

**CHAPTER 22.16  
SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS**

**Sections:**

- 22.16.010** Purpose.
- 22.16.020** Applicability.
- 22.16.030** Land Use.
- 22.16.040** Bulk Requirements.
- 22.16.050** Accessory Dwelling Units.
- 22.16.060** Home Occupations.
- 22.16.070** Variances.

**22.16.010 Purpose.**

The purpose of the single-family zoning districts in the city of Monroe is to promote the existing small town character by providing that new development will be compatible with the density and setbacks of the present housing stock. The purpose is also to provide for a broad range of housing types and densities for all Monroe residents. Single-family zoning districts are envisioned to be served by the city water and city sanitary sewer systems when developed to their zoned densities. Single-family lots shall be limited to one residence each except as otherwise prescribed.

**22.16.020 Applicability.**

The regulations, requirements, and standards contained in Monroe Municipal Code Chapter 22.16 apply to all properties zoned Single-Family Residential – 4 Units per Acre (R4), Single-Family Residential – 7 Units per Acre (R7), and Single-Family Residential – 15 Units per Acre (R15). All properties zoned Single-Family Residential – 4 Units per Acre (R4), Single-Family Residential – 7 Units per Acre (R7), or Single-Family Residential – 15 Units per Acre (R15) shall comply with all applicable provisions of this Title and the Monroe Municipal Code unless otherwise specified.

**22.16.030 Land Use.**

A. Land Use Matrix. The following zoning matrix found in Table 22.16.030: Land Use in the Single-Family Residential Zoning Districts summarizes land uses permitted in the Single-Family Residential – 4 Units per Acre (R4), Single-Family Residential – 7 Units per Acre (R7), and Single-Family Residential – 15 Units per Acre (R15) zoning districts. A land use not explicitly permitted by Table 22.16.030 is prohibited within the Single-Family Residential – 4 Units per Acre (R4), Single-Family Residential – 7 Units per Acre (R7), and Single-Family Residential – 15 Units per Acre (R15) zoning districts.

**Table 22.16.030: Land Use in the Single-Family Residential Zoning Districts**

Conforming Use	Single-Family Residential – 4 Units per Acre (R4)	Single-Family Residential – 7 Units per Acre (R7)	Single-Family Residential – 15 Units per Acre (R15)
<b>1. RESIDENTIAL LAND USES</b>			
<b>Dwelling Units, Accessory</b>	A	A	A
<b>Dwelling Units, Attached</b>			P
<b>Dwelling Units, Detached</b>	P	P	P
<b>Dwelling Units, Duplex</b>	P	P	
<b>Dwelling Units, Temporary Security Guard</b>	A	A	A
<b>Group Homes</b>	P	P	P
<b>Halfway Houses</b>	EPF	EPF	EPF
<b>Home Occupations</b>	A	A	A
<b>Model Homes and Associated Sales Office</b>	P	P	P
<b>Retirement Housing and Assisted Living Facilities</b>			P

<b>2. SERVICE LAND USES</b>			
<b>Day Care Services</b>			
• Adult Day Services	A	A	A
• Family Child Care Services	A	A	A
<b>Social Services</b>			
• Community Food Services			C
• Community Housing Services			C
• Emergency and Relief Services			C
<b>Temporary Lodging Services</b>			
• Bed and Breakfast Inns	P	P	
<b>3. INSTITUTIONAL LAND USES</b>			
<b>Community Facilities</b>			
• Religious Institutions	C	C	C
<b>Educational Facilities</b>			
• Schools, Colleges, Universities, and Professional	EPF	EPF	EPF
• Schools, Elementary and Secondary (K-12)	EPF	EPF	EPF
<b>Government Facilities</b>			
• Courts	C	C	C
• Fire Stations	C	C	C
• Government Administration Buildings	C	C	C
• Police Stations	C	C	C
• Public Works Maintenance and Storage Facilities	C	C	C
• U.S. Post Offices	C	C	C
<b>4. PARKS, RECREATION, AND ENTERTAINMENT LAND USES</b>			
<b>Parks</b>			
• Concessions	A	A	A
• Nonmotorized Trails	P	P	P
• Parks and Open Spaces	P	P	P
<b>Recreational Facilities, Indoor</b>	P	P	P
<b>Recreational Facilities, Outdoor</b>	A	A	A
<b>5. INDUSTRIAL LAND USES</b>			
<b>Storage Facilities</b>			
• Indoor (on-site only)	A	A	A
<b>6. UTILITY AND TRANSPORTATION LAND USES</b>			
<b>Electric Vehicle Charging Stations (all levels)</b>	A	A	A
<b>Major and Regional Utility Facilities</b>			
• Regional Utility Corridors	C	C	C
<b>Major and Regional Transportation Facilities</b>			
• State and Regional Transportation Facilities	EPF	EPF	EPF
<b>Minor Utility Facilities</b>	P	P	P
<b>Wireless Communications Facilities</b>	P	P	P
<b>7. UNCLASSIFIED LAND USES</b>			
<b>Accessory Structures</b>	A	A	A

P = Permitted Use; A = Accessory Use; C = Requires a Conditional Use Permit; See MMC Chapter 22.38 for requirements for Essential Public Facilities (EPF)

**Table Notes:**

1. A land use not explicitly permitted by Table 22.16.030 is prohibited within all single-family residential zoning districts.

## **22.16.040 Bulk Requirements.**

Bulk requirements, as provided in this chapter, establish density and dimensional standards for lots within the city. Bulk requirements include maximum lot coverage, maximum building height, minimum setbacks, and other similar standards. General bulk requirements, specified in MMC subsections 22.16.040(A-G), apply to all lots within the City of Monroe. Bulk requirements applicable to lots in a specific zoning districts are found within MMC Chapters 22.16, 22.18, 22.20, 22.22, 22.24, 22.26, 22.28, 22.30, 22.32, 22.34, and 22.36.

A. General Bulk Requirements - Number of Dwelling Units per Lot. Detached dwelling units shall be limited to one dwelling unit per lot. The maximum number of attached dwelling units per lot is the number of dwelling units permitted on the lot by the maximum allowed residential density for the zoning district, as calculated pursuant to MMC 22.16.040(B)(1). Accessory Dwelling Units, where permitted, do not count toward the maximum number of dwelling units per lot.

B. General Bulk Requirements - Maximum Residential Density. The maximum allowed residential density for a specific zoning district is established by the specific zoning district chapter. Please note that accessory dwelling units, where permitted, do not count toward the maximum allowed residential density.

1. Maximum Residential Density Calculation.

a. Maximum Dwelling Units or Lots. To calculate the maximum number of dwelling units or lots for a site, multiply the gross area of the site (in acres) by the maximum number of units allowed per acre, as specified in each chapter for specific zoning districts. The resulting number indicates the maximum number of dwelling units or lots allowed for the site prior to the addition of any applicable density bonuses. For example, a site in the R4 zone with a gross area of one acre could yield a maximum residential density of 4 dwelling units (1 acre x 4 dwelling units per acre = 4 units).

b. Maximum Density for Retirement Housing and Assisted Living Facilities. The maximum residential density for retirement housing and assisted living facilities is based upon bedrooms as opposed to dwelling units, in any combination of one-, two- and/or three-bedroom units, not to exceed the maximum density allowed in the underlying zoning district. To calculate the maximum number of bedrooms for a site, multiply the gross area of the site (in acres) by the maximum number of dwelling units allowed per acre, as specified in each chapter for specific zoning districts. Multiply the resulting number by three (standard bedroom equivalent unit) to calculate the maximum number of bedrooms allowed on the site. For example, a site in the R15 zone with a gross area of one acre could yield a maximum residential density of 45 bedrooms [(1 acre x 15 dwelling units per acre) x 3 = 45 bedrooms).

