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Mount Baker Rim

Community Club

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MINIMUM PROPERTY STANDARDS FOR MOUNT BAKER RIM

Approved 11/18/2005

(Amended 8/16/24 by Board Vote)

Applicability

This Minimum Property Standards document is mandated in Mt. Baker Rim Community Club (MBRCC) Bylaws. These standards apply to two groups of activities—lot development and lot use. The standards also apply to community-owned as well as privately owned lots. All lot development and use standards shall adhere to the Whatcom County Code (WCC) and MBRCC Bylaws, covenants, and rules and regulations, whichever regulation is more stringent. Lot development involves all activities on a lot from survey and clearing or grading through completion of construction and landscaping, including property redevelopment. These standards also apply to renovation of existing buildings, construction of accessory or outbuildings, fences, retaining walls, perc testing, enlargement of an existing building floor area, any change that would require a Whatcom County permit, and those changes considered by the MBRCC Board to have a material impact on the overall design and character of the community.

All lot development or construction activity within MBRCC must adhere to the county RR-3 zoning designation, all applicable federal, state and county building codes, as well as MBRCC Bylaws, covenants, and rules and regulations, whichever regulation is more stringent.

Those contemplating lot development, lot use, or construction of any kind, including general cleanup, are required to notify MBRCC of their intentions. Notification shall be provided to the MBRCC Office at the email address located on the MBRCC website.

Purpose

This document serves to convey requirements of MBRCC relating to any and all site improvements, development or construction. In accordance with the mandate of the MBRCC Board of Directors, the Minimum Property Standards are intended to preserve the natural beauty of the community and encourage development and redevelopment that maintains the character and qualities valued by members of the community. When developing a site, it is important to consider the proximity and scale of surrounding homes, views of neighbors, and existing natural amenities of the site such as mature trees. Please refer to the MBRCC Tree Policy which can be found on our website for information on tree conservation and selective tree removal. Exterior finishes shall consist primarily of more neutral tones consistent with those currently used in the community. Exterior materials shall consist of 51% or more of materials that are wood or stone. Any metal siding used must resemble wood and have wood grain appearance. Metal roofs are allowed. Materials suitable for the location and climate, such as metal roofs, are allowed when in accordance with these considerations. MBRCC Minimum Property Standards are not intended to endorse or restrict any particular architectural style, and MBRCC is not the agency responsible for building codes or inspections. Within the mandate of the Board, the Minimum Property Standards are to maintain and support the quality and integrity of the MBR community with respect to property development and redevelopment.

1.0 LOT DEVELOPMENT & CONSTRUCTION

No lot development as described herein may begin without first obtaining a MBRCC General Development Permit.

- a. Lot Clearing. Clearing activity covers cutting of brush, trees, digging or grading of land surfaces preparatory to construction including septic perc testing. This applies specifically to lot land area located within private ownership. Separate permission must be obtained to do any clearing within the community right-of-way adjacent to private lots. Any tree requested by a member to be cut down on MBR- owned property must be approved by the Board of Directors.
- b. Perc Testing. Prior to any Perc Testing, property owners shall notify MBRCC prior to clearing any vegetation or perc testing of any lot. The Property Standards Director shall view the lot. Wetlands shall be staked prior to the clearing of vegetation or disturbance of the land. The property owner must supply a copy of any required Whatcom County Permit for Land Fill and Grade. Perc holes shall be filled in no later than 15 days after completion of the test. MBRCC shall be informed of an approximate date of completion of the perc testing if it will take longer than 15 days or if the perc holes shall remain unfilled for over 15 days. Any cut trees or vegetation shall be removed from the lot no later than 30 days from the initial date of excavation.

1.1 COUNTY & MBRCC REQUIRED DOCUMENTATION

Whatcom County has documented requirements for lot development and construction. The MBRCC “On-Site Sewage System Approval Permit” and “General Development Permit” (APPENDICES A & B) requires that an owner is adhering to all of the legal requirements found in county government documents, has completed related forms, and paid all applicable fees. A member of MBRCC preparing to build on a lot or install a septic system must turn in a \$5,000 damage deposit to the MBR Office (in the form of a cashier’s check or money order) before MBR permits will be issued. County documents specify requirements for both ‘stick built on-site’ buildings and placement of ‘stick built off-site’ buildings, i.e. manufactured, modular, or mobile home structures.

