

1 ADOPTED: 10/18/17
2 EFFECTIVE: 12/17/17

3
4 SNOHOMISH COUNTY COUNCIL
5 Snohomish County, Washington

6
7 ORDINANCE NO. 17-062

8
9 RELATING TO GROWTH MANAGEMENT; REVISING AND ADDING REGULATIONS
10 CONCERNING URBAN RESIDENTIAL DEVELOPMENT; AMENDING CHAPTERS 30.22,
11 30.23, 30.23A, 30.24, 30.25, 30.26, 30.41A, 30.41B, 30.70, 30.91C, 30.91D, 30.91M, AND
12 30.91S OF THE SNOHOMISH COUNTY CODE
13

14 WHEREAS, counties and cities that are required to plan under the Growth Management
15 Act (GMA), Chapter 36.70A RCW, must ensure that their comprehensive plans and
16 development regulations encourage development in urban areas where adequate public
17 facilities and services exist or can be provided in an efficient manner; and
18

19 WHEREAS, the GMA established planning goals to guide development and adoption of
20 comprehensive plans and development regulations for those counties and cities planning under
21 the GMA, including a goal to encourage the availability of affordable housing and promote a
22 variety of residential densities and housing types; and
23

24 WHEREAS, RCW 36.70A.115 requires counties and cities planning under the GMA to
25 adopt development regulations that provide sufficient land capacity suitable for development to
26 accommodate their allocated housing growth; and
27

28 WHEREAS, the VISION 2040 Multicounty Planning Policies (MPPs) adopted by the
29 Puget Sound Regional Council encourage the provision of a range of housing types and choices
30 to meet the needs of all income levels and demographic groups within the region; and
31

32 WHEREAS, the Countywide Planning Policies (CPPs) for Snohomish County (the
33 "County") encourage the County and cities to adopt comprehensive plan policies and
34 implementing development regulations to provide incentives to achieve higher residential
35 densities within urban growth areas (UGAs); and
36

37 WHEREAS, the Snohomish County GMA Comprehensive Plan (GMACP) – General
38 Policy Plan (GPP) directs the majority of new population into UGAs to reduce sprawl and use
39 land more efficiently; and
40

41 WHEREAS, the Introduction to the GPP, last amended in June 10, 2015, documents
42 significant demographic shifts anticipated over the next 20 years with increasing shares of
43 county population: concentrating within urban growth areas, forming smaller households, and
44 rising in average age, which is projected to increase demand for smaller and more affordable
45 residential housing options within UGAs; and
46

ORDINANCE NO. 17-062
RELATING TO GROWTH MANAGEMENT; REVISING AND ADDING REGULATIONS CONCERNING URBAN
RESIDENTIAL DEVELOPMENT; AMENDING CHAPTERS 30.22, 30.23, 30.23A, 30.24, 30.25, 30.26, 30.41A,
30.41B, 30.91C, 30.91D, 30.91M, AND 30.91S OF THE SNOHOMISH COUNTY CODE

1 WHEREAS, residential development in unincorporated UGAs since the adoption of the
2 GMA has primarily been larger detached single-family dwelling or low-rise and mid-rise multi-
3 family dwellings; and
4

5 WHEREAS, the Missing Middle is a range of multi-unit or clustered housing types
6 compatible in scale with detached single-family homes that help meet the growing demand for
7 walkable urban living; and
8

9 WHEREAS, the GPP encourages a variety of housing types and densities within UGAs,
10 including townhouse and duplexes, which are part of the Missing Middle; and
11

12 WHEREAS, the Snohomish County Department of Planning and Development Services
13 (PDS) met with stakeholders, including developers, builders, land use planners, architects, civil
14 engineers, and conservation groups, to better understand the market for denser single-family
15 attached and detached housing developments, such as townhouses and other attached and
16 detached housing products, and identify regulatory options to enhance incentivize such
17 developments; and
18

19 WHEREAS, on May 23, 2017, the Snohomish County Planning Commission (“Planning
20 Commission”) was briefed by PDS staff about the code amendments contained in this
21 ordinance; and
22

23 WHEREAS, the Planning Commission held a public hearing on June 27, 2017, to
24 receive public testimony concerning the code amendments contained in this ordinance; and
25

26 WHEREAS, at the conclusion of the Planning Commission’s public hearing, the Planning
27 Commission deliberated on the proposed ordinance and voted to recommend amendments to
28 the Snohomish County Code (SCC) relating to urban residential development standards as
29 shown in its recommendation letter dated July 10, 2017; and
30

31 WHEREAS, on October 18, 2017, the Snohomish County Council (“County Council”)
32 held a public hearing after proper notice, and considered public comment and the entire record
33 related to the code amendments contained in this ordinance; and
34

35 WHEREAS, following the public hearing, the County Council deliberated on the code
36 amendments contained in this ordinance;
37

38 NOW, THEREFORE, BE IT ORDAINED:
39

40 **Section 1.** The County Council adopts the following findings in support of this ordinance:
41

- 42 A. The foregoing recitals are adopted as findings as if set forth in full herein.
43
44 B. This ordinance will amend Title 30 SCC to update and add regulations related to urban
45 residential development standards. The proposed code amendments seek to: 1) expand the
46 mixing of housing types permitted through the unit lot subdivision process; 2) incentivize

1 increased output and density of single-family attached and detached housing types; and 3)
2 improve the quality and health of urban residential development through enhanced
3 landscaping, open space, bulk and scale requirements, architectural elements, parking,
4 access, building transparency, and site design standards.