2. When calculating the maximum residential density for a site, any resulting fractional units shall be rounded to the next or preceding whole number as follows:

a. When the fraction has a value of 0.50 or greater, the number of allowed dwelling units shall be rounded up to the next whole number.

b. When the fraction has a value of 0.49 or less, the number of allowed dwelling units shall be rounded down to the preceding whole number.

3. Limitations. Nothing contained within this chapter guarantees the maximum allowed residential density. The identified maximum residential density may not always be achievable due to unique site considerations including, but not limited to, critical areas, topography, right-of-way dedications, open space requirements, and storm water requirements.

C. General Bulk Requirements - Street Frontage.

1. Street Access. No new lot shall be created nor shall any building be permitted on a lot that does not front onto a public street, private access tract, or private access easement, as deemed acceptable to the city as substantially complying with the standards established for streets.

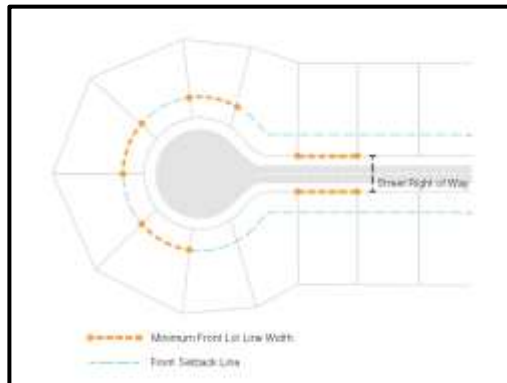
2. Minimum Lot Width at Frontage. All lots shall meet the minimum lot width requirement along the frontage.

**Figure 22.16.040(C)(2): Minimum Street Frontage**



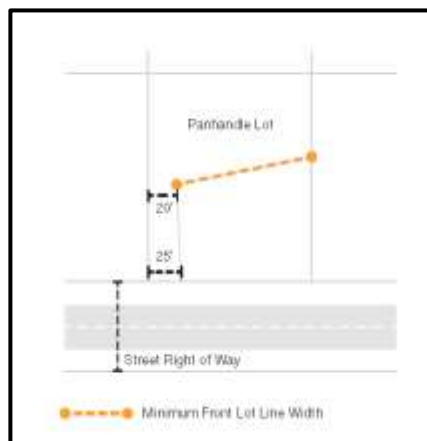
3. Cul-de-sac Lots. Lots fronting onto a cul-de-sac shall meet the minimum lot width at the building setback line, as illustrated by Figure 22.16.040(C)(3): Minimum Street Frontage for Cul-de-Sac Lots.

**Figure 22.16.040(C)(3): Minimum Street Frontage for Cul-de-Sac Lots**



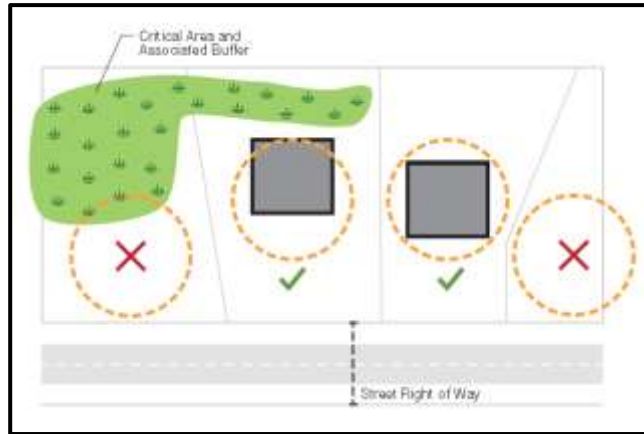
- 4. Lots with Private Access or Panhandle Lots.
  - a. Lots with access to a public street via private access easement, private access tract, or panhandle shall have a minimum frontage of not less than twenty feet in width at the public street.
  - b. Lots with access to a public street via private access easement, private access tract, or panhandle shall meet the minimum lot width at the setback line, as measured from the end of the panhandle, tract, or easement where it joins the wide portion of the lot.
  - c. An access easement, tract, or panhandle shall be a minimum of twenty feet wide along its entire length.
  - d. The remainder of the lot shall provide adequate area to comply with the bulk development requirements.

**Figure 22.16.040(C)(4): Minimum Street Frontage for Panhandle Lots**



D. General Bulk Requirements – Lot Width Circle. The minimum lot width circle, as shown in Figure 22.16.040(D): Minimum Lot Width Circle, identifies the minimum circle diameter that must fit within each newly created lot when applicable. This circle ensures that a portion of a lot must be at least as wide as the minimum lot width. The lot width circle shall not include critical areas, required critical area buffers, and/or vehicular access easements.

**Figure 22.16.040(D): Minimum Lot Width Circle**



E. General Bulk Requirements - Yard Setbacks.

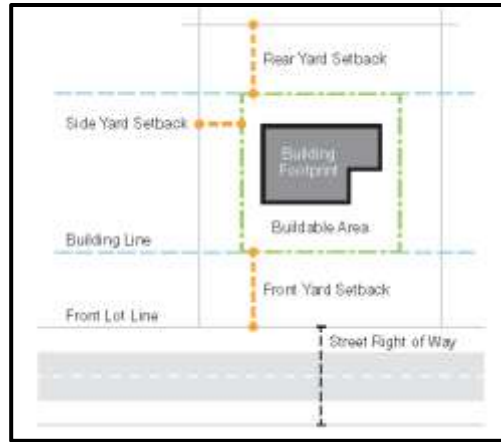
1. General Provisions.

- a. In this chapter, all setbacks are measured from the outside lot line.
- b. In the case where a structure does not have an outer wall, such as a carport, the measurement shall be to the posts of such structure.
- c. If the provisions of this chapter do not establish required yard setbacks, the zoning administrator shall establish the yard setbacks based upon orientation of the lot to adjoining lots and the means of access to the lot.

2. Setback Determination. The following shall be used to determine the yard setbacks for a lot:

- a. Front Setbacks. The front setback is the required yard extending the full width of the lot and abutting a street, private vehicular access tract, or private vehicular access easement from which the lot gains primary access.
  - i. The standard front yard setback for residential uses is ten feet to the living area and twenty feet to the garage.
  - ii. The minimum required setback of 20 feet from the front lot line for garages ensures sufficient space for cars to park in driveways without blocking sidewalks.
  - iii. See residential design standards for garage setback/differentiation from house.
- b. Side Setbacks. Side setbacks are the required yards extending the full width of the lot from the inner front setback line to the inner rear setback line.
- c. Rear Setbacks. The rear setback is the required yard opposite the front yard that extends across the full width of the rear of the lot.