1.2 MBRCC REQUIRED DOCUMENTATION

MBRCC requires the following documentation prior to issuing a Development Permit as required for any development activities on any lot within the community.

a. Lot Survey. All lots within the MBRCC on which any construction or development activity is contemplated are required to have a land survey completed, by a professional surveyor, prior to commencement of any new construction or new development activity. The presence of iron rod or wooden stake markers will not be acceptable as locating legitimate lot boundaries corners for any project. A copy of the recorded survey must be given to MBRCC. For new buildings or structures and additions to existing structures, MBRCC requires a topographic survey of the property performed by a licensed Professional Land Surveyor, showing, at minimum, property boundaries with dimensions noted in feet and inches, natural and man-made features of the site, including topographic contours shown at one foot intervals, geodetic datum reference, watercourses, wetlands, all trees 9” or greater in diameter measured 5’ above the ground, existing grades, swales, utilities, stormwater infrastructure and/or other improvements, easements and/or rights of way.

Additionally, if the County requires these types of surveys for any building or structure, then the owner of the lot is required to share a copy of the survey with MBR and it will be held and filed at the office for that lot. This survey will then be used by MBR when determining approval for this/these particular lot or lots. For Fences, only a lot line survey is required.

b. Hydrology Report. Provide an engineer prepared hydrology report that assess the water-related factors that are impacted by the project and a mitigation plan for water related impacts on or to MBRCC property and adjacent properties.

c. Damage and Compliance Deposit. Prior to the issuance of a MBR On-Site Sewage System Approval Permit or a MBR General Development Permit, a damage and compliance deposit (APPENDIX D) in the amount of \$5,000 (in the form of a cashier’s check or money order) will be required from the property owner. This deposit will be turned into the MBR Office. For Minor Projects (defined as those not requiring a Whatcom County permit) a deposit in the amount of \$1,000 is required.

d. MBRCC New General Development and On-Site Sewage System Approval Permit(s) These documents (APPENDICES A & B) must be completed in their entirety and submitted to MBRCC for approval prior to commencement of any new development or construction activities. The permits must be first signed by the lot owner before submission for approval. Lot development and construction activity may not begin until all required signatures, called for on the permit form, are present. Owners contemplating development must attach the following copies:

- County building permit
- County Health Department permit
- recorded land survey

e. Site Plan. MBRCC requires that the site plan be drawn to scale and show, at a minimum, the following:

- a) established boundary markers for the property,
- b) property lines and other features of the site noted on the topographic survey,
- c) required setbacks from all property lines, utilities and water features;
- d) location of proposed structure(s) relative to property lines, including exterior decks, roof overhangs, protrusions or extensions beyond the roof line,
- e) septic field construction and location of on-site sewage system,
- f) any trees with a diameter of 9” or greater measured 5’ above the ground proposed to be cut and removed,
- g) proposed grading or other earthworks

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- h) placement of 2 required parking spaces
 - i) location of existing structures on adjacent lots within 8' of the property line,
 - j) North arrow and graphic scale

MBRCC requires that all front setbacks be 25 feet including lot boundaries adjacent to both streets for corner lots. The side and rear setbacks are 8 feet from the lot line.

No construction may occur in any setback unless specifically provided in the MBRCC Minimum Property Standards and the construction is in compliance with all other MBRCC Bylaws, Covenants, and Whatcom County Code.

The maximum amount of impervious surface area coverage shall not exceed 20% of lot size. Impervious surfaces include roofs, overhangs (except as provided by Whatcom County Code), and any surface that prevents rainwater from entering the ground, such as concrete. The extent and nature of impervious surfaces must be shown on the site plan.

Any other relevant considerations of the site, such as views or adjacency to a watercourse or property that is not another MBR lot, are to be noted on the site plan.

Site plans shall be presented electronically in pdf format. Hardcopy drawings are also to be provided at 50% the size of the drawings submitted to Whatcom County and with notation of scale which must be shown graphically on the site plan.