5
6 C. In developing the proposed code amendments, the County considered the goals of the
7 GMA, specifically those goals related to urban growth, reducing sprawl, housing, open
8 space and recreation, and the environment, as identified in RCW 36.70A.020. The proposed
9 amendments are consistent with:

- 10
11 1. GMA Goal 1: "Urban growth. Encourage development in urban areas where adequate
12 public facilities and services exist or can be provided in an efficient manner." The
13 proposed code amendments allow to townhouse and mixed townhouse development
14 only within UGAs.
15
16 2. GMA Goal 2: "Reduce sprawl. Reduce the inappropriate conversion of undeveloped land
17 into sprawling, low-density development." The proposed code amendments are intended
18 to encourage townhouse and mixed townhouse development, which are forms of infill
19 development designed to use land more efficiently and provide additional capacity for
20 future population growth within UGAs, thereby reducing pressures to expand UGAs.
21
22 3. GMA Goal 4: "Housing. Encourage the availability of affordable housing to all economic
23 segments of the population of this state, promote a variety of residential densities and
24 housing types, and encourage preservation of existing housing stock." The proposed
25 code amendments encourage townhouse and mixed townhouse development to
26 promote a variety of residential densities and housing types.
27
28 4. GMA Goal 9: "Open space and recreation. Retain open space, enhance recreational
29 opportunities, conserve fish and wildlife habitat, increase access to natural resource
30 lands and water, and develop parks and recreation facilities." The proposed code
31 amendments encourage townhouse and mixed townhouse development to contain a
32 modest amount of private and semi-private open space for individual dwelling units.
33
34 5. GMA Goal 10: "Environment. Protect the environment and enhance the state's high
35 quality of life, including air and water quality, and the availability of water." The proposed
36 code amendments will protect the environment by encouraging residential development
37 to use urban land more efficiently.
38

39 D. The proposed code amendments will better achieve, comply with, and implement the Puget
40 Sound Regional Council's (PSRC) Multi-County Planning Policies (MPPs) which set forth
41 the following policies related to the proposed regulations:
42

- 43 1. Urban Lands Policy MPP-DP-2 "Encourage efficient use of urban land by maximizing the
44 development potential of existing urban lands, such as advancing development that
45 achieves zoned density." The proposed code amendments encourage housing forms

1 designed to use land more efficiently and achieves higher density within low, medium,
2 and high density residential areas.

- 3
- 4 2. Urban Lands Policy MPP-DP-4: “Accommodate the region’s growth first and foremost in
5 the urban growth area. Ensure that development in rural areas is consistent with the
6 regional vision.” The proposed code amendments encourage townhouse and mixed
7 townhouse development, which are forms of infill development designed to use land
8 more efficiently and provide additional capacity for future population growth only within
9 UGAs, thereby reducing pressures to expand UGAs.
- 10
- 11 3. Urban Lands Policy MPP-DP-14: “Preserve and enhance existing neighborhoods and
12 create vibrant, sustainable compact urban communities that provide diverse choices in
13 housing types, a high degree of connectivity in the street network to accommodate
14 walking, bicycling and transit use, and sufficient public spaces.” The proposed code
15 amendments encourage a variety of denser single-family attached and detached
16 housing types within UGAs while preserving and enhancing the integrity of established
17 neighborhoods.
- 18
- 19 4. Urban Lands Policy MPP-DP-15: “Support the transformation of key underutilized lands,
20 such as brownfields and greyfields, to higher density, mixed-use areas to complement
21 the development of centers and the enhancement of existing neighborhoods.” The
22 proposed code amendments are intended to encourage townhouse and mixed
23 townhouse development, which are forms of infill development that are well suited to
24 smaller parcels that may not achieve desired densities through lower-density forms of
25 single-family residential development.
- 26
- 27 5. Urban Lands Policy MPP-DP-33: “Identify, protect and enhance those elements and
28 characteristics that give the central Puget Sound region its identity, especially the natural
29 visual resources and positive urban form elements.” The proposed amendments are
30 intended to encourage a broader range of single-family attached and detached housing
31 types, which employ higher quality urban design strategies and are forms of infill
32 development that share complementary characteristics with existing residential
33 development.
- 34
- 35 6. Urban Lands Policy MPP-DP-43: “Design communities to provide an improved
36 environment for walking and bicycling.” The proposed code amendments encourage
37 enhanced pedestrian-oriented facilities and features within residential developments in
38 UGAs, particularly for townhouse and mixed townhouse developments, to foster
39 increased walking rates by residents.
- 40
- 41 7. Urban Lands Policy MPP-DP-49: “Support and provide incentives to increase the
42 percentage of new development and redevelopment—both public and private—to be
43 built at higher performing energy and environmental standards.” The propose code
44 amendments incentivize development of smaller dwelling unit sizes to lower energy and
45 maintenance costs borne by residents.
- 46

- 1 8. Housing Policy MPP-H-1: "Provide a range of housing types and choices to meet the
2 housing needs of all income levels and demographic groups within the region." The
3 proposed code amendments encourage the development of denser single-family
4 attached and detached to provide a broader range of housing types for various income
5 levels and demographic groups.
6
- 7 9. Housing Policy MPP-H-8: "Encourage the use of innovative techniques to provide a
8 broader range of housing types for all income levels and housing needs." The proposed
9 code amendments encourage a broader spectrum of housing types to meet the needs of
10 diverse populations.
11
- 12 E. The proposed code amendments will better achieve, comply with, and implement the
13 Snohomish County Countywide Planning Policies (CPP) which set forth the following
14 policies related to the proposed regulations:
15
- 16 1. Development Pattern Policy DP-11: "The County and cities should revise development
17 regulations and incentives, as appropriate, to encourage higher residential densities and
18 greater employment concentrations in Urban Growth Areas." The proposed code
19 amendments are intended to encourage additional townhouse, duplex, attached single-
20 family, and single-family detached infill development designed to use land more
21 efficiently and provide additional capacity for future population growth within UGAs,
22 thereby reducing the need to expand UGAs.
23
- 24 2. Development Pattern Policy DP-15: "The County and cities should adopt policies,
25 development regulations, and design guidelines that allow for infill and redevelopment of
26 appropriate areas as identified in their comprehensive plans." The proposed code
27 amendments encourage housing forms which are designed to use land more efficiently
28 and achieve a higher density within low, medium, and high density residential areas in
29 addition to urban commercial areas.
30
- 31 3. Development Pattern Policy DP-16: "Jurisdictions should encourage the use of
32 innovative development standards, design guidelines, regulatory incentives, and
33 applicable low impact development measures to provide compact, high quality
34 communities." The proposed code amendments encourage higher density single-family
35 residential housing forms, which provide an alternative to standard forms of single-family
36 residential development.
37
- 38 4. Development Pattern Policy DP-33: "Jurisdictions should develop high quality, compact
39 urban communities that impart a sense of place, preserve local character, provide for
40 mixed uses and choices in housing types, and encourage walking, bicycling, and transit
41 use." The proposed amendments encourage higher density attached and detached
42 single-family residential housing forms, which impart a high quality design, preserved
43 open space, and sense of community. The amendments proposed by this ordinance will
44 also encourage residents to use alternate means of transportation by directing density to
45 areas where such means of transportation are more feasible and accessible.