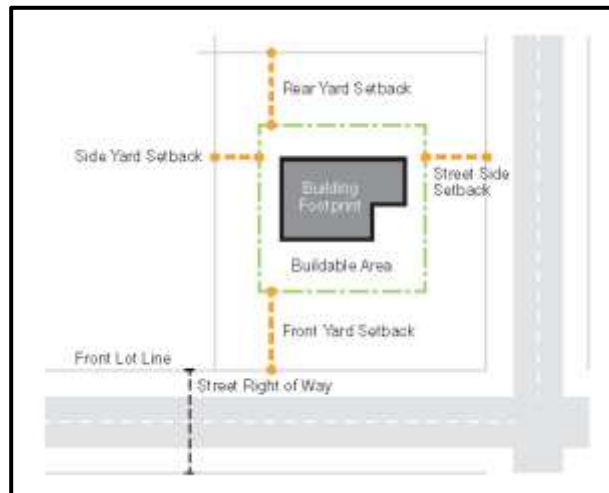
**Figure 22.16.040(E)(2): Yard Setback Determination**



d. Corner Lots. In the case of corner lots with more than two frontages, the city shall determine the yard setback requirements, subject to the following conditions:

- i. On corner lots the front yard shall be measured from the narrowest dimension of the lot abutting a street.
- ii. The yard adjacent to the widest dimension of the lot abutting a street shall be a side yard with a setback width of no less than 10 feet.
- iii. The yard opposite the front yard shall be designated a rear yard.
- iv. The yard opposite the side yard abutting a street shall also be deemed a side yard.
- v. In case of corner lots with more than two frontages, the city shall determine the front yard requirements in accordance with this title.

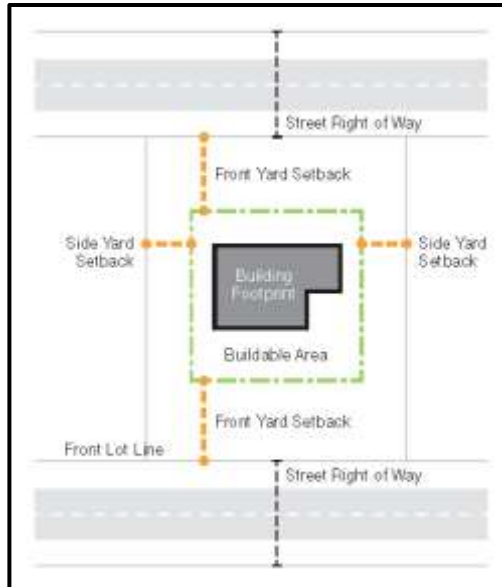
**Figure 22.16.040(E)(2)(d): Yard Setback Determination for Corner Lots**



e. Through Lots. When a lot other than a corner lot has frontage on two parallel or approximately parallel streets or private roads that do not intersect at the lot line, the city shall determine the yard setback requirements, subject to the following conditions:

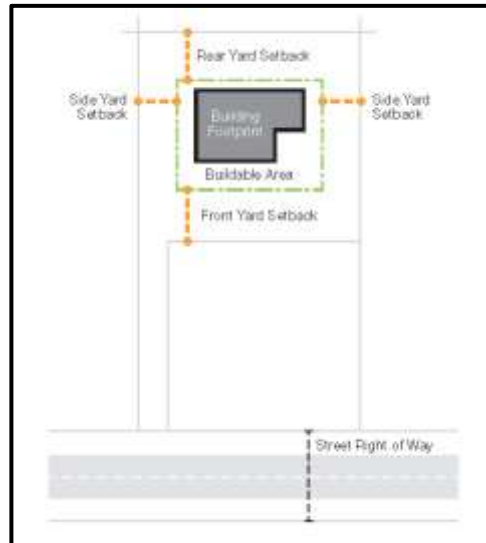
- i. Both lot lines abutting streets or private roads shall be deemed front lot lines and a front yard shall be provided on both frontages.
- ii. The yards remaining after the front yards have been established shall be considered side yards. The side yards shall extend from the rear lines of required front setbacks.

**Figure 22.16.040(E)(2)(e): Yard Setback Determination for Through Lots**



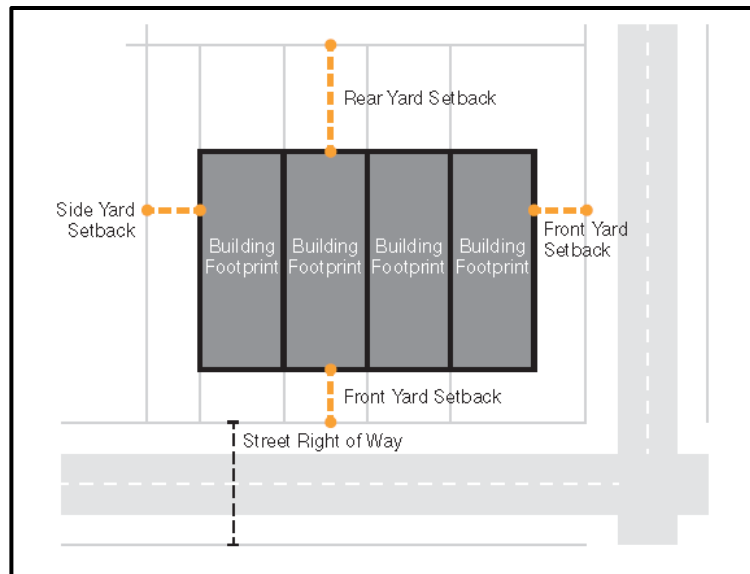
- f. Panhandle Lots.
  - i. Lots with access to a public street via panhandle shall meet the minimum lot width at the setback line measured from the end of the panhandle where it joins the wide portion of the lot.
  - ii. A panhandle shall be a minimum of twenty feet wide along its entire length.
  - iii. A panhandle lot shall conform to all applicable yard setback requirements with the exception of the panhandle.

**Figure 22.16.040(E)(2)(f): Yard Setback Determination for Panhandle Lots**



- g. Attached Dwelling Units and Duplex Dwelling Units.
  - i. When attached housing units, townhomes, or duplexes are built on separate lots, the minimum setback between units is zero feet in allowed zones.
  - ii. The outside setback for attached housing units and duplexes abutting a ROW, separate detached unit(s), or different zone shall be ten feet.
  - iii. Attached dwelling units shall be comprised a group of at least three dwelling units. Duplexes shall be comprised of a group not to exceed two dwelling units.

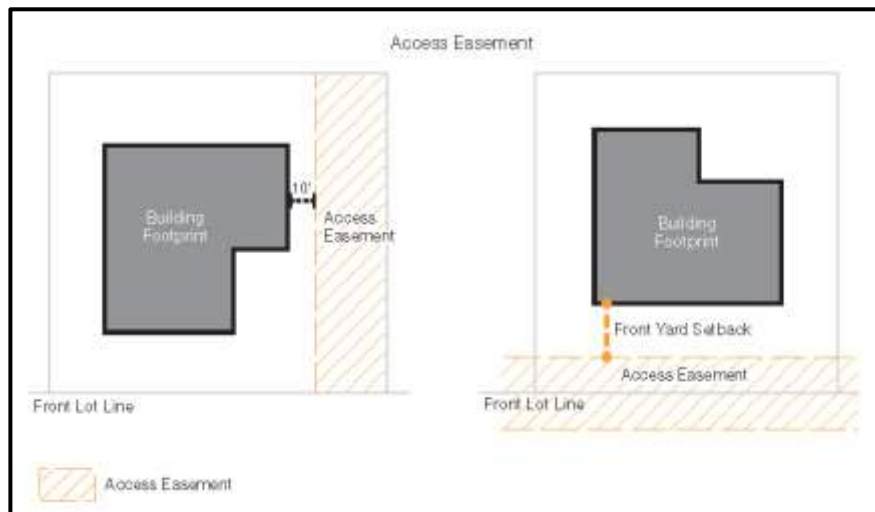
**Figure 22.16.040(E)(2)(g): Yard Setback Determination Attached Dwelling Units**



