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## Chapter 19.30 RS – SINGLE-HOUSEHOLD RESIDENTIAL DISTRICTS

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### 19.30.010 Purpose and intent.

The purpose of single-household residential districts (RS districts) is to provide land for single-household residences and other complementary uses, while encouraging a clean and healthy environment, safety, walkability, neighborliness, affordability for a range of income levels, and adequate open space. RS ~~8400-1~~ is a zoning designation intended to require slightly larger residential lots than the RS ~~7200-2~~ zoning designation. The RS ~~4800-3~~ designation is intended to provide opportunities for market-rate affordable housing and to reflect the interest of many homeowners in having somewhat smaller lots to maintain. RS-5 is a zoning designation that allows townhomes and parking lots to provide a transition between traditional RS districts and the BC/D zoning district. The RS districts are shown on the City's Official Zoning Map. (Ord. 2699 § 5, 2016; Ord. 2480 § 3, 2008).

### 19.30.020 Uses.

A. Allowable uses within the RS districts are identified in Chapter 19.23 MTMC as now or hereafter amended.

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B. Sexually oriented adult businesses/adult entertainment establishments shall not be permitted in any RS district. (Ord. 2480 § 3, 2008).

## **19.30.030 Dimensional requirements.**

A. Dimensional requirements, as identified in subsection C of this section, shall apply to all buildings and lots in the RS districts, except as otherwise specifically provided by this chapter.

B. For the purpose of establishing dimensional requirements in the RS districts, the definitions that are provided by this subsection and affect corner lots shall be used. If such definitions conflict with definitions in Chapter [19.15](#) MTMC as they relate to corner lots, the definitions in this subsection shall prevail over those in Chapter [19.15](#) MTMC.

1. “Corner lot” means a lot or parcel of land abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle of less than 135 degrees.

2. “Front yard” means the area between a parcel’s front property line and the required building setback line, except that corner lots shall be considered to have only one front yard, which shall be measured from the front property line as defined in this section.

3. “Lot, corner” means “corner lot” as defined in this section.

4. “Lot line” means a line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space.

5. “Lot line, front” has the same meaning as in MTMC [19.15.130](#), except that a corner lot shall be considered to have only one front lot line, which is the parcel’s property line along the street on which the parcel takes or is expected to take its address.

6. “Property line” means “lot line” as defined in this section.

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7. “Residential character” means characteristics of appearance and use that are similar to typical residential use, scale, building form, and building materials. It does not include uses or exterior appearances that are industrial or commercial in nature.

8. “Underlying district” means the basic zoning district and does not refer to overlay districts or special zoning categories, such as ~~the smaller lot overlay district or~~ cottage housing.   
~~(For example, in this chapter, the three underlying districts are RS 4800, RS 7200 and RS 8400.)~~

C. Dimensional requirements for lots and buildings in RS districts are set forth in the following dimensional requirements table:

**Dimensional Requirements Table**

	<b>Residential Zoning Districts<sup>14</sup></b>				
	<b>RS 8400-1</b>	<b>RS -27200</b>	<b>RS -3<sup>2,3</sup>4800</b>	<b>RS -4</b>	<b>RS -5</b>
Maximum Building Height	3 stories, not to exceed 35 feet	3 stories, not to exceed 35 feet	3 stories, not to exceed 35 feet	<u>(Reserved)</u>	<u>3 stories, not to exceed 35 feet</u>
Front Yard Setback (minimum)	20 feet	15 feet, except that any garage entry that faces the street, shall be at least <u>5 feet behind the adjacent façade of the house</u> <del>20 feet from property line</del>	15 feet, except that any garage entry that faces the street, shall be at least <u>20 feet from property line</u> <del>5 feet behind the adjacent façade of the house</del>	<u>(Reserved)</u>	<u>6 feet for any townhome or parking lot, except that any garage entry for a townhome or parking lot shall be at least 20 from the front property line. Otherwise, same as for RS-3.</u>
Rear Yard Setback (minimum) <sup>x</sup>	20 feet	15 feet	15 feet	<u>(Reserved)</u>	
Side Yard Setback (minimum)	5/10 feet	5/10 feet	5/10 feet	<u>(Reserved)</u>	

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Lot Width at Building Setback Line (minimum)	55 feet	45 feet	40 feet	<u>(Reserved)</u>	
Lot Width at Street (minimum)	40 feet <sup>5</sup>	30 feet <sup>5</sup>	30 feet <sup>5</sup>	<u>(Reserved)</u>	
Lot Coverage by Structures (maximum)	40% of lot area	40% of lot area	<del>40</del> 50% of lot area	<u>(Reserved)</u>	
<del>Lot Coverage by Impervious Surfaces (maximum)</del>	<del>45% of lot area</del>	<del>45% of lot area</del>	<del>45% of lot area</del>		
<del>Lot Coverage by Hard Surfaces (maximum)</del>	<del>55% of lot area</del>	<del>55% of lot area</del>	<del>55% of lot area</del>		
Mean Lot Depth (minimum)	80 feet	70 feet	70 feet	<u>(Reserved)</u>	
Lot Area (minimum, <u>except as specifically allowed otherwise under this chapter or the provisions of Title 17</u> )	8,400 square feet	7,200 square feet	4,800 square feet	<u>(Reserved)</u>	<u>4,800 square feet<sup>6</sup></u>
Maximum Floor Area Ratio (FAR)	None	None	<del>0.60.75</del>		<u>None</u>

