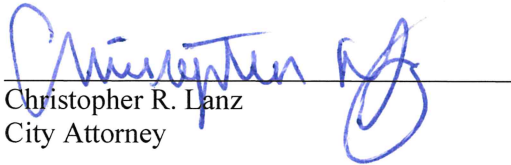


Mayor Catherine Kiewit



Krista Loney, City Administrator

Approved as to form only:



Christopher R. Lanz
City Attorney