3. Vehicular Access, Easements, and Tracts.

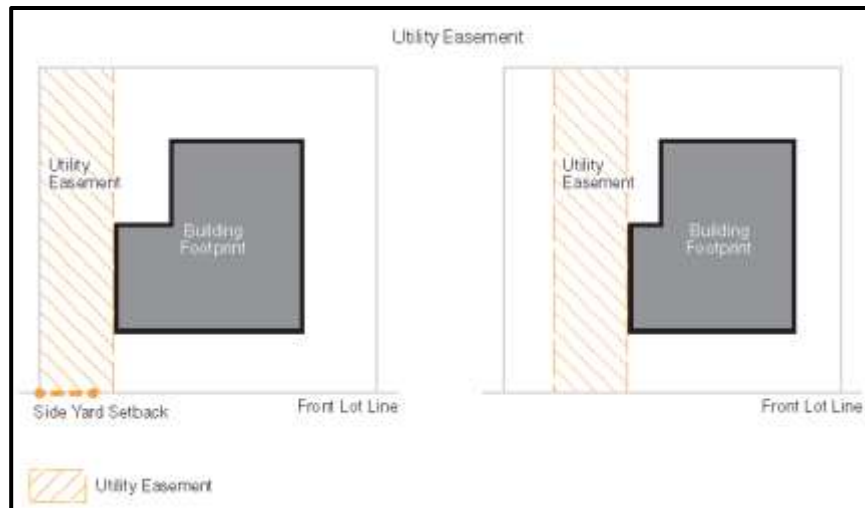
- a. All structures in residential zoning districts with the exception of a gate, fence, or wall shall be set back a minimum of 10 feet from any private vehicular tract or private vehicular access easement. The setback shall be measured from the legal boundaries of the private vehicular tract or private vehicular access easement. Gates, fences, and/or walls shall not block or limit access in such a way that prohibits emergency vehicles from accessing any property.
- b. Setbacks from public alleys shall be such that a motor vehicle parked on a garage apron either parallel to or perpendicular to the alley will not protrude into the alley right-of-way.

**Figure 22.16.040(E)(3)(a): Yard Setback Determination from Access Easement**



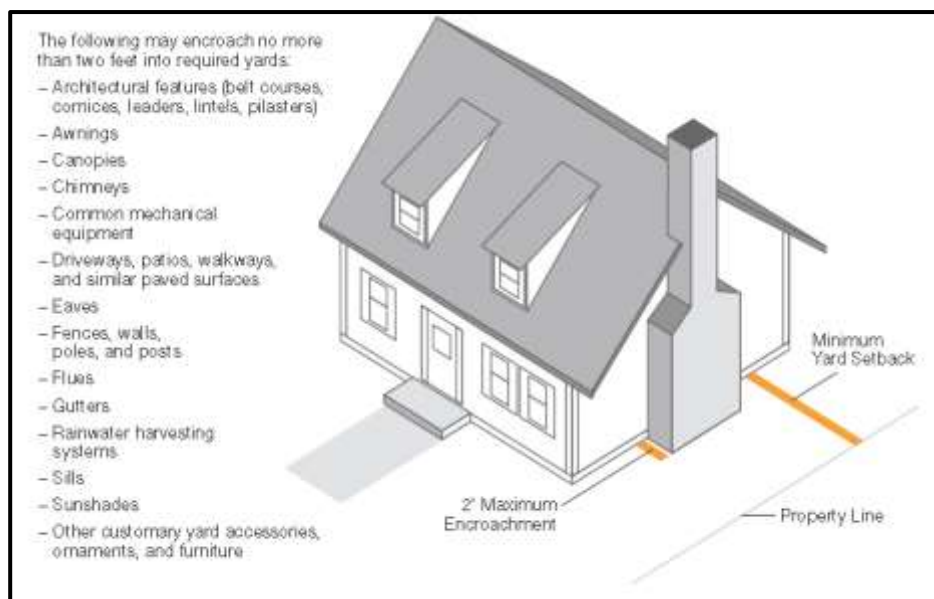
**Figure 22.16.040(E)(3)(b): Yard Setback Determination from Utility Easement**





4. Exceptions to Minimum Setbacks. The following may encroach no more than two feet into required yard setbacks or required open space:
- a. Architectural features such as belt courses, cornices, leaders, lintels, pilasters
  - b. Awnings
  - c. Canopies
  - d. Chimneys
  - e. Common mechanical equipment such as air compressors, air conditioning units, and heat pumps
  - f. Driveways, patios, walkways, and similar paved surfaces
  - g. Eaves
  - h. Fences, walls, poles, and posts
  - i. Flues
  - j. Gutters
  - k. Rainwater harvesting systems
  - l. Sills
  - m. Sunshades
  - n. Other customary yard accessories, ornaments, and furniture subject to height limitations and requirements limiting obstruction of visibility to the detriment of public safety
  - o. Unenclosed porches and balconies, including covered unenclosed porches and balconies, may encroach no more than five feet into required front and rear yard setbacks or required open space. These features shall not encroach into required side yards.

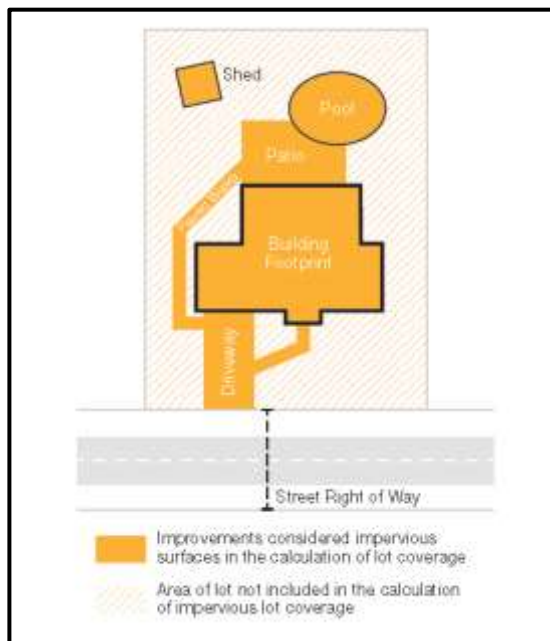
**Figure 22.16.040(E)(4): Yard Setback Exceptions**



F. General Bulk Requirements - Lot Coverage.

1. The total percentage of the gross lot area to be covered by impervious surfaces shall not exceed the maximum allowed lot coverage percentage given in each zoning district chapter for their respective specific zoning districts.

**Figure 22.16.040(F): Maximum Lot Coverage**

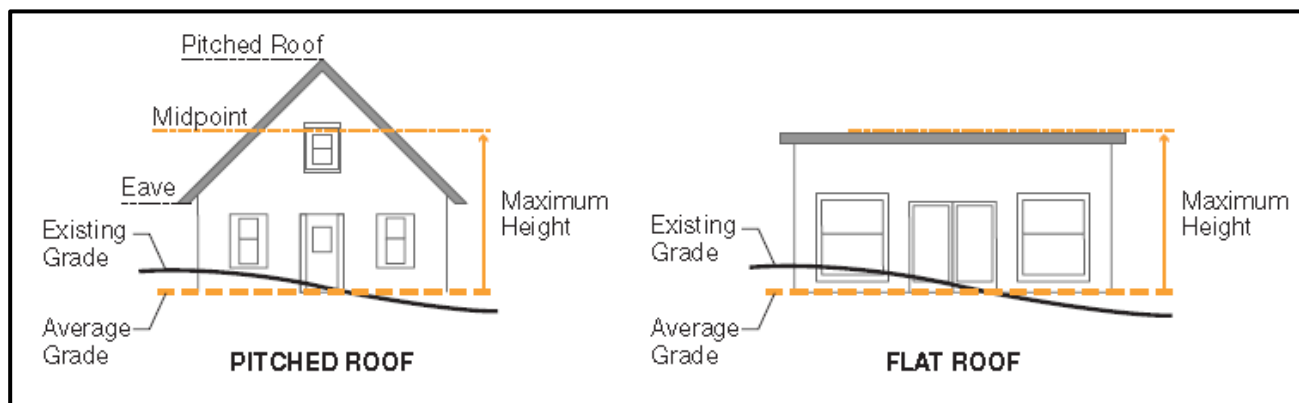


2. Lot Coverage Credit. When a proposal incorporates porous paving into the project design, complies with the standards of the Department of Ecology Stormwater Management Manual for Western Washington (current edition), and is allowed by the zoning administrator and city engineer, the city will provide a fifty percent credit toward determining total lot coverage for the portion of the project using this material.

