



SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 97-032

AMENDING SNOHOMISH COUNTY CODE
CHAPTER 18.53
REGARDING TOWNHOUSE EASEMENTS

WHEREAS, the county executive and county council have identified regulatory reform of land use regulations as a high priority for county government; and

WHEREAS, with the assistance of the county council, the county executive and prosecuting attorney have established a regulatory reform process to make land use regulations more understandable to the public and more easily implemented by the county; and

WHEREAS, this ordinance is a result of that process;

THEREFORE, BE IT ORDAINED:

Section 1. Snohomish County Code Section 18.53.060 , last amended by Ord. No. 95-063 on August 9, 1995, is amended to read:

18.53.060 Performance and design standards.

All townhouses shall meet the following standards and regulations:

(1) Slope Policy. Chapter 18.46 SCC 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 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 20 percent slope ranges. Placement of townhouses shall be sensitive to the natural topography and otherwise conform to the intent of chapter 18.46 SCC. Where appropriate to restrict development on slopes, building setback and limit of clearing lines shall be displayed on the official 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 department of planning and development services 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 the department of planning and development services may be appealed to the hearing examiner;

(4) Setbacks.

(a) Every townhouse on a townhouse lot shall maintain a setback of at least 15 feet from the edge of any street right-of-way, or 20 feet in residential zones, and shall maintain a five foot setback from adjacent residential property lines (except where the townhouses are connected); PROVIDED That when two or more townhouse dwelling units are being developed on adjacent lots, street setbacks may be reduced by not more than 10 feet in order to give individual identity and privacy to the units, as long as the average of all such setbacks in a townhouse structure is not less than 15 feet, (20 feet when located in any residential zone) and each lot has a combined total of 30 feet of front and rear setbacks; and

(b) Every townhouse at each end of a group of attached units shall maintain a minimum building separation of not less than 10 feet;

(5) Lot Area. Minimum lot area for single family detached structures and mobile homes shall be 7,200 square feet. Minimum townhouse lot area per dwelling unit shall be an average of 2,000 square feet;

(6) Lot Width. Minimum lot width for single family detached structure and mobile homes shall be 60 feet; corner lots, 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 35 percent of the lot,

(b) Townhouse and accessory structures shall together cover no more than 55 percent of the lot, and

(c) Patios, driveways and walkways shall not increase the total lot coverage to more than 65 percent 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 25 feet, unless modified in chapter 18.52 SCC or SCC 18.42.020. Townhouse building height shall not exceed 30 feet;

(9) Parking. Two off-street parking spaces shall be provided per dwelling unit, either open or enclosed, with at least one space located behind the street setback line; in addition, all other applicable standards contained within chapter 18.45 SCC 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) 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;

(12) 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 WAC; 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;

(13) 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 setbacks 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 90 days of issuance of an occupancy permit;

(14) Orientation. The official site plan 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; ((and))


(15) Open Space Areas. All common open space, community facility area 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((-)); and

(16) Zero Lot Line Easements. For zero lot line townhouse developments, a five-foot minimum building maintenance easement shall be shown, where applicable, on the official site plan or plat. Said easement shall be established in the covenants, conditions and restrictions of the adjoining lot(s) to assure access to the lot line wall at reasonable periods during the day for normal maintenance. A two-foot maximum eave easement shall be established within the maintenance easement if roof overhangs are proposed.

Section 2. The effective date of this ordinance shall be June 30, 1997.

PASSED this 14 day of May, 1996

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Chairperson, Vice

ATTEST:

Sheila McCallister
Clerk of the Council, *asst.*

- APPROVED
- VETOED
- EMERGENCY

DATE

Attest: *Laura Nelson*

Approved as to form only:

Michael A. ... 2/13/96
Deputy Prosecuting Attorney

DATE *5/16/97*
[Signature]

County Executive

ROBERT J. DREWEL
County Executive

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