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W.T. _____ K.B. _____ SNOHOMISH COUNTY COUNCIL

D.F. _____ S.W. _____

G.H. _____ D.J. _____ ORDINANCE NO. 82-136

RELATING TO ZONING AND AMENDING SNOHOMISH
COUNTY CODE, TITLE 18, CHAPTERS 18.08, 18.18,
18.38, and ENACTING NEW CHAPTER 18.27
TOWNHOUSE (T) ZONE

BE IT ORDAINED:

Section 1. That Snohomish County Code, Title 18, subsection 18.08.210, adopted by Resolution January 31, 1966, is amended to read:

18.08.210 Dwelling. "Dwelling" means a ~~building or portion thereof~~ structure designed or used for residential purposes ~~including one-family and multiple family residences.~~

Section 2. That Snohomish County Code, Title 18, subsection 18.08.220, last amended by Resolution adopted May 17, 1971, is amended to read:

18.08.220 Dwelling, multiple family. "Multiple family dwelling" means a ~~building designed or used to house two or more families living independently of each other, but which term shall not include mobile homes as defined in Section 18.08.455~~ dwelling containing two or more dwelling units, but which term shall neither include townhouses as defined in Section 18.08.620 nor mobile homes as defined in Section 18.08.455.

Section 3. That Snohomish County Code, Title 18, subsection 18.08.225, last amended by Ord. 81-076 adopted July 29, 1981, is amended to read:

18.08.225 Dwelling, single family. "Single family dwelling" means a ~~detached building~~ dwelling containing one and only one dwelling unit, which term shall include factory built housing constructed pursuant to the standards delineated in RCW 43.22.455, as amended, and rules and regulations promulgated pursuant thereto.

Section 4. That Snohomish County Code, Title 18, subsection 18.08.620 is repealed and a new subsection 18.08.620 is enacted to read:

18.08.620 Townhouse. Townhouse means a dwelling unit designed exclusively for occupancy by one family, no portion of which lies vertically under or over any portion of an adjacent unit, and which is attached to one or more other dwelling units by common walls which may be located on side lot lines.

Section 5. That Snohomish County Code, Title 18, subsection 18.18.020, last amended by Sec. 1 of Ord. 81-101 adopted October 7, 1981, is amended to read:

18.18.020 Permitted uses.

(20) Townhouses, on individual lots created through formal subdivision pursuant to RCW 58.17 and Title 19 SCC, subject to the maximum density permitted by the comprehensive plan for single family detached housing, and further subject to all procedures and standards of the Townhouse Zone, Sections 18.27.030 through 18.27.080; except that townhouses shall not be permitted

in zoning classifications which require a lot size of 20,000 square feet or more.

Section 6. That Snohomish County Code, Title 18, subsection 18.18.030, last amended by Sec. 3 of Ord. 81-101 adopted October 7, 1981, is amended to read:

18.18.030 Conditional uses.

(23) Townhouses, when located on individual lots not created through the formal subdivision process of RCW 58.17 and Title 19 SCC, subject to the maximum density permitted by the comprehensive plan for single family detached housing, and further subject to all procedures and standards of the Townhouse Zone, Sections 18.27.030 through 18.27.080; except that townhouses shall not be permitted in zoning classifications which require a lot size of 20,000 square feet or more.

Section 7. That Snohomish County Code, Title 18, subsection 18.26.020, last amended by Sec. 6 of Ord. 81-075 adopted August 3, 1981, is amended to read:

18.26.020 Permitted uses.

(1) Single family dwellings, townhouses and multifamily multiple family dwellings, mobile homes, rooming and boarding houses;

Section 8. That Snohomish County Code, Title 18, subsection 18.26.070, last amended by Sec. 8 of Ord. 81-023 adopted March 23, 1981, is amended to read:

18.26.070 Yards.

(1) Detached s Single family residences dwellings shall have the minimum yards required by Section 18.18.060;

Section 9. That a new Chapter 18.27 Townhouse (T) Zone is added to Snohomish County Code, Title 18, to read:

Chapter 18.27

TOWNHOUSE (T) ZONE

- 18.27.010 Purpose.
- 18.27.020 Permitted uses.
- 18.27.030 Forms of townhouse occupancy and conveyance.
- 18.27.040 Permitted density.
- 18.27.050 Applications.
- 18.27.060 Modifications.
- 18.27.070 Approval period.
- 18.27.080 Performance and design standards.