~~<sup>1</sup>Lots in all residential zoning districts are subject to the low impact development (LID) provisions of MTMC 19.30.110, which may supersede the provisions of this section.~~

<sup>2</sup>Exception: Smaller lots may be allowed subject to meeting the requirements of MTMC [19.30.035](#), [19.30.070](#), as applicable, or other specific provisions of this title or MTMC Title [17](#).

<sup>3</sup>Lots in the RS 4800 district are subject to the additional standards of MTMC [19.30.060](#).

<sup>4</sup>For a corner lot as defined in this section, the larger number shall be used for any side yard that is adjacent to a street but is not the front yard as defined in this section.

<sup>5</sup>Exception: Flag/panhandle lots shall be a minimum of 12 feet at the street.

<sup>6</sup>Exception: Lots in this district that have frontage on the west side of 58<sup>th</sup> Avenue W or the north side of 230<sup>th</sup> Street SW shall have a minimum lot area of 7200 square feet.

(Ord. 2699 § 6, 2016; Ord. 2529 § 1, 2010).

## 19.30.035 ~~Density and L~~lot area calculations.

A. No more than one dwelling unit shall be developed on each lot within an RS district, except as otherwise specifically permitted under this title or MTMC Title [17](#).

B. Regardless of the minimum lot area required under MTMC [19.30.030](#), a subdivision may include one lot that does not meet minimum lot requirements; provided, that the lot would have an

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area that is at least 90 percent of the required minimum lot area of the underlying district and would meet all other dimensional requirements of MTMC [19.30.030](#)(C).

~~C. The RS district has target net densities as follows (rounded to the nearest whole number): RS 7200—4.5 units per acre, RS 8400—4.0 units per acre; RS 4800—7.0 units per acre. (Ord. 2697 § 2, 2016; Ord. 2529 § 2, 2010).~~

## 19.30.040 Special regulations.

~~AA. A manufactured home shall be permitted to locate on any single household lot when it meets the development standards of this title and all other applicable regulations for single households are met.~~

~~B.~~ Accessory dwellings shall comply with MTMC [19.30.050](#), as now or hereafter amended.

~~CB.~~ Animals are allowed subject to the provisions of MTMC Title [6](#).

~~DC.~~ A storage building for a legally established nonresidential use may be permitted under the following conditions: (1) it is on the same lot as the nonresidential use; (2) it is constructed of materials similar to the building that comprises the primary nonresidential use on the lot; and (3) it is for a purpose that is consistent with the residential character of the neighborhood.

E. The locational and area standards of this chapter and of any other regulations in this title pertaining to development under this chapter do not have to be met on individual lots, parcels or tracts developed under the provisions of Chapter [17.09](#) MTMC, Fee Simple Unit Lot Subdivisions; provided, that they are met on the collective lots, parcels and/or tracts in a fee simple unit lot subdivision and that all standards otherwise applicable to the outer perimeter of individual lots (e.g., setbacks, landscaping and buffers) are met around the outer perimeter of the fee simple unit lot subdivision. (Ord. 2660 § 5, 2015; Ord. 2547 § 8, 2010; Ord. 2480 § 3, 2008).

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## 19.30.050 Accessory dwellings.

A. The intent of this section is to:

1. Broaden housing options within the City;
2. Provide homeowners with a means of accommodating extended families or obtaining rental income, companionship, security, or services through tenants in either the accessory dwelling unit or principal (i.e., primary) unit of the single-family dwelling; and
3. Retain the neighborhood character of surrounding single-family homes.

B. One accessory dwelling unit is permitted as subordinate to a single-family dwelling, provided the following requirements are met:

1. **Owner Occupancy.** An owner of the property or an immediate family member of the property owner must reside in either the principal dwelling unit or the accessory dwelling unit for a minimum of three consecutive months within any given calendar year. In no case shall the principal dwelling unit and the accessory dwelling unit be simultaneously leased by the owner(s) for any rental term or any portion of a rental term.

2. **Number of Occupants.** The total number of occupants in both the principal dwelling unit and the accessory dwelling unit combined shall not exceed the maximum number established for a household, as “household” is defined in Chapter [19.15](#) MTMC.

3. **Subdivision.** Accessory dwelling units shall not be subdivided or otherwise segregated in ownership from the principal dwelling unit.