All vehicular access to lots within the real property shall be through the MBRCC's front security gate and internal road network. The rear gate is for emergency and oversized vehicles. Non-emergency rear-gate access for oversized vehicles is scheduled through the Community Manager. Driveways with direct connections to external roads are not allowed. Temporary access connections to external roads require explicit written approval by the Board of Directors prior to construction.

Every private lot shall possess one 20-foot maximum access crossing community property for entry from MBRCC streets. A 12" minimum or larger culvert to conduct rain and snow water runoff may be required in the front of the lot. Side setbacks apply for any proposed access. The areas of MBRCC affected by this access and culvert requirement and the diameter of the culvert will be determined by MBRCC, and communicated to those applying for permission for lot development or construction activity. No culvert or addition to a culvert may extend beyond 50' without a catch basin installed as approved by MBRCC. Any tree requested by a member to be cut down on MBR-owned property must be approved in writing by the Board of Directors.

This site planning also applies, under county and MBRCC rules, to placement of 'manufactured housing'. No manufactured housing or mobile homes more than five years old may be placed on MBRCC lots. No existing mobile or modular home may be moved from one MBRCC private lot to another. Only double-wide manufactured or equivalent size modular housing is allowed. Manufactured housing placed on MBRCC lots must adhere to county requirements.

f. Building Drawings. Complete and detailed architectural drawings for any proposed building over 200sq ft are required electronically in pdf format and hardcopies may not be permanently stored in the MBRCC office if provided. Proof of county engineering plan approval may be required. If required by Whatcom County Code, a site plan approved by Whatcom County must be included.

g. Floor Plans. Drawings showing the floor plan of each level complete with dimensions are required that show the total area of each floor as measured to the exterior surface of walls. Areas of all floors are added to calculate the total finished building area for Floor Space Ratio ("FSR") calculation. The minimum footprint of a dwelling unit in MBRCC is 450 square feet.

h. Elevations. Drawings of at least two elevations of the proposed building(s) must be provided that show the Grade Plane, Building Height and exterior finishes.

i. Building Height and Grade Plane. Building Height shall not exceed 3 stories above Grade Plane and shall not exceed 30 feet in height from finished Grade Plane to roof peak. Grade Plane is as defined in Whatcom County Code 20.97.

j. Floor Space Ratio. No property development shall have a Floor Space Ratio (FSR) greater than 0.225. FSR is calculated by dividing the total finished building area by the total site area. Total finished building area for FSR calculation is measured from the *exterior* surfaces of walls. Unfinished areas such as garages and mechanical closets may be excluded from the FSR calculation as measured from the *interior* surfaces of walls. Finished areas with a ceiling height of less than 5' - 0" above the finished floor may also be excluded from the total finished building area for FSR calculation.

k. Building Data: Either on the Site Plan or under separate cover, the MBRCC General Development Permit application must include a summary of the following calculations: Total site area; proposed FSR; proposed site coverage of impervious (non-permeable) materials; proposed building height; proposed setback distances from all property lines; and, for any tree with a diameter of 9" or more measured 5' above the ground proposed to be cut or removed, the species and diameter of the tree measured 5' above the ground.

1.3 MBRCC LOT DEVELOPMENT PROCEDURES

The MBRCC required procedural steps, in order, begin with submission of the General Development Permit application (APPENDIX B). This is followed by contacting MBRCC to clarify the contents and scope of the permit. The owner will then be requested to stake the lot in accordance with site plans showing location, at least, of the building foundation, the parking area, and the on-site sewage system. A MBRCC representative will 'walk' the site with the owner in order to observe setbacks and location of construction areas. The staked areas must illustrate that the plans for construction are the same as those shown on the site plan.

The MBRCC Board will provide formal approval to proceed with lot development or construction. Formal approval is considered final when recorded in the minutes of the regular monthly Board meeting, and/or by signatures as required on the MBRCC permit(s). The owner is responsible for posting a brightly colored copy (obtained from the MBRCC Office) of the approved MBRCC permit(s) in a conspicuous place on the lot.

