

### 30.28.010 Accessory apartments.

- (1) An owner-occupant of a single family dwelling unit may establish only one accessory apartment, which may be either attached to, or detached from, the single family dwelling. A detached accessory apartment may not be located on a lot on which a temporary dwelling is located.
- (2) The owner-occupant(s) shall reside in either the single family dwelling unit, the accessory apartment, or both.
- (3) The minimum floor area for an attached or detached accessory apartment shall be 360 square feet, but in no case shall the original single family dwelling unit be reduced below 900 square feet. These floor areas shall be exclusive of garages, porches, or unfinished basements. The floor area of an attached accessory apartment shall not exceed the following percentage of floor area of the single family dwelling unit to which it is accessory, or the following fixed amount, whichever is applicable:

**Table 30.28.010(1) Accessory Apartments-Maximum Floor Area**

If the floor area of the single family dwelling unit is:	The floor area of the attached accessory apartment shall not exceed:
Under 2,000 sq. ft.	40%
2,000 sq. ft. or more, but less than 3,000 sq. ft.	35% or 800 sq. ft., whichever is greater
3,000 sq. ft. or more, but less than 5,000 sq. ft.	30% or 1,050 sq. ft., whichever is greater
Over 5,000 sq. ft.	20% or 1,500 sq. ft., whichever is greater

The floor area of a detached accessory apartment shall not exceed 40 percent of the floor area of the single family dwelling unit to which it is accessory, or 850 square feet, whichever is less. The square footage of a mobile home allowed as a detached accessory apartment pursuant to SCC [30.91A.050](#) may exceed this limitation; provided, that the floor area remains less than the square footage of the existing owner occupied home.

- (4) For an attached accessory apartment, the architectural character of the single family dwelling shall be preserved. Exterior materials, roof form, and window spacing and proportions shall match that of the existing single family dwelling. Only one main entrance shall be permitted on the front (street face) of the dwelling. Entrances for the attached accessory apartment shall be on the side or in the rear of the dwelling.
- (5) The exterior materials, roof form, and window spacing and proportions of a proposed detached accessory apartment structure shall approximate those of the existing single family dwelling. A detached accessory apartment proposed for location within an existing structure, is not required to approximate the exterior features of the existing single family dwelling. A mobile home, where allowed as a detached accessory apartment pursuant to SCC [30.91A.050](#), is not required to approximate the exterior features of the existing single family dwelling if the existing owner occupied home is a mobile home or if the minimum planting standards for screening set forth at SCC [30.25.028](#) are incorporated in the building permit application.

(6) In zones categorized as residential, multiple-family or commercial, no portion of a detached accessory apartment shall extend beyond the building front of the existing single family dwelling, unless screening, landscaping, or other measures are provided to ensure compatibility with the immediate neighborhood. Where a proposed detached accessory apartment extends beyond the building front of the existing single family dwelling as described above, the building permit application site plan shall depict the existing and proposed screening, landscaping or other measures to ensure visual compatibility with the immediate neighborhood. The location of existing or proposed structures on the subject property and surrounding structures in the immediate vicinity shall be shown on the site plan. The site plan shall show the amount, type and spacing of proposed planting materials. Plant materials, species and design shall be approved by the department. Landscaping modifications, installation and maintenance requirements and minimum planting standards set forth at SCC [30.25.015](#) shall apply.

(7) An applicant must provide documentation that the water supply is potable and of adequate flow and that the existing or proposed sewage or septic system is capable of handling the additional demand placed upon it by the attached or detached accessory apartment.

(8) One off-street parking space shall be provided and designated for the attached or detached accessory apartment (in addition to the two off-street parking spaces required for the primary single family dwelling unit). Additional spaces shall be provided to accommodate any additional vehicles owned and/or used by occupants of the attached or detached accessory apartment. Driveways may be counted as one parking space but no parking areas other than driveways shall be created in front yards.

(9) An owner-occupant of a single family dwelling with an attached or detached accessory apartment shall file, on a form available from the department, a declaration of owner occupancy with the department prior to issuance of the building permit for the attached or detached accessory apartment. The initial declaration of owner occupancy shall be recorded with the county auditor prior to filing the declaration with the department. If the department receives information calling into question the owner-occupied status of the property, the department may request a renewed recording of the owner occupancy declaration. This renewal shall be submitted to the department upon request. Within 30 days of a sale or transfer of the property, the new property owner(s) shall record a declaration of owner occupancy with the county auditor. A copy of this recorded declaration shall be submitted to the department referencing the assessor's tax parcel number. (Added by Amended Ord. 02-064, Dec. 9, 2002, Eff date Feb. 1, 2003; Amended by Ord. 04-021, Mar. 31, 2004, Eff date Apr. 23, 2004; Amended by Amended Ord. 08-101, Jan. 21, 2009, Eff date Apr. 21, 2009; Amended by Amended Ord. 10-072, Sept. 8, 2010, Eff date Oct. 3, 2010).

**The Snohomish County Code is current through legislation passed November 13, 2019.**

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