1
2 5. Development Pattern Policy DP-35: “The County and cities should address the safety,
3 health, and well-being of residents and employees by: a. Adopting development
4 standards encouraging design and construction of healthy buildings and facilities; and b.
5 Providing infrastructure that promotes physical activity.” The proposed code
6 amendments encourage increased safety, health, and well-being for residents through
7 enhanced site design standards.
8

9 F. The proposed code amendments will better achieve, comply with, and implement the
10 following goals, objectives, and policies contained in the County’s GMACP – GPP by using
11 land more efficiently, fostering compact development to minimize impacts to the natural
12 environment, encouraging a high quality design, adding variety to residential housing stock,
13 improving compatibility of new residential development with existing residential
14 development, increasing open space, and providing regulations that are predictable:
15

- 16 1. Land Use Goal 2: “Establish development patterns that use urban land more efficiently.”
17
- 18 2. Land Use Objective 2.A: “Increase residential densities within UGAs by concentrating
19 and intensifying development in appropriate locations, particularly within designated
20 centers and along identified transit emphasis corridors.”
21
- 22 3. Land Use Policy 2.A.4: “UGAs shall provide opportunities for a mix of affordable housing
23 types (e.g. small lot detached, townhouses, duplex, triplex, 6 to 8 unit apartment and
24 small group housing units) within designated residential areas.”
25
- 26 4. Land Use Policy 2.A.5: “Within UGAs, alternatives to standard single family designs
27 such as zero lot line housing and cottages on small lots around a central courtyard, shall
28 be considered in development regulations for residential areas.”
29
- 30 5. Land Use Objective 2.E: “Provide for reasonable flexibility in land use regulation and
31 planned mixing of uses, where appropriate, while maintaining adequate protection for
32 existing neighborhoods.”
33
- 34 6. Land Use Objective 4.A: “Improve the quality of residential, commercial, and industrial
35 development through comprehensive design standards and a design review process.”
36
- 37 7. Land Use Policy 4.A.2: “The county shall ensure that design standards for residential,
38 commercial, and industrial development meet the following criteria: (a) Residential
39 developments should support family households and children by providing adequate and
40 accessible open space and recreation, and encouraging opportunities for day care,
41 preschool and after school care services within close proximity. (b) Where increased
42 density housing is proposed, the height, scale, design and architectural character should
43 be compatible with the character of buildings in the surrounding area. (c) New buildings
44 oriented onto the street, maintain or create streetscape and pedestrian qualities and
45 reduce the visual impact of parking lots, garages and storage areas. (d) Where high rise

1 buildings are developed, street level uses are limited to commercial activities,
2 entertainment services, public services, and other related public-generating activities. (e)
3 The appearance of existing areas should be improved by: 1. encouraging well
4 maintained landscaping on streets and in parking areas; 2. reducing the visual clutter of
5 utility poles, overhead powerlines, and suspended traffic signals; 3. encouraging
6 improvements to entrances, facades, and lighting; and 4. grouping together signs and
7 ensuring they are scaled and designed in a manner appropriate to the street frontage. (f)
8 Developments should provide adequate setbacks, buffers and visual screens to make
9 them compatible with abutting residential and other land uses. (g) Urban design is
10 sensitive to the preservation of existing cultural resources. (h) Consideration of design
11 guidelines should include consideration of costs and impacts on affordable housing.”
12

- 13 8. Housing Goal 1: “Ensure that all county residents have the opportunity to obtain safe,
14 healthy, and affordable housing.”
15
- 16 9. Housing Objective 1.B: “Ensure that a broad range of housing types and affordability
17 levels is available in urban and rural areas”
18
- 19 10. Housing Policy 1.B.1: “The county shall facilitate affordable home ownership and rental
20 opportunities by promoting an increased supply of safe and healthy lower-cost housing
21 types, such as housing on small lots, townhouses, multiplexes, manufactured housing,
22 mobile homes, and mixed-use housing.”
23
- 24 11. Housing Policy 1.B.4: “The county shall encourage and support the development of
25 innovative housing types that make efficient use of the county land supply such as
26 residential units in mixed-use developments, accessory dwelling units, cottage housing,
27 co-housing, and live/work units.”
28
- 29 12. Housing Goal 2: “Ensure the vitality and character of existing residential neighborhoods.”
30
- 31 13. Housing Objective 2.B: “Encourage the use of innovative urban design techniques and
32 development standards to foster broad community acceptance of a variety of housing
33 types affordable to all economic segments of the population.”
34
- 35 14. Housing Policy 2.B.1: “The county shall encourage a variety of housing types and
36 densities in residential neighborhoods.”
37
- 38 15. Housing Policy 2.B.4: “The county shall encourage the integration of a variety of dwelling
39 types and intensities in residential neighborhoods.”
40
- 41 16. Economic Development Goal 2: “Provide a planning and regulatory environment which
42 facilitates growth of the local economy.”
43