Until final completion and acceptance by the Board, Property Owner remains strictly bound by all Covenants, Bylaws, Property Standards and Rules. Property Owner expressly acknowledges that MBRCC has NOT approved any plans for purposes of deviations from the Covenants, Bylaws, Property Standards and Rules or approved any variances by issuing MBRCC permits and Property Owner will correct any deviation that occurs at their own expense.

1.4 DEVELOPMENT SCHEDULE REQUIREMENTS

It is required that a development time schedule be shown on the MBRCC permit. Approval will not be granted if this schedule is not shown, and no further processing by the MBRCC Board will continue. The governing documents of MBRCC require that no more than 12 calendar months are allowed from clearing of a lot to completion of exterior construction of a building. The allowance of up to 12 months for landscaping applies to a landscaping plan included with lot development plans. Landscaping may include allowing the lot to develop naturally without the addition of lawns, and shrub or flower plantings. Owners will be

notified, in writing, if these scheduling requirements are exceeded, and may be subject to a fine.

1.5 NEAT & ORDERLY CONSTRUCTION SITE

It is required that construction activity will be diligently pursued. A neat and orderly construction site will be maintained throughout the construction period. Sani-cans and construction materials will be stored within the confines of the owner's property.

1.6 HOURS OF WORK

On-site construction or development work, which holds a valid MBRCC issued General Development Permit, On-site Sewage System Permit, or other MBRCC Permit, as outlined in the Guidelines for Minimum Property Standards, is allowed during the Allowed Times, as set forth in the MBRCC Rules & Regulations.

All construction and development work shall be done in a manner that minimizes impact on MBRCC members and property.

2.0 LOT USE

WCC RR-3 zoning designation, MBRCC, single-family dwelling.

2.1 ACCESSORY BUILDINGS

Accessory buildings are defined as any structure detached from the main residence other than retaining walls. Accessory buildings must be approved by MBRCC prior to the commencement of construction. Accessory buildings may require both a Whatcom County building permit and MBRCC General Development Permit (APPENDIX B), or a MBRCC Certificate of Minor Project Approval. Accessory buildings must be built on a lot that contains a Dwelling Unit as defined in the Covenants. Lots identified as combined by Whatcom County must still abide by MBRCC Covenant Requirements. No more than two accessory buildings may be built on any lot or combined lots. No Accessory building may be built prior to the main residence unless it is included in the Whatcom County Building Permit of the residence. No Accessory building may be constructed in a right-of-way. No buildings of any kind, including temporary or accessory structures, may be placed on a MBRCC property. Rental of or the use of any accessory buildings or outbuildings as an accessory dwelling unit or for human habitation is prohibited.

2.2 PLACEMENT OF VEHICLES AND MATERIALS ON MBRCC LOTS

Any motorized or towed vehicle present in and operated on MBRCC streets, or parked on MBRCC lots, must be currently licensed and registered consistent with Washington State laws. No motor vehicle that is unlicensed or uninsured is allowed on any MBR property or road. Unlicensed automobiles and light trucks must be stored within an approved structure or concealed within an approved, fenced enclosure.

An approved, permanent structure or approved, fenced enclosure is required for off- season storage of snowmobiles (from May 1st to Oct. 31st), and boats on trailers under 17' (from Nov. 1st to March 31st). Boats over 17' on trailers are only allowed on MBR lots with written MBRCC approval for a limited number of days.

ATVs and go-carts must be stored in an approved, permanent structure or approved, fenced enclosure for storage over 7 days unless approved in writing by MBRCC for a longer period.

Camper shells that are not attached to a truck or vehicle, and all other utility trailers, such as flatbeds, covered tool trailers, debris hauling and camping tent trailers must be stored in an approved structure or an approved fenced enclosure whenever not in use.

2.3 BUILDING & LOT MAINTENANCE

Lots and residential buildings shall be kept in a neat, appealing and orderly condition. The expectation is to keep buildings and lots in such condition that they would be appealing to visitors and owners, and be saleable without additional effort. No cutting of trees with a base measuring 8 inches in diameter or over is allowed without written permission of MBRCC in accordance with the MBR Tree Policy. Any tree requested by a member to be cut down on MBR owned property must be approved in writing by the Board of Directors.