18.27.010 Purpose: The purpose and function of the Townhouse (T) Zone is:

(1) To provide for single-family dwellings, both attached and detached, of different styles, sizes, and prices in locations specifically designated by the county comprehensive plan for the townhouse zone with its urban densities greater than those for strictly single family detached development, but less than multiple family development;

(2) To provide a flexible tool for development of physically suitable skipped/over or under-used lands in urban areas without adversely affecting adjacent development; and

(3) To provide design standards and review which recognize the special characteristics of townhouses, to insure the development of well-planned communities and to insure the compatibility of such housing developments with adjacent existing and planned uses. Townhouses are intended to serve the housing needs of a variety of housing consumers and producers. Therefore, townhouses may be built for renter occupancy of units on a site under single ownership, owner occupancy of units on a commonly-owned site through condominium agreements pursuant to RCW 64.32, or owner or renter occupancy of separately conveyed units on individual lots created through formal subdivision pursuant to RCW 58.17.

18.27.020 Permitted uses: The following uses are permitted in a Townhouse Zone:

- (1) Townhouses;
- (2) Single-family dwellings;
- (3) Mobile homes, subject to the conditions set forth in Section 18.18.020(14);
- (4) Home occupations, subject to the conditions set forth in Section 18.18.020(2);
- (5) Private, non-commercial piers, wharves and boathouses subject to the conditions of Section 18.18.020(15);
- (6) Family day care home;
- (7) Foster homes;
- (8) Family care home;
- (9) Private recreational facilities associated with a particular residential development; and
- (10) Accessory uses and buildings normally incidental to the uses permitted in this section.

18.27.030 Forms of townhouse occupancy and conveyance. The requirements of this chapter apply regardless of the form of occupancy or ownership; the terms "lot" and "unit" are therefore interchangeable, depending on whether the site of proposed townhouses is to be divided or remain under one ownership. Similarly, "lot lines" shall connote common walls and the exterior boundaries of private open space attached to each unit when no subdivision is used.

18.27.040 Permitted density. Dwelling unit density shall not exceed nine (9) units per acre. Maximum density shall be derived from the calculation of gross site area less unbuildable lands as calculated pursuant to Chapter 18.78, Development on Steep Slopes and 18.27.080(1) County policy relative to easements and wetlands.

18.27.050 Applications. All applications for townhouses as permitted in 18.18.020(20), or 18.18.030(23), or Chapter 18.27 shall include along with the application for rezone, plat and/or conditional use permit, as applicable, a binding site plan showing:

- (1) The building envelope of all structures, and the location of all open space areas, buffering, points of egress, ingress and internal circulation, pedestrian facilities and parking;

- (2) Existing and proposed topography at contour intervals of no more than five (5) feet;
- (3) Development status of contiguous lands including all streets, easements and the names of any adjacent plats;
- (4) Name, address and phone number of the owner and plan preparer(s);
- (5) Calculations showing acreage of the site, number of dwelling units proposed, zoning, site density and open space acreage;
- (6) Scale and north arrow;
- (7) Vicinity sketch (drawn to approximately 1" = 2000' scale) showing sufficient area and detail to clearly locate the project in relation to arterial streets, natural features, landmarks and municipal boundaries;
- (8) Natural drainage courses and probable alterations which will be necessary to handle the expected drainage from the proposal, and the general method proposed to comply with Title 24, SCC, Snohomish County Drainage Ordinance.

18.27.060 Modifications. Modifications to site plans approved by the hearing examiner shall be permitted as set forth below:

- (1) Minor Modifications. Minor modifications or changes in the binding site plan may be permitted by administrative action of the director of the office of community planning and properly recorded as a part of the records for the approved original application;
- (2) Major Modifications. Major modifications of a binding site plan shall be processed in the same manner as an original application;
- (3) Determining Major, Minor Modifications. A "major" modification means any proposed change in the basic use in a binding site plan, or any proposed change in the plans and specifications for structures or location of features therein, whereby the character of the approved development will be substantially modified or changed in any material respect or to any material degree. A "minor" modification means any proposed change in a binding site plan which does not involve a substantial alteration of the character of the binding site plan. The determination of whether a proposed change is a "major" or "minor" modification shall be made by the director of community planning in accordance with the foregoing principles and may be appealed pursuant to Chapter 18.88, SCC.