G. General Bulk Requirements - Building Height.

1. Height Measurement. Building height shall be measured vertically from the finished average grade level to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof (not illustrated), and to the midpoint between the eaves and ridge of pitched roofs (e.g., gable, hip, gambrel roof, etc.), illustrated below in Figure 22.16.040(G)(1): Building Height Measurement.

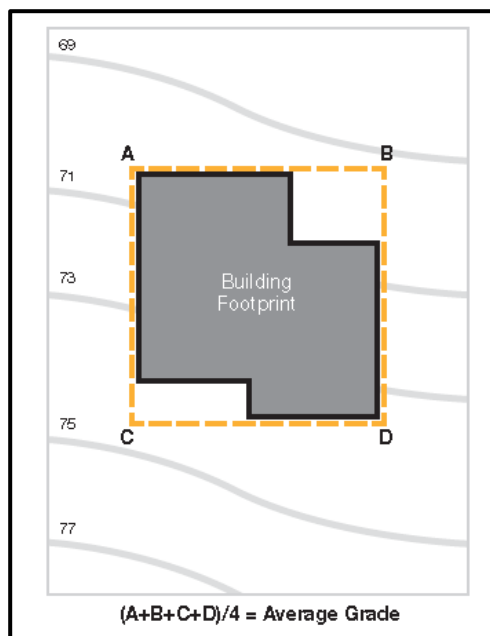
**Figure 22.16.040(G)(1): Building Height Measurement**



2. Average Grade Level. The average grade level shall be measured by delineating the smallest rectangle which can enclose the proposed building, and then averaging the four corner elevations of the rectangle, as illustrated in Figure 22.16.040(G)(2): Average Grade Level Calculation. The standard formula for calculating average grade level is  $(A+B+C+D)/4 = \text{average grade level}$ . In the event the

corner point of the rectangle drawn is not located on the subject property, the measurement point shall be determined by establishing the corner point from the property line where it intersects the rectangle.

**Figure 22.16.040(G)(2): Average Grade Level Calculation**



3. Application Requirements.

- a. All applicants shall submit a site plan to scale that includes contour lines, elevation points, and benchmark location or source to determine the average grade level and building footprint;
- b. All applicants are required to submit a building height calculation worksheet, with the building permit application, to determine the average ground level and the actual building height; and
- c. A professional land surveyor must complete a certificate of average ground level with the building permit application, when the structure is within three feet of the maximum allowed height.

4. Exceptions. The height limitations specified in this chapter shall not apply to church spires, monuments, chimneys, water towers, elevator towers, mechanical equipment, flag poles, television and radio antennas, and other similar rooftop appurtenances. Rooftop appurtenances are usually required to be placed above the roof level and not intended for human occupancy or the provision of additional floor area; provided that mechanical equipment rooms or attic spaces are set back at least ten feet from the edge of the roof and do not exceed twenty feet in height.

H. Number of Dwelling Units per Lot. The maximum number of dwelling units per lot in single-family residential zoning districts is provided in Table 22.16.040(H): Number of Dwelling Units per Lot, as follows:

**Table 22.16.040(H): Number of Dwelling Units per Lot**

Type of Dwelling Units	Maximum Dwelling Units per Lot
Attached Dwelling Units	N/A <sup>(1)</sup>
Duplex Dwelling Units	2 dwelling units per lot
Detached Dwelling Units	1 dwelling unit per lot

**Table Notes:**

1. The maximum number of attached dwelling units per lot is the maximum number of dwelling units permitted by the maximum allowed density for the specific zoning district in which the dwelling units are located.

I. Maximum Residential Density. Table 22.16.040(I): Allowed Residential Density establishes the maximum density for single-family residential zoning districts. Maximum density shall be calculated pursuant to MMC 22.16.040(B).

**Table 22.16.040(I): Allowed Residential Density**

<b>Zoning District</b>	<b>Maximum Density</b>
4 Units per Acre Zoning District (R4)	4 dwelling units per acre
7 Units per Acre Zoning District (R7)	7 dwelling units per acre
15 Units per Acre Zoning District (R15)	15 dwelling units per acre

- J. Street Frontage. Street frontage shall be in compliance with the provisions of MMC 22.16.040(C) and subject to the applicable bulk requirements found in MMC 22.16.040, Bulk Requirements.
- K. Lot Dimensions. Lot dimensions shall be in compliance with the provisions of MMC 22.16.040(D) and subject to the applicable bulk requirements found in MMC 22.16.040, Bulk Requirements.
- L. Yard Setbacks. Required yard setbacks shall be in compliance with the provisions of MMC 22.16.040(E) and subject to the applicable bulk requirements found in MMC 22.16.040, Bulk Requirements.
- M. Lot Coverage. Lot coverage shall be in compliance with the provisions of MMC 22.16.040(F) and subject to the applicable bulk requirements found in MMC section MMC 22.16.040, Bulk Requirements.
- N. Building Height. Building height and its measurement shall be in compliance with the provisions of MMC 22.16.040(G) and subject to the applicable bulk requirements found in MMC section MMC 22.16.040, Bulk Requirements.
- O. Single-Family Residential – 4 Units per Acre Zoning District (R4). The following bulk requirements in Table 22.16.040(O): 4 Units per Acre Zoning District (R4) Bulk Requirements specifically apply to the R4 zoning district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk Requirements.

**Table 22.16.040(O): 4 Units per Acre Zoning District (R4) Bulk Requirements**

<b>Residential Density <sup>(1)</sup></b>	
<b>Maximum Allowed Residential Density</b>	4 units per acre
<b>Street Frontage <sup>(1)</sup></b>	
<b>Minimum Street Frontage</b>	40 feet
<b>Minimum Street Frontage for Panhandle Lots</b>	20 feet
<b>Minimum Street Frontage for Cul-de-Sac Lots <sup>(2)</sup></b>	40 feet
<b>Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement</b>	20 feet
<b>Lot Dimensions <sup>(1)</sup></b>	
<b>Minimum Lot Width</b>	40 feet
<b>Yard Setbacks <sup>(1)</sup></b>	
<b>Minimum Front Yard Setback Width to Living Space</b>	10 feet
<b>Minimum Front Yard Setback Width to Garage</b>	20 feet
<b>Minimum Side Yard Setback Width</b>	Minimum 5 feet per side; Minimum 15 feet combined total side yard setback width
<b>Minimum Rear Yard Setback Width</b>	10 feet
<b>Minimum Setback Width for Corner Lot Side Yards Abutting a Street <sup>(3)</sup></b>	10 feet
<b>Minimum Setback Width for Corner Lot Side Yards Not Abutting a Street <sup>(3)</sup></b>	5 feet
<b>Minimum Setback from Private Access Tracts</b>	10 feet
<b>Minimum Setback from Private Access Easements</b>	10 feet
<b>Lot Coverage <sup>(1)</sup></b>	
<b>Maximum Lot Coverage</b>	50%
<b>Building Height <sup>(1)</sup></b>	
<b>Maximum Building Height</b>	35 feet

**Table Notes:**

1. See MMC 22.16.040, Bulk Requirements for more information regarding the bulk requirements in the above table.
2. Lots fronting onto a cul-de-sac shall meet the minimum lot width at the building setback line.
3. On a corner lot, the yard adjacent to the widest dimension of the lot abutting a street is a side yard. The opposite yard is also a side yard.