- 1 17. Economic Development Objective 2.A: “Develop and maintain a regulatory system that
2 is fair, understandable, coordinated and timely.”
3
- 4 18. Transportation Goal 4: “Provide transportation services that enhance the health, safety,
5 and welfare of Snohomish County citizens.”
6
- 7 19. Transportation Objective 4.D: “Restrict direct vehicle access from public and private
8 property onto designated principal and minor arterials to maintain and improve the
9 integrity of traffic flow.”
10
- 11 20. Transportation Policy 4.D.7: “On-site traffic circulation shall be designed in a way that
12 allows safe and efficient storage and movement of driveway traffic.”
13
- 14 21. Transportation Policy 4.D.8: “Driveway and traffic flow restrictions shall be used to allow
15 safe and efficient access for emergency vehicles when needed.”
16
- 17 22. Transportation Goal 5: “Design transportation systems that are efficient in providing
18 adopted levels of service.”
19
- 20 23. Transportation Objective 5.C: “Work to reduce parking demand by requiring
21 accommodation within site plans for pedestrians, public transportation, ridesharing, and
22 bicycles.”
23
- 24 24. Transportation Policy 5.C.5: “Developers of new sites shall accommodate mobility of
25 pedestrians.”
26

27 G. Procedural requirements:

- 28
- 29 1. The proposal is a Type 3 legislative action under SCC 30.73.010 and SCC 30.73.020.
30
- 31 2. As required by RCW 30.70A.106(1), a notice of intent to adopt the proposed code
32 amendments was transmitted to the Washington State Department of Commerce for
33 distribution to state agencies on May 10, 2017.
34
- 35 3. State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requirements with
36 respect to this non-project action have been satisfied through the completion of an
37 environmental checklist and the issuance of a determination of non-significance on May
38 10, 2017.
39
- 40 4. The public participation process used in the adoption of the proposed code amendments
41 has complied with all applicable requirements of the GMA and SCC.
42
- 43 5. As required by RCW 30.70A.370, the Washington State Attorney General last issued an
44 advisory memorandum in December 2015 entitled “Advisory Memorandum: Avoiding
45 Unconstitutional Takings of Private Property” to help local governments avoid

1 unconstitutional takings of private property. The process outlined in the State Attorney
2 General's 2015 advisory memorandum was used by the County in objectively evaluating
3 the regulatory changes in this ordinance.
4

5 H. The proposed amendments are consistent with the record:
6

- 7 1. This ordinance will amend SCC 30.22.030 to expand an exception to the number of uses
8 allowed on one lot by allowing construction of multiple single-family dwellings on one lot
9 when developed in a townhouse, mixed townhouse, or cottage housing development.
10
- 11 2. This ordinance will amend SCC 30.22.130 to:
12
 - 13 a. Modify the section title.
 - 14
 - 15 b. Expand the applicability of SCC 30.22.130(5) to include specific design standards for
16 mixed townhouse developments, which are codified under Chapter 30.23A SCC, and
17 make non-substantive housekeeping changes.
18
- 19 3. This ordinance will amend SCC 30.23.020 to clarify that the existing minimum net
20 density requirements for residential development in UGAs in SCC 30.23.020(1)(a)
21 applies to new townhouse and mixed townhouse developments.
22
- 23 4. This ordinance will amend SCC 30.23.032 to add a new reference note to certain zones
24 in SCC Table 30.23.032 (the urban residential zones bulk matrix), which corresponds to
25 a new reference note under SCC 30.23.040(65) that will increase allowed densities for
26 townhouse and mixed townhouse development. The section is also modified to add a
27 new footnote to certain zones in the urban residential bulk matrix, which corresponds to
28 a new reference note under SCC 30.23.040(66) that will increase maximum lot coverage
29 allowances for townhouse and mixed townhouse development. The reference note is
30 consolidated into the table and additional non-substantive housekeeping changes are
31 made throughout the section.
32
- 33 5. This ordinance will amend SCC 30.23.040 to:
34
 - 35 a. Add a new subsection under SCC 30.23.040(65) to increase allowed densities for
36 townhouse and mixed townhouse development in the R-7,200, LDMR, MR, and
37 certain urban commercial zones. The density bonus provides an incentive for
38 townhouse and mixed townhouse development to implement GPP Policy LU 2.A.4.
39 The new subsection is a reference note for SCC Table 30.23.032.
40
 - 41 b. Add a new subsection under SCC 30.23.040(66) to increase maximum lot coverage
42 allowances for townhouse and mixed townhouse development in the LDMR and MR
43 zones to use land more efficiently and provide greater design flexibility. The new
44 subsection is a reference note for SCC Table 30.23.032.
45

- 1 6. This ordinance will amend SCC 30.23.041 to add two new reference notes to certain
2 zones and road types in SCC Table 30.23.041, which correspond to new reference
3 notes under SCC 30.23.049 that will reduce required setbacks, regulate setback
4 requirements for entrances to covered parking structures from adjacent road network
5 elements, and provide limited upper-story floor incentives for entrances to covered
6 parking structures that are set back at least 19 feet from an abutting road network
7 element in townhouse and mixed townhouse development. Other non-substantive
8 housekeeping changes are made to the section.
9
- 10 7. This ordinance will amend SCC 30.23.049 to:
11
12 a. Modify SCC 30.23.049(7) to allow non-single-family detached residential structures
13 over two stories in height to apply a required extra three-foot setback as an upper
14 floor setback under SCC 30.23.040(59).
15
16 b. Add a new reference note, SCC 30.23.049(13), to allow reduced setbacks from
17 certain road network elements in certain zones for townhouse and mixed townhouse
18 development to provide greater flexibility in design and use land more efficiently.
19
20 c. Add a new reference note, SCC 30.23.049(14), to allow reduced setback
21 requirements for entrances to covered parking structures from adjacent road network
22 elements and provide limited upper-story floor incentives for entrances to covered
23 parking structures that are set back at least 19 feet from an abutting road network in
24 townhouse and mixed townhouse development.
25
26 d. Make non-substantive housekeeping changes to SCC 30.23.049(4) and SCC
27 30.23.049(6).
28
- 29 8. This ordinance will amend SCC 30.23.050 to:
30
31 a. Modify the section title.
32
33 b. Add a new provision under SCC 30.23.050(4) to change the methodology for
34 calculating average final grade and building height for residential structures with
35 individual dwelling units vertically partitioned by internal walls within a single
36 structure. The addition of this language provides more design flexibility and allows
37 townhouse and mixed townhouse development to maximize density and better adapt
38 to site topography.
39
40 c. Modify SCC 30.23.050(5) to exempt urban residential development subject to
41 Chapters 30.23A and 30.41G SCC from the fill requirement and revise the reference
42 to the applicable figure. This exemption resolves the problem of constructing
43 residential development adjacent to existing residential development where other
44 design requirements already provide adequate compatibility measures.
45