18.27.070 Approval period. Except when contained within a recorded formal plat, in the event construction has not commenced within four (4) years after the date of approval of a rezone or conditional use permit by the hearing examiner, the hearing examiner shall hold a public hearing to determine whether the rezone or conditional use permit shall be revoked or whether the site plan should be modified or continued as approved. For the purpose of this section, construction shall mean actual construction begun on some permanent structure, utility, or facility on the site.

18.27.080 Performance and design standards. All townhouses shall meet the following standards and regulations:

(1) Slope Policy. Chapter 18.78 Development on Steep Slopes shall be used in calculating the total number of permitted townhouses on a site; provided that the stipulated minimum lot size permitted in each slope range shall not apply and further where an adopted comprehensive plan permits five (5) or more dwelling units per acre on a site the Residential Density Guide for Sloping Land table shall be modified to permit the maximum comprehensive plan density in the zero to twenty percent (0 - 20%) slope ranges. Placement of townhouses shall be sensitive to the natural topography and otherwise conform to the intent of Chapter 18.78. Where appropriate to restrict development on slopes, building setback and limit of clearing lines shall be displayed on the site plan;

(2) There shall be no more than six dwelling units in any townhouse structure, unless it can be demonstrated to the satisfaction of the hearing examiner that additional units can be compatible with the character of adjacent existing and planned uses;

(3) Bulk and setback variation. Each townhouse structure shall have horizontal or vertical variation either within each dwelling unit's front building face and/or between the front building faces of all adjoining units to provide visual diversity to the townhouse structure and individual identity to townhouse units. Upon building permit application, a plot plan of the entire structure in which each unit is located shall be provided by the builder to show compliance with this requirement. The office of Community Planning shall review and approve or deny the building design which may incorporate variations in roof lines, common wall "fin" extensions, setbacks and other structural variations. Disagreements between the developer and Community Planning may be appealed to the hearing examiner;

(4) Front, rear and side yards:

(A) Yard requirements for single family detached structures and mobile homes shall be as set forth in Chapter 18.18, SCC, RR 8400 zone,

(B) Every townhouse lot shall have a front yard of not less than fifteen (15) feet, (twenty (20) feet when located in any Rural Residential zone), and a rear yard of not less than five (5) feet; provided, when two (2) or more townhouse dwelling units are being developed on adjacent lots, minimum front yards may be reduced by not more than ten (10) feet in order to give individual identity and privacy to the units, as long as the average of all front yards in a townhouse structure is not less than fifteen (15) feet, (twenty (20) feet when located in any Rural Residential zone) and each lot has a combined total of thirty (30) feet of front and rear yards,

(C) Every townhouse at each end of a group of attached units shall maintain a side yard of not less than five (5) feet with a minimum building separation of not less than ten (10) feet,

(5) Lot area. Minimum lot area for single family detached structures and mobile homes shall be seven thousand two hundred (7200) square feet. Minimum townhouse lot area per dwelling unit shall be an average of two thousand (2000) square feet;

(6) Lot width. Minimum lot width for single family detached structures and mobile homes shall be sixty (60) feet; corner lots, sixty-five (65) feet. Every townhouse lot shall be of sufficient width to meet off-

street parking requirements, side yard and building code requirements;

(7) Lot coverage. Lot coverage requirements shall be as follows:

(A) Single family detached structures and mobile homes shall cover no more than thirty-five (35%) of the lot,

(B) Townhouse and accessory structures shall together cover no more than fifty-five percent (55%) of the lot,

(C) Patios, driveways and walkways shall not increase the total lot coverage to more than sixty-five percent (65%) of the lot, unless paved with perforated concrete blocks or other permeable material,