4. **Size and Scale.** The square footage of the accessory dwelling unit shall be a minimum of 200 square feet and a maximum of 800 square feet, excluding any garage areas, provided the

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square footage of the accessory dwelling unit shall not exceed 40 percent of the total square footage of the primary dwelling unit, excluding the garage area, as it exists or as it may be modified.

5. Location. The accessory dwelling unit may be added to or included within the principal unit, or located in a detached structure, provided that the detached structure is entirely between the principal unit and the rear yard setback or an alley. No part of an existing primary dwelling unit within 50 feet of the front property line shall be converted to an accessory dwelling.

6. Entrances. ~~The single-family dwelling containing the accessory dwelling unit shall have only one entrance on each street side of the residence.~~ The exterior entry door(s) of the accessory dwelling must be either: (a) set back at least 50 from the front property line; or (b) located to face the side or rear of the lot.

7. Additions. Any addition to an existing structure or any newly constructed detached structure, if created for the purpose of developing an accessory dwelling unit, shall be designed and built to be consistent with the existing roof pitch, siding, and windows of the principal dwelling unit.

8. Parking. All single-family dwellings with an accessory dwelling unit shall meet the parking requirements applicable to the dwelling if it did not have such an accessory dwelling unit, except that if legal on-street parking is not available immediately abutting the site, one additional parking space shall be required on site.

C. The accessory dwelling unit shall comply with all standards for health and safety as provided in Chapter 15.05 MTMC, as now or hereafter amended, and any other applicable chapters of this code, except as specifically granted otherwise. The accessory dwelling unit shall comply with all development standards for single-family dwellings, including height and setbacks, except that an accessory dwelling unit that is detached from the principal dwelling shall meet the height

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and setback requirements for accessory buildings, pursuant to Chapter [19.120](#) MTMC, as now or hereafter amended.

D. An accessory dwelling unit shall not be permitted unless the property owner has applied for and been issued an accessory dwelling unit permit by the Department. The application shall include an affidavit signed by the property owner affirming that the owner or a member of the owner's immediate family will occupy either the principal dwelling unit or the accessory dwelling unit for a minimum of three consecutive months per calendar year and that not more than one of the units shall be leased at any given time.

E. Within 10 days after receiving a completed application, the Department shall post on the property in a location that is easily visible to the public a notice regarding the pending accessory dwelling permit. The notice shall indicate the purpose of the application, along with the Department's phone number to call for information, and shall remain posted for at least 15 days.

F. Prior to issuance of a certificate of occupancy for an accessory dwelling unit, the Department shall inspect the property to confirm that all applicable requirements are met. Issuance of a certificate of occupancy for the accessory dwelling unit shall be subject to the applicant recording, with the Snohomish County Auditor's office, a document that runs with the land, identifies the address of the property, states that the property owner will reside in either the principal dwelling unit or the accessory dwelling unit for at least three consecutive months of each year, includes a statement that the owner will notify any prospective purchasers of the limitations of this section, and acknowledges that the issued permit for the accessory dwelling unit may be revoked if any of the City's requirements for accessory dwellings are violated.

G. Elimination of an accessory dwelling unit may be accomplished by the property owner recording with the Snohomish County Auditor's office a certificate identifying the property's



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address and that the accessory dwelling unit no longer exists on the property, and providing a copy of the certificate to the City. (Ord. 2480 § 3, 2008).

## 19.30.060 RS ~~-34800~~ district standards.

A. ~~In addition to the standards of MTMC 19.30.030(C), the following standards~~Smaller Lot Residential Design Standards, as adopted in 2008 and including any amendments thereafter, apply to development on lots less than 6000 square feet. In addition, the Sidewalk and Pedestrian Landscape Area section of said Smaller Lot Residential Design Standards applies to any lot of 6000 square feet or more where building additions and/or new construction is greater than 1000 square feet in floor area ~~the RS 4800 zoning district:~~

- ~~1. B. No more than one flag lot shall be created from a parent lot.~~
- ~~2. Each home shall have a floor plan that is different than the adjacent house; a reversed or flipped floor plan does not count as being different.~~
- ~~3. Carports and tent structures for vehicles or storage are not allowed.~~
- ~~4. The garage of a home shall comprise no more than two thirds of any street facing facade of the home.~~
- ~~5. Street facing facades of houses and garages shall include windows comprising at least 15 percent of the facade.~~
- ~~6. The roof pitch of any structure shall be at least six feet rise to 12 feet of run (6:12) over at least 80 percent of the structure's footprint.~~
- ~~7. Lots in the RS 4800 district that are at least 7,200 square feet may develop according to the dimensional standards of the RS 7200 district as described in MTMC 19.30.030(C);~~

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~~provided, that all other development standards of the RS 4800 district are met. (Ord. 2699 § 8, 2016).~~

## **19.30.065 Transitional uses, R-5 district standards**

~~The R-5 district allows townhomes and parking lots to provide transition between portions of the BC/D district and single-household zoning districts, consistent with Townhomes and parking lots are permitted as transitional uses in the RS zoning districts according to the following standards:~~