- 1 d. Modify SCC Figure 30.23.050(1) to replace the existing figure with a new figure that
2 is easier to read and implement, delete certain text, and make non-substantive
3 housekeeping changes.
4
- 5 e. Modify SCC Figure 30.23.050(2) to replace the existing figure and insert a new title
6 and figure to illustrate the alternative calculation method of SCC 30.23.050(4).
7
- 8 f. Modify and renumber SCC Figure 30.23.050(2) to delete the existing figure, revise
9 the existing title, make housekeeping changes related to associated text of the
10 figure, and insert a new SCC Figure 30.23.050(3) to improve readability and
11 interpretation related to SCC 30.23.050(5).
12
- 13 g. Modify SCC 30.23.050(7) to make non-substantive housekeeping changes.
14
- 15 9. This ordinance will amend SCC 30.23A.030 to:
16
- 17 a. Modify SCC Table 30.23A.030(2) to remove extraneous zones identified in the table
18 replace the term “all other zones” with “non-urban zones,” move the term “proposed
19 use” in the table, add a new footnote to the table exempting townhouse, mixed
20 townhouse, and multifamily development from compatibility requirements when such
21 developments are sites adjacent to properties in the R-7,200 zone that have
22 townhouse or mixed townhouse development located on them, correct an
23 inadvertent error for single-family attached at seven dwellings or more per gross acre
24 in the table, and make non-substantive housekeeping changes.
25
- 26 b. Modify SCC 30.23A.030(2), 30.23A.030(3)(a), and 30.23A.030(3)(e) through (g) to
27 make non-substantive housekeeping changes.
28
- 29 10. This ordinance will amend SCC 30.23A.050 to:
30
- 31 a. Modify the section title and introductory provision to expand applicability to mixed
32 townhouse development and make housekeeping changes.
33
- 34 b. Modify SCC 30.23A.050(1) to clarify the applicability of subsections (a) through (c),
35 expand applicability of the subsection (a) to mixed townhouse development, add an
36 exception to subsection (b), and make non-substantive housekeeping changes.
37
- 38 c. Modify SCC 30.23A.050(2) to make housekeeping changes.
39
- 40 d. Modify SCC 30.23A.050(3) to renumber subsections (a) and (b), clarify and expand
41 the scope and applicability of the architectural design requirements, move subsection
42 (a) to new SCC Table 30.23A.050(1), and make housekeeping changes.
43
- 44 e. Modify SCC 30.23A.050(4) to revise the citation contained within the subsection.
45

- 1 f. Modify SCC 30.23A.050(5) to revise the title and add details on the scope and
2 applicability of the subsection, expand provisions to include mixed townhouse
3 development, non-substantive housekeeping changes, delete subsection (c) which
4 will appear in a modified form in SCC Table 30.23A.050(1), and move subsection (d)
5 to SCC 30.41A.235.
6
 - 7 g. Modify SCC 30.23A.050(6) to move existing provisions to SCC Table 30.23A.050(1)
8 and the subsection is replaced by adding a provision that allows the PDS Director to
9 require an applicant to grant and record restrictive covenants in certain instances.
10
 - 11 h. Add SCC 30.23A.050(7) to reference specific design standards for townhouse and
12 mixed townhouse development contained in SCC Table 30.23A.050(1), SCC Table
13 30.23A.050(2), and SCC Table 30.23A.050(3).
14
 - 15 i. Add SCC Table 30.23A.050(1) to provide additional general design standards for
16 townhouse and mixed townhouse development, which include: the maximum number
17 of dwelling units per townhouse structure, mixture of dwelling types in mixed
18 townhouse developments, building separation, building transparency, landscaping,
19 and parking. Certain provisions in the table create more prescriptive requirements
20 than contained in other chapters of Title 30 SCC.
21
 - 22 j. Add SCC Table 30.23A.050(2) to provide additional primary pedestrian entrance
23 design standards for townhouse and mixed townhouse development, which include:
24 primary pedestrian entrance standards and setback exceptions, primary pedestrian
25 entrance area requirements and standards, and set variation requirements for
26 primary pedestrian entrance design.
27
 - 28 k. Add SCC Table 30.23A.050(3) to provide additional landscaping design standards
29 for townhouse and mixed townhouse development, which are applied differently if
30 individual dwelling units contain a front-loaded, rear-loaded, or side-loaded attached
31 garage.
32
 - 33 l. Add SCC Figure 30.23A.050(1) to illustrate a specific alternative parking garage
34 options available for townhouse and mixed townhouse developments under SCC
35 Table 30.23A.050(1).
36
 - 37 m. Add SCC Figure 30.23A.050(2) to illustrate how to calculate primary pedestrian
38 entrance areas for townhouse and mixed townhouse developments under SCC
39 Table 30.23A.050(2).
40
 - 41 n. Add SCC Figure 30.23A.050(3) to illustrate how to determine whether an attached
42 garage is front-loaded, rear-loaded, or side-loaded for townhouse and mixed
43 townhouse developments under SCC Table 30.23A.050(3).
44
- 45 11. This ordinance will amend SCC 30.23A.070 to:

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- a. Modify SCC 30.23A.070(2) to clarify the term “primary entrance” inserting “pedestrian” between “primary” and “entrance,” clarify and expand the scope of the provision to allow individual dwelling units to face upon a pedestrian facility and common open space, clarify standards for common open space and pedestrian facilities when orienting primary pedestrian entrance upon them, and make housekeeping changes.
 - b. Modify SCC 30.23A.070(3) to clarify the term “primary entrance(s)” inserting “pedestrian” between “primary” and “entrance,” grant the Director authority in determining applicability of subsection (b) when a road network element is only providing rear vehicular access to dwelling units, and make housekeeping changes.
 - c. Modify SCC 30.23A.070(4) to expand applicability of the provision to mixed townhouse development and make housekeeping changes.
12. This ordinance will amend SCC 30.24.055 to add the phrase “unit lot short subdivisions” to SCC 30.24.055(1)(a) to expand applicability of the provision and delete the reference to a non-existent code section.
13. This ordinance will amend SCC 30.25.020 to:
- a. Modify SCC Table 30.25.020(1) to move the term “proposed use” from one cell to another within the table, separate requirements for “multifamily/townhouse” into individual rows as “townhouse” and “multifamily” with recalibrated standards for townhouse development, consolidate footnotes into the table, renumber footnotes, add footnotes specific to townhouse and mixed townhouse development, add the UC zone to the table which is inadvertently omitted, and make non-substantive housekeeping changes.
 - b. Delete Footnotes 1 through 5 and consolidate them into the table, except Footnote 3 which is deleted in its entirety because the use will be clarified in the table making the footnote obsolete.
 - c. Make non-substantive housekeeping changes to SCC 30.25.020(2).
14. This ordinance will amend SCC 30.26.025 to add mixed townhouse development to the tandem parking exception contained in SCC 30.26.025(2).
15. This ordinance will amend SCC 30.41A.205 to:
- a. Modify SCC 30.41A.205(1) to expand the applicability of the unit lot subdivision provisions to include mixed townhouse developments and make non-substantive housekeeping changes.

- b. Modify SCC 30.41A.205(2) to expand the applicability of the unit lot subdivision provisions to include mixed townhouse developments.
- c. Modify SCC 30.41A.205(5) to clarify restrictive covenant language, clarify easement requirements, and separate the provision into two subsections.
- d. Renumber SCC 30.41A.205(6) to SCC 30.41A.205(7).
- e. Renumber SCC 30.41A.205(7) to SCC 30.41A.205(8).

16. This ordinance will amend SCC 30.41A.235 to move an exemption from SCC 30.23A.050(5)(d) related to suitable area for townhouse construction in unit lot subdivisions to this section, expand the applicability of the exemption to all construction in unit lot subdivisions, and make non-substantive housekeeping changes.

17. This ordinance will amend SCC 30.41B.205 to:

- a. Modify SCC 30.41B.205(1) to expand the applicability of the unit lot subdivision provisions to include mixed townhouse developments and make non-substantive housekeeping changes to the subsection.
- b. Modify SCC 30.41B.205(2) to expand the applicability of the unit lot subdivision provisions to include mixed townhouse developments.
- c. Modify SCC 30.41B.205(5) to clarify restrictive covenant language, clarify easement requirements, and separate the provision into two subsections.
- d. Renumber SCC 30.41B.205(6) to SCC 30.41B.205(7).
- e. Renumber SCC 30.41B.205(7) to SCC 30.41B.205(8).

18. This ordinance will amend SCC 30.70.210 to modify SCC 30.70.210(3)(b) to expand the applicability of the minor revision provisions to mixed townhouse development and make non-substantive housekeeping changes.

19. This ordinance will amend SCC 30.70.220 to:

- a. Modify the introductory provision of SCC 30.70.220 to expand the applicability of the major revision provisions to mixed townhouse development and make non-substantive housekeeping changes.
- b. Modify SCC 30.70.220(2)(a) to expand the applicability of the major revision provisions to mixed townhouse development.

1 20. This ordinance will amend SCC 30.91C.335, “covered parking structure,” to clarify the
2 scope of the definition.

3
4 21. This ordinance will amend SCC 30.91D.525 to revise the definition of “townhouse
5 dwelling” to include “townhouse” as a standalone term and remove unnecessary
6 language.

7
8 22. This ordinance will add a new section SCC 30.91M.137 to define “mixed townhouse
9 development” and “mixed townhouse,” a new development type. The definition defines
10 the housing typologies that form the development type and general minimum share of
11 townhouse dwellings required.

12
13 23. This ordinance will add a new section SCC 30.91S.455 to define “Snohomish County
14 Residential Design Manual,” a term used throughout title 30 SCC. The definition defines
15 the process for manual adoption and applicability of the manual.