P. Single-Family Residential – 7 Units per Acre Zoning District (R7). The following bulk requirements in Table 22.16.040(P): 7 Units per Acre Zoning District (R7) Bulk Requirements specifically apply to the R7 zoning district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk Requirements.

**Table 22.16.040(P): 7 Units per Acre Zoning District (R7) Bulk Requirements**

Residential Density <sup>(1)</sup>	
<b>Maximum Allowed Residential Density</b>	7 units per acre
Street Frontage <sup>(1)</sup>	
<b>Minimum Street Frontage</b>	40 feet
<b>Minimum Street Frontage for Panhandle Lots</b>	20 feet
<b>Minimum Street Frontage for Cul-de-Sac Lots <sup>(2)</sup></b>	40 feet
<b>Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement</b>	20 feet
Lot Dimensions <sup>(1)</sup>	
<b>Minimum Lot Width</b>	40 feet
Yard Setbacks <sup>(1)</sup>	
<b>Minimum Front Yard Setback Width to Living Space</b>	10 feet
<b>Minimum Front Yard Setback Width to Garage</b>	20 feet
<b>Minimum Side Yard Setback Width</b>	5 feet per side
<b>Minimum Rear Yard Setback Width</b>	10 feet
<b>Minimum Setback Width for Corner Lot Side Yards Abutting a Street <sup>(3)</sup></b>	10 feet
<b>Minimum Setback Width for Corner Lot Side Yards Not Abutting a Street <sup>(3)</sup></b>	5 feet
<b>Minimum Setback from Private Access Tracts</b>	10 feet
<b>Minimum Setback from Private Access Easements</b>	10 feet
Lot Coverage <sup>(1)</sup>	
<b>Maximum Lot Coverage</b>	60%
Building Height <sup>(1)</sup>	
<b>Maximum Building Height</b>	35 feet

**Table Notes:**

1. See MMC 22.16.040, Bulk Requirements for more information regarding the bulk requirements in the above table.
2. Lots fronting onto a cul-de-sac shall meet the minimum lot width at the building setback line.
3. On a corner lot, the yard adjacent to the widest dimension of the lot abutting a street is a side yard. The opposite yard is also a side yard.

Q. Single-Family Residential – 15 Units per Acre Zoning District (R15). The following bulk requirements in Table 22.16.040(Q): 15 Units per Acre Zoning District (R7) Bulk Requirements specifically apply to the R15 zoning district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk Requirements.

**Table 22.16.040(Q): 15 Units per Acre Zoning District (R15) Bulk Requirements**

Residential Density <sup>(1)</sup>	Detached Dwelling Units	Attached Dwelling Units
<b>Maximum Allowed Residential Density</b>	15 units per acre	15 units per acre

<b>Street Frontage <sup>(1)</sup></b>	<b>Detached Dwelling Units</b>	<b>Attached Dwelling Units</b>
<b>Minimum Street Frontage</b>	40 feet	40 feet
<b>Minimum Street Frontage for Panhandle Lots</b>	20 feet	20 feet
<b>Minimum Street Frontage for Cul-de-Sac Lots <sup>(2)</sup></b>	40 feet	40 feet
<b>Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement</b>	20 feet	20 feet
<b>Lot Dimensions <sup>(1)</sup></b>	<b>Detached Dwelling Units</b>	<b>Attached Dwelling Units</b>
<b>Minimum Lot Width</b>	30 feet	30 feet
<b>Yard Setbacks <sup>(1)</sup></b>	<b>Detached Dwelling Units</b>	<b>Attached Dwelling Units</b>
<b>Minimum Front Yard Setback Width to Living Space</b>	10 feet	10 feet
<b>Minimum Front Yard Setback Width to Garage</b>	20 feet	N/A
<b>Minimum Side Yard Setback Width</b>	5 feet per side	N/A
<b>Minimum Side Yard Setback Width for Attached Dwelling Units on the Attached Side</b>	N/A	0 feet
<b>Minimum Side Yard Setback Width Attached Dwelling Units on a Side Abutting a ROW, Separate Detached Unit(s), or Different Zone</b>	N/A	10 feet
<b>Minimum Rear Yard Setback Width</b>	10 feet	10 feet
<b>Minimum Setback Width for Corner Lot Side Yards Abutting a Street <sup>(3)</sup></b>	10 feet	10 feet
<b>Minimum Setback Width for Corner Lot Side Yards Not Abutting a Street <sup>(3)</sup></b>	10 feet	10 feet
<b>Minimum Setback from Private Access Tracts</b>	10 feet	10 feet
<b>Minimum Setback from Private Access Easements</b>	10 feet	10 feet
<b>Lot Coverage <sup>(1)</sup></b>	<b>Detached Dwelling Units</b>	<b>Attached Dwelling Units</b>
<b>Maximum Lot Coverage</b>	60%	60%
<b>Building Height <sup>(1)</sup></b>	<b>Detached Dwelling Units</b>	<b>Attached Dwelling Units</b>
<b>Maximum Building Height</b>	35 feet	35 feet

**Table Notes:**

1. See MMC 22.16.040, Bulk Requirements for more information regarding the bulk requirements in the above table.
2. Lots fronting onto a cul-de-sac shall meet the minimum lot width at the building setback line.
3. On a corner lot, the yard adjacent to the widest dimension of the lot abutting a street is a side yard. The opposite yard is also a side yard.

**22.16.050 Accessory Dwelling Units.**

A. Purpose. The purpose of this chapter is to regulate the establishment of accessory dwelling units within or in conjunction with residential dwelling units while preserving the character of single-family residential neighborhoods. This section is intended to permit the establishment of additional living quarters within residential neighborhoods in order to (A) make it possible for adult children to provide care and support to a parent or other relative in need of assistance, (B) provide increased security and companionship for homeowners, (C) provide the opportunity for homeowners to gain the extra income necessary to help meet the rising costs of home ownership, and/or (D) provide for the care of disabled persons within their own homes.

B. General Provisions.

1. Permit Required. Any person who occupies or permits another person to occupy an accessory dwelling unit as a place of residence shall first obtain a permit. The permit shall be reviewed and processed in accordance with the requirements of MMC 22.84, Permit Processing.