2.4 FIRE CODE CONSIDERATIONS & BURNING ON MBRCC LOTS

All residential dwellings within MBRCC must be constructed to meet Whatcom County fire codes. Any MBRCC home damaged by fire and/or smoke to any part of the structure, or that is uninhabitable as a result of fire damage, must be demolished or renovated.

Demolition or renovation must be completed on a schedule prepared by the owner, and presented to the Board for approval.

2.5 SIGNS, ADVERTISING, & SOLICITING

Permitted signs are covered in the MBRCC covenants.

2.6 LIGHT POLLUTION

Lighting in yards or on buildings may not be so bright or positioned to trespass beyond the property lines.

2.7 STORAGE OF CAMPERS, SEASONAL SPORT EQUIPMENT AND UTILITY TRAILERS

Storage enclosures of seasonal sport equipment, and utility trailers must be in a garage, a shed, or fenced area, sufficient to keep out of view from front, side and back of lots where it applies.

All property line setbacks apply and storage enclosures may not be less than 10' from any other structure or storage enclosure except a fence or fenced enclosure. Fenced enclosures have 2 sides or more as needed to conceal equipment from view and must conform to all Whatcom County and MBRCC requirements for fences. One side of a fenced enclosure may be a residence or shed located within the set-backs upon the property.

2.8 SOLAR PANELS

Solar panels may be mounted under the following conditions.

- (a) The visibility of any part of a roof-mounted solar energy panel above the roofline is prohibited;
- (b) The attachment of a solar energy panel to the slope of a roof facing a street is prohibited unless:
 - (i) The solar energy panel conforms to the slope of the roof; and
 - (ii) The top edge of the solar energy panel is parallel to the roof ridge; and
- (c) A solar energy panel frame, a support bracket, or any visible piping or wiring must be painted to coordinate with the roofing material;
- (d) Any ground mounted Solar energy panels installed would count towards impervious surfaces limitations and any other County and/or MBRCC restrictions or limitations.

At minimum, a signed MBRCC Certificate of Minor Project Approval is required prior to commencement of work.

In addition to the checklists that follow, refer to the MBRCC website for the following appendices to the Minimum Property Standards:

Appendix A: On-Site Sewage System Approval Permit

Appendix B: General Development Permit

Appendix C: Certificate of Minor Project Approval

Appendix D: Damage and Compliance Deposit

Project Checklist

(Approved 5/17/13) (Most recently Amended 8/16/2024)

Before you begin a project at MBR, please read this carefully.

- Whatcom County (WC) and MBR rules apply to all projects. It is the responsibility of the Owner to confirm and provide all required documentation in conformance with all requirements.
- Projects that do not require a Whatcom County permit are considered Minor Projects by MBRCC and require a signed MBRCC Certificate of Minor Project Approval in order to proceed. Subject to MBRCC review, a Minor Project may require a lesser damage deposit in the amount of \$1000.
- MBR requires placement of crushed rock (not pea gravel) on driveways at the beginning of any construction project; the crushed rock must extend from the MBR road edge to your property line or beyond. This is to prevent mud from tracking onto MBR roads.

IMPORTANT CONSIDERATIONS:

- **POST Colored Copy of MBR Development Permit-** Upon approval of your MBR General Development or Septic System Permit, the MBR community Manager or lot owner must post a colored copy of the Permit on your property in a conspicuous location before work can begin. Please ensure the Permit stays in place until your project is completed.
- **FINAL OCCUPANCY PERMIT-** Upon completion of your new construction or remodel, please send a copy of your Whatcom County Final Occupancy Permit to the MBR Office.