- 16
17 I. The proposed code amendments are consistent with the record as set forth in the PDS Staff
18 Report dated May 10, 2017, and PDS Supplemental Staff Report dated June 14, 2017.
19
20 J. The Snohomish County Planning Commission requests that PDS staff research the
21 appropriate manner to encourage Built Green as an incentive-based program in the County.
22

23 **Section 2.** The County Council makes the following conclusions:

- 24
25 A. The proposal is consistent with Washington State law and Snohomish County Code.
26
27 B. The proposal is consistent with the MPP.
28
29 C. The proposal is consistent with the CPP.
30
31 D. The proposal is consistent with the GMACP and with the goals, objectives, and policies of
32 the GPP.
33
34 E. The County has complied with all SEPA requirements with respect to this non-project action.
35
36 F. The regulations proposed by this ordinance do not result in an unconstitutional taking of
37 private property for a public purpose.
38
39 G. The County complied with the state and local public participation requirements under the
40 GMA and Chapter 30.73 SCC.
41

42 **Section 3.** The County Council bases its findings and conclusions on the entire record of
43 the County Council, including all testimony and exhibits. Any finding, which should be deemed a
44 conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.
45

1 **Section 4.** Snohomish County Code Section 30.22.030, last amended by Amended
2 Ordinance No. 09-079 on May 12, 2010, is amended to read:

3
4 **30.22.030 Number of uses per lot.**

5
6 Uses shall be established upon legally created lots that conform to current zoning
7 requirements or on legal nonconforming lots. A lot may have more than one use placed within
8 its bounds, except that only one single family dwelling may be placed on a lot. This exception
9 shall not apply to model homes as defined herein, to townhouse and mixed townhouse
10 developments proposed and approved under chapter 30.23A SCC, cottage housing
11 developments proposed and approved under chapter 30.41G SCC, planned residential
12 developments proposed and approved pursuant to chapter 30.42B SCC, projects proposed and
13 approved pursuant to chapter 30.34A SCC, or to land zoned commercial or multiple family
14 residential. Multifamily structures may be placed on lots at densities controlled by chapter 30.23
15 SCC.

16
17 **Section 5.** Snohomish County Code Section 30.22.130, last amended by Amended
18 Ordinance No. 16-013 on March 8, 2017, is amended to read:

19
20 **30.22.130 Reference notes for use ((matrix)) matrices.**

- 21
22 (1) Airport, Stage 1 Utility:
23 (a) Not for commercial use and for use of small private planes;
24 (b) In the RU zone, they shall be primarily for the use of the resident property owner; and
25 (c) When the airport is included in an airport, the disclosure requirements of
26 SCC 30.28.005 shall apply.
27 (2) Day Care Center:
28 (a) In WFB, R-7,200, R-8,400, R-9,600, R-12,500, R-20,000, and SA-1 zones, shall only be
29 permitted in connection with and secondary to a school facility or place of worship; and
30 (b) Outdoor play areas shall be fenced or otherwise controlled, and noise buffering provided
31 to protect adjoining residences.
32 (3) Dock and Boathouse, Private, Non-commercial: The following standards apply outside of
33 shoreline jurisdiction only. If located within shoreline jurisdiction, the standards in
34 SCC 30.67.515 apply instead.
35 (a) The height of any covered over-water structure shall not exceed 12 feet as measured from
36 the line of ordinary high water;
37 (b) The total roof area of covered, over-water structures shall not exceed 1,000 square feet;
38 (c) The entirety of such structures shall have a width no greater than 50 percent of the width
39 of the lot at the natural shoreline upon which it is located;
40 (d) No over-water structure shall extend beyond the mean low water mark a distance greater
41 than the average length of all preexisting over-water structures along the same shoreline within
42 300 feet of either side of the parcel on which the structure is proposed. Where no such
43 preexisting structures exist within 300 feet, the pier length shall not exceed 50 feet;
44 (e) Structures permitted hereunder shall not be used as a dwelling, nor shall any boat moored
45 at any wharf be used as a dwelling while so moored; and

1 (f) Covered structures are subject to a minimum setback of three feet from any side lot line or
2 extension thereof. No side yard setback shall be required for uncovered structures. No rear yard
3 setback shall be required for any structure permitted hereunder.

4 (4) Dwelling, Single family: In the MHP zone, single family detached dwellings are limited to
5 one per existing single legal lot of record.

6 (5) See chapter 30.31E SCC for rezoning to Townhouse zone, and chapter 30.23A SCC for
7 design standards applicable to (~~townhouse and attached~~) single-family attached dwelling,
8 mixed townhouse, and townhouse development.

9 (6) Dwelling, Mobile Home:

10 (a) Shall be multi-sectioned by original design, with a width of 20 feet or greater along its
11 entire body length;

12 (b) Shall be constructed with a non-metallic type, pitched roof;

13 (c) Except where the base of the mobile home is flush to ground level, shall be installed either
14 with:

15 (i) skirting material which is compatible with the siding of the mobile home; or

16 (ii) a perimeter masonry foundation;

17 (d) Shall have the wheels and tongue removed; and

18 (e) In the RU zone the above only applies if the permitted lot size is less than 20,000 square
19 feet.

20 (7) RESERVED for future use.

21 (8) Family Day Care Home:

22 (a) No play yards or equipment shall be located in any required setback from a street; and

23 (b) Outdoor play areas shall be fenced or otherwise controlled.

24 (9) Farm Stand:

25 (a) There shall be only one stand on each lot; and

26 (b) At least 50 percent by farm product unit of the products sold shall be grown, raised or
27 harvested in Snohomish County, and 75 percent by farm product unit of the products sold shall
28 be grown, raised or harvested in the State of Washington.

29 (10) Farm Worker Dwelling:

30 (a) At least one person residing in each farm worker dwelling unit shall be employed full time
31 in the farm operation;

32 (b) An agricultural farm worker dwelling unit affidavit must be signed and recorded with the
33 county attesting to the need for such dwellings to continue the farm operation;

34 (c) The number of farm worker dwellings shall be limited to one per each 40 acres under
35 single contiguous ownership to a maximum of six total dwellings, with 40 acres being required to
36 construct the first accessory dwelling unit. Construction of the maximum number of dwelling
37 units permitted shall be interpreted as exhausting all residential potential of the land until such
38 time as the property is legally subdivided; and

39 (d) All farm worker dwellings must be clustered on the farm within a 10-acre farmstead which
40 includes the main dwelling. The farmstead's boundaries shall be designated with a legal
41 description by the property owner with the intent of allowing maximum flexibility while minimizing
42 interference with productive farm operation. Farm worker dwellings may be located other than
43 as provided for in this subsection only if environmental or physical constraints preclude meeting
44 these conditions.