~~A. Location. Transitional uses are allowed only on parcels that (1) directly front on streets abutting BC/D zoning district, and (2) are directly accessed off streets abutting the BC/D zoning district.~~

~~B. Townhome Standards. For townhome development:~~

~~1. The Multifamily Development Design Standards, as adopted in 2007 and including any subsequent amendments, shall apply. Exception: The section for "Roof Pitch (Minium/Maxium) is advisory and not mandatory.~~

~~2. Two vehicle parking spaces are required for each townhome unit that has a floor area greater than 1,200 square feet in area. One vehicle parking space is required for each unit that has a floor area of 1,200 square feet or less.~~

~~3. Sheltered, secure storage for 2 bicycles per townhome shall be provided. The storage may be located in a garage; it shall not be on a deck or balcony. Townhomes Development Standards.~~

~~1. Building design standards of the BC/D zoning district apply.~~

~~2. Setbacks.~~

~~a. Front yard: same as BC/D.~~

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~~b. Side and rear yard: same as RS zoning district.~~

~~3. Height. Same as RS zoning district.~~

## C. Parking Lot Development Standards.

~~1. Parking lots are permitted as overflow or off-premises parking to uses in the BC/D district lying within 150 feet of the site, as measured from the closest points of each property to each other, provided that the following sections of the Multifamily Design Standards, as adopted in 2007 and amended thereafter, shall apply:-~~

~~2. All standards of Chapter 19.125 MTMC apply the Pedestrian Connections section; the Parking Lot Lighting section; standards 1-4 of the Interior Parking Lot Landscaping section, the Parking Lot Screening section, the Sidewalks section, and the Street Trees section.~~

~~To encourage a mix of uses in this area, no parking lot shall extend more than 120 linear feet on a street in any direction. No parking lot will be closer than 60 feet from another, as measured from the street.-~~

~~3. Landscape Buffer. A 15-foot wide dense vegetative screen shall be provided along all property lines of the subject site abutting any lot in the RS zoning district that does not lie within the transitional use area. The vegetative screen shall include:~~

~~a. Evergreen fir or cedar trees at maximum 15-foot intervals, at least six feet high at planting-~~

~~b. Understory shrubs with year-round screening qualities, minimum two-gallon planting size, spaced four feet on center and located to fill voids between evergreen trees.~~

~~4. Lighting. Fixtures for lighting are limited to 20-foot high maximum. Except for decorative pedestrian scaled lighting, all light fixtures shall (a) be shielded to ensure full horizontal cut-off and to ensure that the lamp within the fixture is not visible to abutting residential~~

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~~development; and (b) use flat lenses rather than curved drop lenses to avoid horizontal refraction of light below the fixture's solid housing. Lighting shall be designed to not spill onto abutting properties, as determined by a photometric plan prepared by a lighting engineer.~~ (Ord. 2667 § 4, 2015).

## **19.30.070 Cottage housing.**

A. "Cottage housing" or "cottage home development," for purposes of this chapter, means a set of detached small-scale homes that are clustered around common open space and that meet the requirements of this section. The intent of allowing cottage home development is to: (1) increase the variety of housing types available for smaller households; and (2) encourage creative and high quality infill development that fosters a sense of community. Pedestrian orientation and quality design are hallmarks of this type of infill development.

B. Early in the design phase of a potential cottage home development, the applicant shall, at his or her expense, hold an informational meeting within Mountlake Terrace to which all residents and property owners within 300 feet of the potential development, according to City or County records, and City staff have been invited via a written invitation mailed at least 14 days in advance of the meeting. The invitation shall identify the purpose of the meeting and the location of the site being considered for cottage development and shall include logistical information regarding place and time of the meeting. The purpose of the meeting shall be to explain the preliminary development concept being considered and to provide opportunity for neighborhood input regarding site layout or building design that the developer may be able to reasonably address in the design phase.

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C. Cottage homes shall be developed in one or more clusters, each of which has a minimum of eight units ~~(unless restricted to fewer units under maximum density targets of MTMC 19.30.035)~~ units to a maximum of 16 units. An example of a cottage home development is illustrated by Figure 19.30.070.

D. The minimum lot size for a cottage home development in a RS-~~2 -4800~~ or RS ~~-3 7200~~ district is 28,800 square feet. In a RS-~~1 -8400~~ district, the minimum lot size for a cottage home development is 33,600 square feet. Up to two cottage homes shall be allowed in place of each single-household dwelling allowed by the base density of the underlying zone as specified in MTMC 19.30.035(C); provided, that all other applicable requirements are met, with the following exception: cottage homes must be sited at least 10 feet from the side yard of any abutting RS-zoned parcels that are not part of the cottage development.