(8) Building height. Maximum building height for single family detached structures and mobile homes shall be twenty-five (25) feet, unless modified in Chapter 18.62 or Section 18.76.070, SCC. Townhouse building height shall not exceed thirty (30) feet;

(9) Parking. Two (2) off-street parking spaces shall be provided per dwelling unit, either open or enclosed, with at least one space located behind the front yard building setback line; in addition, all other applicable standards contained within Chapter 18.72 Off-Street Parking, shall be met;

(10) Sidewalks or walkways. Sidewalks or walkways in accordance with the adopted Snohomish County Road Standards shall be provided along interior streets and private roads and along streets adjacent to the site;

(11) Road Improvements. Compliance with the Snohomish County Road Ordinance shall be required. At a minimum, the townhouse development's side of all public streets abutting the site shall be improved to Snohomish County standards in accordance with the adopted Road Standards for the classification of road involved;

(12) Utilities. All water, sewer, electrical and communication distribution and service lines shall be underground except electrical and communication distribution lines only may be above ground for those townhouse lots abutting streets with pre-existing above ground distribution lines. All lines shall be approved by the agency or jurisdiction providing the service;

(13) Sewers. All townhouse developments shall be served by a public sanitary sewer system or a larger on-site sewage disposal system pursuant to Chapter 248-96 Washington Administrative Code; provided perpetual management of any larger on-site sewage system shall be provided by either an eligible public entity as defined by Washington State Department of Social and Health Services regulations, or by a suitable private entity guaranteed by an eligible public entity.

(14) Landscaping. At the time of application for a building permit, the developer shall submit landscaping plans prepared by a professional landscaper or nurseryman for at a minimum all front and side yards and common open space areas associated with the building for which permit application is made. Landscaping shall consist of a mixture of trees, shrubs and ground cover as appropriate to the site and shall be installed in accordance with the plans prior to or within ninety (90) days of issuance of an occupancy permit;

(15) Orientation. The overall development plan for the site and orientation of individual units should reflect consideration of the microclimate of the site, by orientation relative to sun, shade and wind for

increased energy efficiency of the development and for maximum comfort of the residents; provided that where physical or economic considerations make such orientation impractical, this provision shall not apply;

(16) Open space areas. All common open space, community facility areas and private landscaping areas shall be subject to maintenance and use provisions which shall be set forth and recorded in private covenants, deed restrictions, homeowners agreements or through other suitable means to insure continual maintenance, establish rights of access as appropriate and address other relevant matters.

Section 10. That Snohomish County Code, Title 18, subsection 18.38.015, last amended by Sec. 6 of Ord. 81-021 adopted March 23, 1981, is amended to read:

18.38.015 Permissible zones. Only the following planned residential development zones may be allowed: PRD (MR), PRD (LDMR), PRD (7200), PRD (8400), PRD (9600), PRD (12,500), PRD (20,000), PRD (SA 1-Acre), and PRD (WFB). The above zones may only be allowed where the density and density classification proposed are consistent with the adopted comprehensive plan. This section shall not be construed to negate Section 18.38.030(8)(1).

Section 11. That Snohomish County Code, Title 18, subsection 18.38.020, last amended by Sec. 12 of Ord. 82-082 adopted August 23, 1982, is amended to read:

18.38.020 Plans.

(b) These plans shall include a circulation plan, location of utilities, greenbelts, open space and community facilities with each residential lot showing proposed ~~building-type dwelling types~~, whether single family, townhouse or multiple, and other information necessary for adequate design review;

Section 12. That Snohomish County Code, Title 18, subsection 18.38.030, last amended by Sec. 4 of Ord. 81-101 adopted October 7, 1981, is amended to read:

18.38.030 Required conditions.

(5) The minimum lot size for single family detached ~~dwelling~~s and duplex ~~residences~~ ~~dwelling~~s shall be ~~six~~ five thousand square feet;

(A) The minimum front yard building setback of single family detached ~~dwelling~~s and duplex ~~residences~~ ~~dwelling~~s shall be one-half the width of planned rights-of-way or easements as measured from the centerline of the right-of-way plus fifteen feet,