2. Owner Occupancy. Either the primary dwelling unit or the accessory dwelling unit shall be occupied by an owner of the subject property. Owner occupancy is defined as a property owner, as reflected in title records, who makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means, and actually resides at the site more than six months out of any given year, and at no time receives rent for the designated owner-occupied unit.
3. Rental of Owner-Occupied Unit. The owner(s) shall not rent the designated owner-occupied unit, or any portion thereof, at any time for any period during the possession of the accessory dwelling unit (ADU) permit. Such rental shall void the permit.
4. Number of Occupants. The total number of occupants in both the primary dwelling unit and accessory dwelling unit combined shall not exceed the maximum number established for a family as defined in MMC Chapter 22.12, Definitions. The purpose of this limitation is to ensure that the approval of an accessory dwelling unit shall not increase the overall density of the single-family residential neighborhood in which the accessory dwelling unit is located.
5. Location. The accessory dwelling unit may be attached to or included within the primary dwelling unit, or located in a detached structure. Detached accessory dwelling units shall be subordinate in location relative to the primary unit and shall only be located at the side or the rear of the primary dwelling unit. An accessory dwelling unit will be considered to be "detached" from the primary dwelling unit if it is surrounded on all sides by open space and does not share a common roof structure with the primary unit.
6. Minimum Lot Area. Accessory dwelling units shall only be allowed on lots in single-family residential zoning districts that have a minimum gross lot area of at least three thousand square feet.
7. Size and Scale.
  - a. Maximum Floor Area. In no case shall the total floor area of an accessory dwelling unit, whether attached or detached, exceed eight hundred square feet or forty percent of the floor area of the primary dwelling unit, whichever is less.
  - b. Bedrooms. An accessory dwelling unit shall contain no more than two bedrooms.
8. Bulk Requirements. The accessory dwelling unit shall comply with all applicable bulk requirements in MMC 22.16.040 for single-family zoning districts, as applicable.
9. Entrance. The primary entrance to an attached accessory dwelling unit shall be located in such a manner as to be clearly secondary to the main entrance to the primary dwelling unit. The primary entrance to the accessory dwelling unit should be located on the side or rear of the unit when possible.
10. Utilities. Only one electric and one water meter shall be allowed for the entire lot, serving both the primary and accessory dwelling unit.
11. Parking. In addition to the number of off-street parking spaces required for the primary dwelling unit, which is specified in MMC Chapter 22.44, Parking Standards and Design, one off-street parking space shall be provided for an accessory dwelling unit.
12. Subdivision. Accessory dwelling units shall not be subdivided or otherwise segregated in ownership from the primary dwelling unit.
13. Compliance with Other Applicable Regulations. Accessory dwelling units and, if applicable, the portion of the primary dwelling unit in which an accessory dwelling unit is proposed shall comply with all applicable provisions of relevant codes, statutes, and regulations, as now or hereafter amended. These codes include, but are not limited to: International Building Code; International Energy Conservation Code, Commercial and Residential; International Existing Building Code; International Residential Code; International Mechanical Code; International Fuel Gas Code; International Fire Code; Uniform Plumbing Code; Revised Code of Washington Chapter 19.27, State Building Code; and Monroe Municipal Code Title 15, Buildings and Construction.
14. Exceptions to Ceiling Height. All existing accessory dwelling units that are located within a dwelling unit, which was legally constructed but does not now comply with current ceiling height requirements of the construction codes set forth in MICC Title 17, shall be allowed to continue in their present form.
15. Nontransferability. A permit for an accessory dwelling unit shall not be transferable to any site other than the subject site described in the application.
16. Inspection. After receipt of a complete application and prior to approval of an accessory dwelling unit, the City shall inspect the property to confirm that all applicable requirements of this code and other codes are met. Upon compliance with the provisions of this section, a permit for an accessory dwelling unit will be issued.

C. Application and Contents. An application for an accessory dwelling unit shall be made according to the submittal requirements in MMC Chapter 22.84, Permit Processing, on forms prescribed by the city, and shall include the fee established by the current fee resolution. No application shall be deemed complete or accepted by the city until all applicable information in MMC Chapter 22.84, Permit Processing, and set forth below has been submitted:

1. Affidavit. An affidavit, signed by the property owner before a notary public, affirming that the owner occupies either the primary dwelling unit or the accessory dwelling unit for more than six months per year.
2. Covenant. A covenant, in a form acceptable by the city attorney and suitable for recording with the county auditor, providing notice to future owners or long-term lessors of the subject site that the existence of the accessory dwelling unit or the primary unit is predicated upon the occupancy of either the accessory dwelling unit or the primary dwelling unit by the current owner of the property, and that the current owner must have a signed affidavit on file with the city, meeting the requirements of MMC 22.16.050(C)(1). The covenant shall also require any owner of the property to notify prospective buyers of the limitation of this chapter and to provide for the removal of improvements added to convert the premises to an accessory dwelling in the event that any condition of approval is violated.
3. Completeness. An application for an accessory dwelling unit permit shall not be issued until a recorded affidavit and covenant, as described above, are submitted to the Monroe Community Development Department.

D. Review Process

1. Permit Type. Applications for an accessory dwelling unit permit shall follow the procedures for a Type II permit review, pursuant to MMC Chapter 22.84.030, Types of Project Permits.
2. Public Notice. Accessory dwelling unit permits shall be subject to all applicable noticing requirements in MMC 22.84.050, Public Notice Requirements.
3. Public Hearing. Pursuant to MMC Table 22.84.060(B)(2): Decision Making and Appeal Authorities, a public hearing is not required for an accessory dwelling unit permit application.
4. Decision. The final decision authority, as determined by MMC Table 22.84.060(B)(2): Decision Making and Appeal Authorities, shall approve, approve with conditions, or deny an accessory dwelling unit permit.
5. Decision Criteria. An accessory dwelling unit permit shall not be granted by the decision authority unless the applicant demonstrates that the proposal meets all of the following criteria:
  - a. Accessory dwelling units shall only be allowed within single-family residential zoning districts, pursuant to MMC section 22.16.050.
  - b. An accessory dwelling unit shall be subordinate to and situated on the same lot as an existing primary dwelling unit.
  - c. No more than one accessory dwelling unit shall be permitted per lot.
  - d. Accessory dwelling units shall only be permitted as subordinate and incidental to detached single-family dwelling units. Accessory dwelling units shall not be permitted within attached dwelling units.
6. Conditions of Approval. In approving an accessory dwelling unit permit, the decision authority may attach thereto such conditions that they deem to be necessary or desirable in order to carry out the intent and purposes of this title.
7. Appeals. The action of the decision-making body in granting or denying an accessory dwelling unit permit is a final decision appealable to the appeal authority specified in MMC Table 22.84.060(B)(2): Decision Making and Appeal Authorities.
8. Elimination. Elimination of a registered accessory dwelling unit may be accomplished by the owner recording a certificate with the Recording Division of the Snohomish County Auditor, which states that the accessory dwelling unit no longer exists on the property.
9. Expiration. The length of time during which an accessory dwelling unit permit is valid shall be determined by Table 22.84.060(E): Project Permit Approval Expiration. An accessory dwelling unit permit shall not be approved for a period of time greater than that which is specified in Table 22.84.060(E), exclusive of any extensions allowed. The date that the permit expires shall be specified in the conditions of approval. Once an accessory dwelling unit permit has been approved and issued by the City, the approved accessory dwelling unit may continue as long as all conditions of permit issuance are met.



10. Extensions. The zoning administrator may grant an extension of the period of accessory dwelling unit permit authorization when requested by the applicant at least 60 days prior the expiration of the accessory dwelling unit permit. Extension requests are subject to the requirements of MMC 22.84.060(F), Extensions. Only one extension may be granted for the accessory dwelling unit permit for a period not to exceed the extension period specified in Table 22.84.060(E): Project Permit Approval Expiration. Such an extension shall only be granted by the decision authority upon issuance of findings that the criteria for extensions in MMC 22.84.060(F), Extensions, have been met.

11. Modifications. Requested modifications to an accessory dwelling unit permit shall be reviewed pursuant to the requirements of MMC 22.84.060(G), Substantial Revisions or Modifications to Proposal.