E. Cottage homes shall be oriented around the common open space. The common open space shall consist of a contiguous area that is accessible to all units and serves as a gathering area, with landscaping and pedestrian amenities. It shall not include nor be divided by a driveway or parking space for vehicular use. The common open space must total at least 250 square feet per cottage housing unit. Open space with a dimension of less than 20 feet shall not be included in the calculated common open space.

F. Each cottage home shall be provided with private use open space of at least 225 square feet, contiguous to each unit and for the exclusive use of the cottage home's resident. A minimum of 125 square feet of the required private use open space shall be adjacent to and oriented to the common use open space and shall have no dimension of less than five feet on any one side.

G. For every eight units, at least two basic floor plans shall be used. A floor plan that is reversed or flipped from another does not count as a separate floor plan.

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H. For any cottage home, the floor area of a second story shall be no greater than 60 percent of the first story floor area.

I. Buildings must have pitched roofs with a minimum slope of four feet of rise to 12 feet of run (4:12). The height limit for all structures shall not exceed 25 feet at the ridge of the roof, excluding chimneys or cupolas.

J. Each cottage home shall have a covered entry porch that is oriented to the common open space. The porch shall be at least 60 square feet in area with a minimum dimension of six feet on any side. Each cottage home shall include windows and/or doors that comprise at least 25 percent of any street-facing facade.

K. All dwellings within the cluster shall maintain no less than 10 feet of separation from each other. Projections may extend into the required separation for the following:

1. Eaves up to 12 inches;
2. Minor appurtenances such as pipes, gas and electrical meters, alarm systems, air vents, and downspouts;
3. Architectural projections up to 12 inches and a total area of no more than eight square feet from any single cottage.

L. Vehicle parking shall be provided on the cottage home development site as follows:

1. For dwellings that do not exceed 1,000 square feet and are part of a site located within 1,500 feet of a transit stop: an average of 1.25 parking spaces per unit is required.
2. For dwellings that exceed 1,000 square feet or are part of a site not located within 1,500 feet of a transit stop: an average of two parking spaces per unit is required.

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3. In addition to other parking spaces required by this subsection, guest parking shall be located on site and/or along improved street frontage adjacent to the subject property to equal 0.25 parking spaces per unit.

4. Vehicle parking shall be located within one or more garages in a common area or in parking areas that are otherwise detached from the cottage units.

M. The exterior of any common garage(s) shall be modulated by differing rooflines or building offsets or bays at least every 25 feet along each wall. The length of street-facing garage walls within 50 feet of the public street shall comprise no more than 50 percent of the length of the front lot line, provided that garages facing an alley are not subject to this requirement. All parking outside of a common garage shall be:

1. Clustered and separated from the common open space by landscaping and/or an architectural screen. Solid-surfaced fencing shall not be allowed as an architectural screen.

2. Screened from public streets and adjacent residential uses by landscaping and/or an architectural screen. Solid surfaced fencing shall not be allowed as an architectural screen from public streets.

3. Set back a minimum of 10 feet from a public right-of-way, unless the public right of way is an alley, in which case a garage shall be set back a minimum of 1 foot from the alley.

4. Located in clusters of not more than five abutting spaces.

N. The cottage home development is subject to the dimensional requirements of MTMC [19.30.030](#) as they apply to the total development site, not to individual units within the development; provided, that the cottage home development complies with the requirements of this section. Individual homes within the development must be separated from each other by at least 10 feet.

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O. All fences on the interior of the site shall be no more than 36 inches in height. Fences along the side or rear property line of the cottage home development may be up to six feet in height. Wire fences, such as chain link, shall not be allowed.

P. Landscape screening, which may include a fence up to six feet in height, is required as a visual buffer along the property line between the cottage housing development and any adjacent lots ~~in a zoned single household, i.e., RS 4800, RS 7200 or RS 8400~~ RS zoning district.

Q. One carriage housing unit, which is defined for this purpose as a dwelling above a garage, may be allowed for each four cottages within a cottage development under this chapter so long as the unit meets all other requirements under this chapter, except that:

1. The development's required common open space shall include a minimum of 150 square feet for the carriage housing unit; and

2. Any carriage housing unit's private use open space area, which may include deck space, shall comprise a minimum of 150 square feet, of which at least 100 square feet must face the common open space; and

3. The floor space of the carriage housing unit shall not exceed 1,000 square feet.

R. The street frontage along any dimension of the cottage home development shall be improved by the developer to meet current City standards. For cottage home developments, this shall include a minimum five-foot-wide landscape area between the street curb and the sidewalk for the length of the property along the street.