(B) The sum of side yards of single family detached ~~dwelling~~s and duplex ~~residences~~ ~~dwelling~~s shall be not less than ten (10) feet. If the side yard adjoins public open space, these yard requirements may be reduced by an amount equal to the distance from the property line to the centerline of the open space. A modified setback shall be endorsed upon the approved site plan. No portion of a building or appurtenance shall be constructed as to project into any commonly owned open space. No structure or portion thereof shall

be closer than five (5) feet to any structure on an adjacent lot,

(C) Rear yards of single family detached dwellings and duplex residences dwellings shall be a minimum of five (5) feet. If the rear yard adjoins public open space, the minimum rear yard requirements may be reduced by an amount equal to the distance from the rear lot line to the centerline of the open space. Such modified setback shall be endorsed upon the approved site plan. No portion of any building or appurtenance shall be constructed as to project into any commonly owned open space;

(6) ~~The minimum lot size of a townhouse shall be two thousand square feet per unit.~~ Minimum townhouse lot area per dwelling unit shall be an average of two thousand (2000) square feet:

(A) ~~Each townhouse unit shall have a minimum of four hundred twenty five compact contiguous square feet of usable outdoor living space wholly located within one of the yards, front, back or side.~~ Every townhouse lot shall have a front yard of not less than fifteen (15) feet, and a rear yard of not less than five (5) feet; provided, when two (2) or more townhouse dwelling units are being developed on adjacent lots, minimum front yards may be reduced by not more than ten (10) feet in order to give individual identity and privacy to the units, as long as the average of all front yards in a townhouse structure is not less than fifteen (15) feet, and each lot has a combined total of thirty (30) feet of front and rear yards;

(B) ~~Access from indoor living areas to the outdoor living space shall be at ground level.~~ Every townhouse at each end of a group of attached units shall maintain a side yard of not less than five (5) feet with a minimum building separation of not less than ten (10) feet; provided that if the side yard adjoins public open space, this yard requirement may be reduced by an amount equal to the distance from the side lot line to the centerline of the open space. Such modified setback shall be endorsed upon the approved site plan. No portion of any building or appurtenance shall be constructed as to project into any commonly owned open space;

(C) ~~Front yard, rear yard, and if applicable side yard requirements for single family detached units shall apply to townhouses.~~ Bulk and setback variation. Each townhouse structure shall have horizontal or vertical variation either within each dwelling unit's front building face and/or between the front building faces of all adjoining units to provide visual diversity to the townhouse structure and individual identity to townhouse units. Upon building permit application, a plot plan of the entire structure in which each unit is located shall be provided by the builder to show compliance with this requirement. The office of community planning shall review and approve or deny the building design which may incorporate variations in roof lines, common wall "fin" extensions, setbacks and other structural variations. Disagreements between the developer and community planning may be appealed to the hearing examiner.

(D) Lot coverage requirements shall be as follows:

(i) townhouse and accessory structures shall together cover no more than fifty-five percent (55%) of the lot.

(ii) Patios, driveways and walkways shall not increase the total lot coverage to more than sixty-five percent (65%) of the lot, unless paved with perforated concrete blocks or other permeable material:

(E) Townhouse building height shall not exceed thirty (30) feet:

(7) ~~Multifamily-dwelling-unit-structures-other-than townhouse-structures~~ Multiple family dwellings shall also be allowed in any planned residential unit development, provided the following requirements are met:

(A) The maximum lot coverage shall be ~~thirty-five~~ forty (40) percent;

Section 18. That Snohomish County Code, Title 18, subsection 18.38.070, last amended by Sec. 13 of Ord. 82-082 adopted August 23, 1982, is amended by read:

18.38.070 Official map.

(a) The site plan as approved by the hearing examiner shall become the official map of the planned residential development and any changes thereto shall require review under the provisions of Section 18.38.075. In order to insure development as per approved plan, a bond may be ~~recommended~~ required by the hearing examiner; ~~for-approval-by-the-county-council;~~

Dated this

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Cliff Bailey
Chairman

Ellie Snyder
Clerk of the Council

- () APPROVED
() EMERGENCY
() VETOED

DATE 1-12-83

Willis D. Tucker
County Executive

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