E. Enforcement. A permit determined to be in violation of MMC Title 22, and/or any other applicable permit provisions, permit conditions, rules, or regulations may be revoked, suspended, or modified by the City subject to MMC 22.10.070, Enforcement. Revocation of an accessory dwelling unit permit may result from an enforcement action by the city. The accessory dwelling unit may either be converted to another permitted use or be permanently removed from the property. Permits for accessory dwelling units may be revoked under the following circumstances:

1. The accessory dwelling unit is substantially altered and is thus no longer in conformance with the plans and drawings reviewed and approved by the permitting authority and building official.
2. The subject site ceases to maintain the required number of parking spaces.
3. The property owner ceases to reside in either the primary dwelling unit or the accessory dwelling unit for at least six months per year.
4. The owner-occupied unit is rented at any time for any period of time.
5. The property owner fails to file the affidavit and/or covenant required under MMC 22.16.050(C).

#### **22.16.060 Home Occupations.**

A. Purpose. The purpose of this section is to establish criteria and development standards to allow home occupations in dwelling units within residential zoning districts and other zoning districts that allow residential uses. The criteria and development standards allow residents to carry on a business within their residence while protecting neighboring residents from excessive noise, traffic, nuisances, fire hazards and other possible potential negative impacts from the maintenance of a commercial use within a residential neighborhood.

B. General Provisions.

1. Criteria for Approval. All home occupations shall meet the following criteria:

- a. The business shall be incidental to the use of such dwelling unit for residential purposes.
- b. The business owner shall reside in and own, lease or rent the dwelling unit from which the business is operated
- c. Limited on-premises sale of products or stock-in-trade is permitted, provided the applicant can clearly demonstrate such sales will not be inconsistent with other general requirements of this section. Examples of allowable on-premises sales include cosmetics or similar products associated with a business where most products are delivered to a customer's address, hair care products associated with a barber/beauty shop, and instructional materials pertinent to the home occupations, e.g., music books.
- d. No outdoor storage or other exterior indication of the business shall be visible beyond the subject property.
- e. No commercial trucks over fifteen thousand pounds gross vehicle weight, machinery, bulldozers, or similar construction equipment shall be allowed to be stored or parked in any residential zones without a permit, as required by other city ordinances and MMC 10.10.090.
- f. A business license from the city shall be obtained, as required by MMC Title 5, Business Regulations and Licensing.
- g. No noise, vibration, emissions, dust, odor, heat, or glare that would exceed what is normally associated with a dwelling shall be produced by the business beyond the subject property.
- h. Activities conducted and equipment or material used shall not change the fire safety or occupancy classification of the premises.
- i. No structural or decorative alteration to the dwelling unit is permitted related to the home occupation.
- j. Delivery service shall neither restrict traffic or circulation nor overload public or private roads.

2. Exemptions.

a. Garage sales that meet the requirements of Chapter 5.04 MMC, Garage Sales; yard sales; bake sales; temporary home boutiques or bazaars for handcrafted items; parties for the display of domestic products; and other like uses that do not need to comply with the requirements of this chapter as long as the use does not operate for more than four days semiannually or in violation of other provisions of this code.

b. Day care services, as defined by this code. The Washington State Department of Social and Health Services preempts the city's ability to regulate these facilities. Applicants wishing to attain a business license from the city shall submit a copy of their state license with a completed business license application.

3. Prohibited Activities. Because the following activities have a pronounced tendency to expand beyond the limits permitted for home occupations, negatively impact residential neighborhoods, and create a nuisance, the following activities are prohibited:

a. The retail sale of goods and products not produced or fabricated on the premises of the dwelling unit.

b. The outdoor storage of building or construction materials, tractor-trailers, semi-trucks, heavy equipment, vehicles, recreational vehicles (RVs), or boats associated with a home occupation.

c. Any manufacturing business or activity that produces noxious matter or perceptible noise beyond the lot line.

4. Preexisting home occupations. Any home occupation that lawfully existed prior to the effective date of the ordinance codified in this chapter shall be allowed to continue in accordance with Chapter 22.40 MMC, Nonconformance and Reuse Standards. The expansion of preexisting nonconforming uses is not permitted.

5. Violations. Compliance with the requirements of this code shall be mandatory. The general penalties and remedies established in Chapter 1.04 MMC for such violations shall apply to any violation of this code. The enforcement actions authorized under this code shall be supplemental to those general penalties and remedies of Chapter 1.04 MMC. The business license for the home occupation may be revoked as one of the remedies in the code enforcement process of Chapter 1.04 MMC.

6. Expiration. All permits for home occupations are issued to an individual applicant and shall not be transferred or otherwise assigned to any other person. The permit will automatically expire when the applicant named on the permit application moves from the site. The home application shall also automatically expire if the permittee fails to maintain a valid city of Monroe business license or the business license is suspended or revoked. The home occupation shall not be transferred to any site other than that described in the application form.

C. Minor Home Occupations. A home occupation that complies with the criteria established in this subsection shall be considered minor and permitted in all zoning districts in which home occupations are a permitted use. Administrative review by the community development department will commence upon the city's receipt of a business license application to determine compliance with this chapter. Minor home occupations shall meet all of the following criteria as well as those established in MMC 22.16.060(B)(1):

1. No more than one person who is not a resident of the dwelling unit shall be employed in the home occupation at any one time.

2. The business shall be conducted wholly in the dwelling unit and/or attached structures, including garages.

3. The home occupation shall be limited to twenty-five percent of the gross floor area of the dwelling unit and attached garage, including the storage of associated materials.

4. No expansion of the parking area is allowed beyond that required for a residence. No parking in the setbacks or buffers is allowed, except driveways.

5. The use shall not generate additional vehicle traffic beyond that typical for the residence and one employee. No more than twenty total vehicle trips per day are permitted for the residence.

6. A dwelling unit being used for the purposes of phone service and as a mail stop for a business that is conducted away from such dwelling unit shall be considered a minor home occupation. The applicant is required to submit a letter with the home occupation business license, describing the business and its consistency with the above description.

D. Major Home Occupations. A major home occupation is any business that employs more than one nonresident employee or impacts the neighborhood beyond the conditions of a minor home occupation as determined by the community development department. Major home occupations will be encouraged to locate within transitional areas and commercial zoning districts that allow residential uses. The community

development department will determine if the proposed business is a major home occupation at the time of business license application. Major home occupations shall meet all of the following criteria as well as those established in MMC 22.16.060(B)(1):

1. The business may be conducted within the dwelling unit or any other accessory building on the premises.
2. The business, including operations and storage, shall occupy no more than thirty percent of the residential gross floor area.
3. The building official shall determine the maximum occupancy load of the residence in which the home occupation is proposed; the hearing examiner shall consider this number along with all other pertinent facts and comments in determining the maximum number of employees allowed on the premises to work in the home occupation at any one time.
4. The subject property shall not be altered except to install screening or buffers or to provide additional off-street parking stalls, as required by the condition of the approved permit. No parking in yards and buffers shall be allowed, except driveways.
5. Access ways shall be accessible to emergency vehicles.
6. A major home occupation shall commence only after the issuance of a conditional use permit (CUP), as detailed in Chapter 22.64 MMC.
7. An approved conditional use permit for a major home occupation shall be nontransferable to any other property and shall be nontransferable to any future tenant or property owner of the subject dwelling unit the conditional use permit was applied for.
8. Additional requirements may be necessary to protect the public health, safety and welfare of the neighborhood depending upon the home occupation applied for.

#### **22.16.070 Variances.**

No administrative deviations from the provisions of this chapter shall be made unless otherwise specified in this chapter. Variances to this chapter to adjust the application of specific regulations to a particular parcel of property shall require variance approval, as regulated by MMC Chapter 22.66. An application for a variance may be made to the Monroe Community Development Department on forms prescribed by the City.