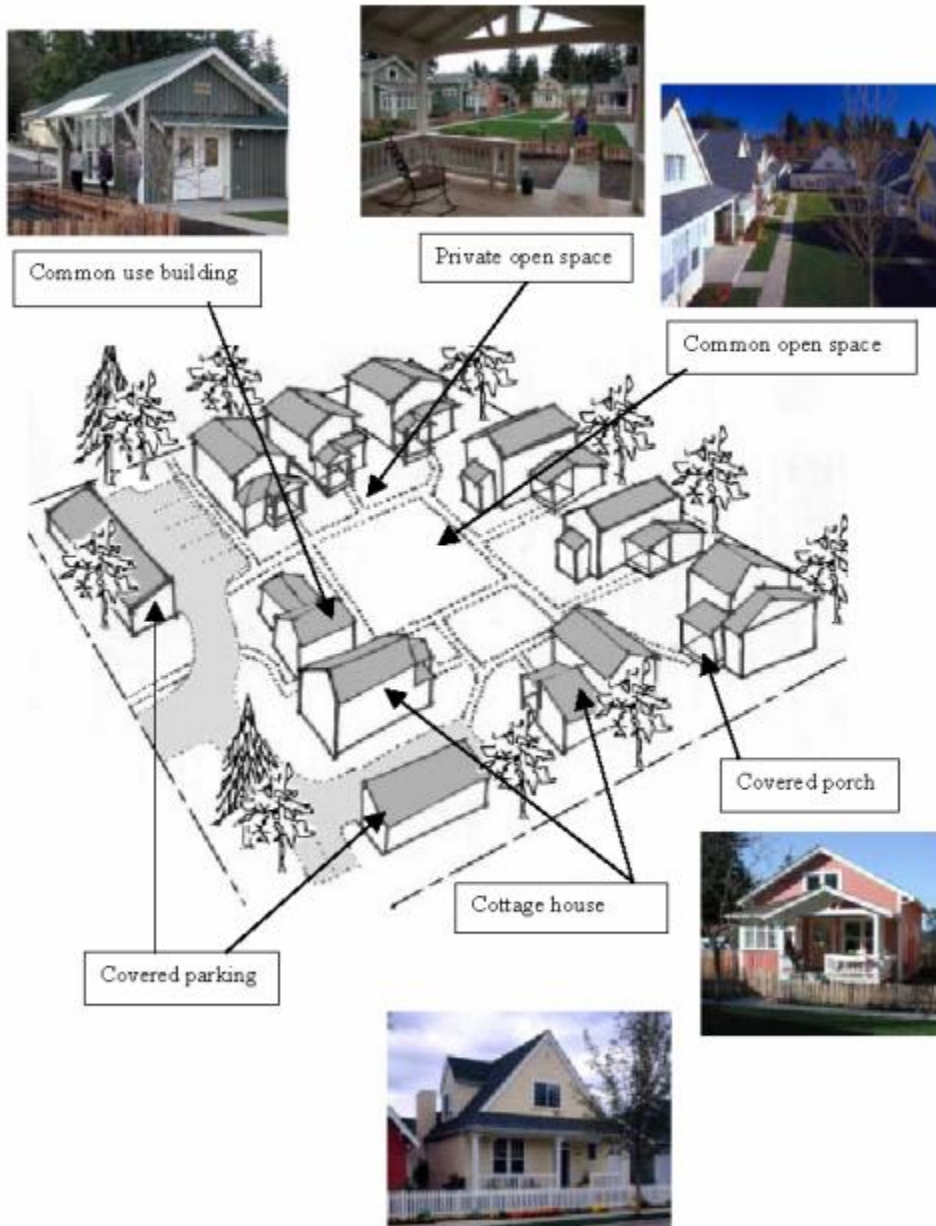
S. Each cottage home development shall have only one driveway from any one street, except that one additional driveway may directly connect to the same street if the driveways are at least 150 feet apart. Any driveway in the development shall not exceed 20 feet of width where the apron meets the street or is otherwise in the right-of-way.



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Figure 19.30.070: Cottage Housing Example



(Ord. 2699 § 9, 2016; Ord. 2480 § 3, 2008).

## 19.30.080 General residential design standards.

The development of all principal dwellings within the RS districts shall comply with the following design standards ~~upon the effective date of the ordinance adopting this section~~. Such

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standards do not apply to dwellings legally established prior to June 1, 2008, except as provided by the nonconformance provisions of this title for building alterations and replacement:

~~A. Roof pitch must be a minimum of four feet of rise for 12 feet of run (4:12) for at least 80 percent of the dwelling's roof area.~~

~~BA.~~ The roof's eave projections must be a minimum of 10 inches, not including a gutter around the perimeter of the home, unless the roof pitch is at least 7:12.

~~BC.~~ A perimeter wall of masonry shall enclose the foundation of the home.

~~CD.~~ The front of the home shall have one or more transparent windows totaling at least eight square feet and a decorative door that face the street. On a corner or through lot, any other facade of the home that faces a street shall include at least eight square feet of glass area in a window and/or door. Any accessory structure with a facade greater than 20 feet in length that directly faces and is visible from the street shall include glazing in a total amount of at least eight square feet. (Ord. 2480 § 3, 2008).