MBR CONSTRUCTION CHECKLIST: SEPTIC, HOUSE & REMODEL			
The following items must be submitted as a single complete packet to the MBR Office.			
NEW SEPTIC CONSTRUCTION	NEW HOUSE CONSTRUCTION	NEW HOUSE & SEPTIC CONSTRUCTION	REMODEL
	WC Building Permit	WC Building Permit	WC Building Permit
	A signed MBR General Development Permit	A signed MBR General Development Permit	A signed MBR General Development Permit
	Valid WC On-Site Septic System Permit	Valid WC On-Site Septic System Permit	
WC DoH On-Site Septic Permit Application		WC DoH On-Site Septic Permit Application	
WC Land Disturbance Permit (if applicable)	WC Land Disturbance Permit (if applicable)	WC Land Disturbance Permit (if applicable)	WC Land Disturbance Permit (if applicable)

A signed MBR On-Site Sewage Approval Permit		A signed MBR On-Site Sewage Approval Permit	
Current Survey	Current Survey	Current Survey	Current Survey (if footprint is changing or site altered)
Hydrology Report	Hydrology Report	Hydrology Report	Hydrology Report
Applicable Site plan (same as submitted to county): location of proposed structure(s) and septic field construction (to scale); include map locating trees (over 9" in diameter, as measured 5 ft. above the ground) to be cut and removed	Applicable Site plan (same as submitted to county): location of proposed structure(s) and septic field construction (to scale); include map locating trees (over 9" in diameter, as measured 5 ft. above the ground) to be cut and removed	Applicable Site plan (same as submitted to county): location of proposed structure(s) and septic field construction (to scale); include map locating trees (over 9" in diameter, as measured 5 ft. above the ground) to be cut and removed	Applicable Site plan (same as submitted to county): location of proposed structure(s) and septic field construction (to scale); include map locating trees (over 9" in diameter, as measured 5 ft. above the ground) to be cut and removed
Scale Drawings of Septic System		Scale Drawings of Septic System	
	Drawings of all proposed structures, exterior type/color	Drawings of all proposed structures, exterior type/color	Drawings of all proposed structures, exterior type/color
	Timeline and Schedule for Completion in 12-Months from Foundation Pour	Timeline and Schedule for Completion in 12-Months from Foundation Pour	
\$5K Damage Deposit (Certified Check or Money Order) and a signed MBR Construction Damage Deposit Form	\$5K Damage Deposit (Certified Check or Money Order) and a signed MBR Construction Damage Deposit Form	\$5K Damage Deposit (Certified Check or Money Order) and a signed MBR Construction Damage Deposit Form	\$5K Damage Deposit (Certified Check or Money Order) and a signed MBR Construction Damage Deposit Form

CHECKLIST FOR ACCESSORY BUILDING CONSTRUCTION:

It is the responsibility of the Owner to confirm and conform to all Whatcom County and MBRCC requirements.

1. If accessory building is smaller than 200 square feet, no MBRCC General Development Permit is needed. However, a signed MBRCC Certificate of Minor Project Approval must be obtained prior to commencement of work.
2. A lot survey is required for any accessory building proposed to be within 5 'of MBRCC setback distances
3. Documentation of the proposed structure, including distances to property lines, height, material and finish must be submitted to MBRCC prior to commencement of work.
4. Begin construction after receiving a signed Certificate of Minor Project Approval from MBRCC.

CHECKLIST FOR NEW DECK:

1. Provide Whatcom County permit or confirmation that one is not required to MBRCC.
2. All deck construction, including railings and stairs, must comply with MBRCC setbacks
3. A lot survey is required for any deck construction proposed to be within 5' of MBRCC setback distances
4. Documentation of the proposed structure, including distances to property lines, height, description of railings, materials and finishes must be submitted to MBRCC prior to commencement of work.
5. Begin construction after receiving a signed Certificate of Minor Project Approval from MBRCC.

CHECKLIST FOR FENCE:

1. For property lines that do not adjoin a roadway, fences may be located zero distance from the property line, subject to MBRCC approval. In instances of a zero distance setback request, MBRCC will seek consent from neighboring property owners prior to granting approval. Any property line along a road has a setback distance of 25' and no fence may exceed 4' in height within the setback area. A corner lot has two front 25' setbacks.
2. A lot survey is required for any fence proposed to be within 10' of any property line.
3. Documentation of the proposed fence, including distances to property lines, height, material and finish must be submitted to MBRCC prior to commencement of work. Fences made from concrete are prohibited.
4. Begin construction after receiving a signed Certificate of Minor Project Approval from MBRCC.