## 19.30.090 Off-street parking and driveways.

A. Off-street parking is required pursuant to Chapter [19.125](#) MTMC, as now or hereafter amended, except as otherwise provided by this chapter.

B. To preserve on-street parking capacity ~~and to~~ avoid unnecessary interruptions to traffic flow and pedestrian mobility, ~~more fully implement low impact development (LID) principles,~~ the following applies to single-household residential driveways, except as otherwise provided by this chapter:

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1. Each single-household residential lot shall have no more than one driveway access from a street, provided that corner lots and through lots that are at least 28,000 square feet may have a second driveway access that is not on the same street as the first-

2. A residential driveway serving one or more single-household dwelling units, including townhomes, shall comprise no more than 24 feet of width, and serving any lots of 4800 square feet or less in area shall comprise no more than 20 feet of width, as measured at the driveway throat in any portion of the public right-of-way, excluding an alley, in which it is located.

3. Newly created lots of less than 5000 square feet in area must share a driveway with an adjacent lot. Exceptions: (a) Corner lots are not required to share a driveway with an adjacent lot when the driveway for the corner lot is approached from a side street and is at least 20 feet from any other driveway as measured at the street edge; (b) Lots that are served by a residential driveway of no more than 15 feet in width are not required to share a driveway if each of the resulting driveways would be at least 20 feet from any other driveway as measured at the street edge; (c) Lots taking vehicular access solely from an alley are not required to share a driveway; or (d) The Director finds that a shared driveway for two adjacent lots is not feasible due to topographical conditions or other significant physical constraints, provided that separate driveways shall be sized and located so as to maximize the amount of available on-street parking.

~~4. are limited to shared driveways with abutting lots in the same subdivision or plat unless it can be demonstrated that a shared driveway would result in more driveway coverage than lots with individual driveway accesses.~~ A shared residential driveway shall serve at least two lots, but no more than three lots, provided that a single shared residential driveway may serve up to sixteen units of either cottage housing or townhomes, regardless of the number of lots that are in the development. (Ord. 2698 § 2, 2016; Ord. 2480 § 3, 2008).

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## **19.30.100 Electric vehicle charging station level 2, home preparation.**

Beginning July 1, 2011, all new home construction and additions modifying greater than 50 percent of the assessed value of the building shall be built to accommodate one electric vehicle charging station level 2, consistent with the National Electric Code Article 625.

A. The plan will identify a specific place or area where a level 2 charging station could be safely installed in the future without creating a tripping hazard.

B. The new construction or addition shall include installation of the necessary conduit to a potential future level 2 charging station.

C. The electrical load of the building shall accommodate a level 2 charging station, including any applicable ventilation requirements. (Ord. 2553 § 4, 2010).

## **19.30.110 Low impact development (LID).**<sup>[SH1]</sup>

~~All lots in the RS zoning districts are subject to low impact development (LID) standards of Chapter 16.22 MTMC and this section, unless otherwise exempt under MTMC 16.22.030.~~

~~A. Analysis of Assessment Data. The site design developed pursuant to MTMC 16.22.060, LID plan development and submittal, shall be considered when determining the site's development potential and limitations, unless the site development is otherwise exempt under the provisions of MTMC 16.22.030.~~

~~B. Development of Existing Lots. Development of existing lots shall occur outside of all avoidance areas as defined in Chapter 16.22 MTMC, unless encroachments into avoidance areas are mitigated as follows:~~

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~~1. Any loss of existing trees shall be replaced, subject to the provisions of MTMC 16.22.080, Tree planting, retention and replacement.~~

~~2. Removal of deciduous trees shall be preferred over removal of coniferous trees. Any coniferous tree greater than 10 feet in height shall be replaced pursuant to the replacement ratios of MTMC 16.22.080.~~

~~3. Placement of impervious improvements over less permeable soils is preferred to placing improvements over permeable soils. Any area of pervious soil in the development disturbance area covered by impervious improvements shall be mitigated by amending a commensurate area of impervious soils that may abut the development disturbance area, but only if the area of the abutting soils are not within defined critical areas. Soils shall be amended as defined in MTMC 16.22.090.~~

~~4. Encroachment into critical areas as defined in Chapter [16.15](#) MTMC is subject to all provisions of said chapter.~~

~~5. Setbacks may be reduced up to 50 percent in order to avoid encroachment into existing avoidance areas; provided, that there is a corresponding increase in setbacks along the property line most opposite from the property line to which the reduced setback applies. Setback reductions require approval of the director, based upon findings that the reduced setback will better preserve existing avoidance areas than application of standard setbacks. The revised setbacks shall be recorded against the property prior to issuance of building permits. These requirements do not apply to setbacks otherwise reduced during the platting process under the provisions of Chapter [19.115](#) MTMC, Planned Unit Development (PUD); provided, that avoidance areas and all LID principles are considered during the PUD review process.~~

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~~C. Creating New Lots—Subdivisions. Newly platted development sites may be created only outside of avoidance areas, except that up to 50 percent of a site may be platted into individual development sites even if more than 50 percent of the site is encumbered by avoidance areas; provided, that targeted densities are not exceeded and that impacts of encroachment into avoidance areas are minimized and/or mitigated, as follows:~~

~~1. Density Target. The RS district density targets are specified in MTMC [19.30.035\(C\)](#).~~

~~2. Clustering. To facilitate the targeted densities for each RS zoning district, development may be clustered within the plat according to the following provisions:~~

~~a. Reduced Lot Size. Lot sizes may be reduced by up to 50 percent, commensurate with the amount of site dedicated to platted avoidance areas. For example, if 30 percent of the site is dedicated to platted avoidance areas, lot sizes may be reduced by 30 percent.~~

~~b. Reduced Setbacks. Setbacks may be reduced by up to 50 percent except that standard setbacks shall apply to all property lines abutting the plat's perimeter.~~

~~c. Increased Coverage on Individual Lots. Lot coverage by structures may be increased up to 65 percent; lot coverage by impervious surface may be increased up to 70 percent, and lot coverage by hard surface may be increased up to 80 percent maximum on individual lots.~~

~~d. Increased Story and Building Height. Maximum stories and building height may increase subject to the following limitations:~~

~~i. One half story increase is permitted for every 25 percent reduction in lot size, not to exceed one full story increase (two half story increases equate to one full story).~~

~~ii. Total height increase shall not exceed five additional feet, except that an increase of up to 10 feet is permitted on portions of building with a minimum 8:12 pitch roof over 75 percent of the area of increased height.~~

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~~e. Reductions in setbacks and increased coverage shall be commensurate with reductions in lot sizes. For example, if lot sizes are reduced by only 30 percent, setback reductions are limited to 30 percent reduction from standard setbacks, and increased coverage is limited to 30 percent increase above standard coverage, not to exceed the above stated reductions/increases.~~

~~3. Locating platted development sites over less permeable soils (e.g., clay) is preferred to locating them over permeable soils. Any area of pervious soils within a developable lot shall be mitigated by amending a commensurate area of impervious soils abutting and lying outside of the developable lots; provided, that the area of the abutting impervious soils are not within defined critical areas or their buffers as defined in Chapter [16.15](#) MTMC. Soils shall be amended as defined in MTMC 16.22.090 prior to final plat recordation unless otherwise deferred under a subdivision improvement agreement as prescribed in Chapter [17.06](#) MTMC.~~

~~4. Removal of deciduous trees shall be preferred over removal of coniferous trees. Any coniferous tree greater than 10 feet in height shall be replaced pursuant to the replacement ratios of MTMC 16.22.080.~~

~~5. Development of individual platted sites are subject to the development provisions of subsection B of this section.~~

## ~~D. Avoidance Area Tracts and Easements.~~

~~1. Tracts. Avoidance areas required to be preserved as identified through the platting or subdivision process shall be contained in individual tracts or parcels specifically reserved for preservation of the avoidance area features.~~

~~2. Easements. Avoidance areas required to be preserved on existing development sites shall be contained in preservation easements. (Ord. 2697 § 3, 2016).~~



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## **19.95.030 Street design and access standards.**

A. Purpose. It is the purpose of this section to establish design standards and development requirements for street improvements to provide for reasonable and safe access to public and private properties. These improvements include appropriately scaled sidewalks and landscape buffers related to the urban context, curbs, gutters, street paving, monumentation, and lighting, consistent with complete streets principles and fostering a sense of place in the public realm through attractive design amenities.

~~B. Exemptions. Exemptions to this section shall be authorized by the Community and Economic Development Director for development comprised of the following:~~

- ~~1. New construction or addition with valuation less than \$75,000 that occurs or is permitted within any three-year period;~~
- ~~2. Within the BC/D zoning district, interior remodels with valuation less than \$100,000 that occur or are permitted within any five-year period;~~
- ~~3. Outside of the BC/D zoning district, interior remodels of any valuation; or~~
- ~~4. The construction of one single-family house, including one accessory dwelling unit, or the modification of or addition to an existing house; provided that the lot on which a new house would be constructed is not part of a subdivision that occurred within the past three years.~~

~~B. Applicability. Making Improvements, as needed to meet the standards of this section shall be required for all new construction on a lot and all exterior additions to an existing building where the valuation of the new construction or exterior addition(s), as it occurs or is permitted during any three-year period, is greater than \$75,000. It also applies to any site within the BC/D zoning district where building and site improvements occur or are permitted during a three-year period that together have a valuation of more than \$150,000.~~

~~Exemption: Any addition to an existing single-family house, including the addition of one attached or detached accessory dwelling unit, shall be exempt from the requirements of this section unless, during any three-year period, the floor area of such addition(s) exceeds 75% of the floor area of the existing single-family house as measured from the beginning of the three-year period.~~