45 (11) Home Occupation: See SCC 30.28.050.

1 (12) Kennel, Commercial: There shall be a five-acre minimum lot area; except in the R-5 and
2 RD zones, where 200,000 square feet shall be the minimum lot area.

3 (13) Kennel, Private-breeding, and Kennel, Private Non-breeding: Where the animals
4 comprising the kennel are housed within the dwelling, the yard or some portion thereof shall be
5 fenced and maintained in good repair or to contain or to confine the animals upon the property
6 and restrict the entrance of other animals.

7 (14) Parks, Publicly-owned and Operated:

8 (a) No bleachers are permitted if the site is less than five acres in size;

9 (b) All lighting shall be shielded to protect adjacent properties; and

10 (c) No amusement devices for hire are permitted.

11 (15) Boarding House: There shall be accommodations for no more than two persons.

12 (16) RESERVED for future use (Social Service Center - DELETED by Amended Ord. 04-010
13 effective March 15, 2004)

14 (17) Swimming/Wading Pool (not to include hot tubs and spas): For the sole use of occupants
15 and guests:

16 (a) No part of the pool shall project more than one foot above the adjoining ground level in a
17 required setback; and

18 (b) The pool shall be enclosed with a fence not less than four feet high, of sufficient design
19 and strength to keep out children.

20 (18) Temporary Dwelling for a Relative:

21 (a) The dwelling shall be occupied only by a relative, by blood or marriage, of the occupant(s)
22 of the permanent dwelling;

23 (b) The relative must receive from, or administer to, the occupant of the other dwelling
24 continuous care and assistance necessitated by advanced age or infirmity;

25 (c) The need for such continuous care and assistance shall be attested to in writing by a
26 licensed physician;

27 (d) The temporary dwelling shall be occupied by not more than two persons;

28 (e) Use as a commercial rental unit shall be prohibited;

29 (f) The temporary dwelling shall be situated not less than 20 feet from the permanent dwelling
30 on the same lot and shall not be located in any required yard of the principal dwelling;

31 (g) A land use permit binder shall be executed by the landowner, recorded with the
32 Snohomish County auditor and a copy of the recorded document submitted to the department
33 for inclusion in the permit file;

34 (h) Adequate screening, landscaping, or other measures shall be provided pursuant to SCC
35 30.25.028 to protect surrounding property values and ensure compatibility with the immediate
36 neighborhood;

37 (i) An annual renewal of the temporary dwelling permit, together with recertification of need,
38 shall be accomplished by the applicant through the department in the same month of each year
39 in which the initial mobile home/building permit was issued;

40 (j) An agreement to terminate such temporary use at such time as the need no longer exists
41 shall be executed by the applicant and recorded with the Snohomish County auditor; and

42 (k) Only one temporary dwelling may be established on a lot. The temporary dwelling shall not
43 be located on a lot on which a detached accessory apartment is located.

44 (19) Recreational Vehicle:

45 (a) There shall be no more than one per lot;

46 (b) Shall not be placed on a single site for more than 180 days in any 12-month period; and

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1 (c) Shall be limited in the floodways to day use only (dawn to dusk) during the flood season
2 (October 1st through March 30th) with the following exceptions:

3 (i) Recreational vehicle use associated with a legally occupied dwelling to accommodate
4 overnight guests for no more than a 21-day period;

5 (ii) Temporary overnight use by farm workers on the farm where they are employed subject to
6 subsections (19)(a) and (b) of this section; and

7 (iii) Subject to subsections (19)(a) and (b) of this section, temporary overnight use in a mobile
8 home park, which has been in existence continuously since 1970 or before, that provides septic
9 or sewer service, water and other utilities, and that has an RV flood evacuation plan that has
10 been approved and is on file with the department of emergency management and department of
11 planning and development services.

12 (20) Ultralight Airpark:

13 (a) Applicant shall submit a plan for the ultralight airpark showing the location of all buildings,
14 ground circulation, and parking areas, common flight patterns, and arrival and departure routes;

15 (b) Applicant shall describe in writing the types of activities, events, and flight operations
16 which are expected to occur at the airpark; and

17 (c) Approval shall be dependent upon a determination by the county decision maker that all
18 potential impacts such as noise, safety hazards, sanitation, traffic, and parking are compatible
19 with the site and neighboring land uses, particularly those involving residential uses or livestock
20 or small animal husbandry; and further that the proposed use can comply with Federal Aviation
21 Administration regulations (FAR Part 103), which state that ultralight vehicle operations will not:

22 (i) create a hazard for other persons or property;

23 (ii) occur between sunset and sunrise;

24 (iii) occur over any substantially developed area of a city, town, or settlement, particularly over
25 residential areas or over any open air assembly of people; or

26 (iv) occur in an airport traffic area, control zone, terminal control area, or positive control area
27 without prior authorization of the airport manager with jurisdiction.

28 (21) RESERVED for future use.

29 (22) General Retail: In the FS zone, there shall be a 5,000-square foot floor area limitation.

30 (23) Vehicle, Vessel and Equipment Sales and Rental: In the CB and CRC zone, all display,
31 storage, and sales activities shall be conducted within a structure enclosed by walls on at least
32 two sides.

33 (24) Race Track: The track shall be operated in such a manner so as not to cause offense by
34 reason of noise or vibration beyond the boundaries of the subject property.

35 (25) Rural Industry:

36 (a) The number of employees shall not exceed 10;

37 (b) All operations shall be carried out in a manner so as to avoid the emission or creation of
38 smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water drainage, sewage,
39 water pollution, or other emissions which are unduly or unreasonably offensive or injurious to
40 properties, residents, or improvements in the vicinity;

41 (c) The owner of the rural industry must reside on the same premises as the rural industry
42 and, in the RD zone, the residence shall be considered as a caretaker's quarters; and

43 (d) Outside storage, loading or employee parking in the RD zone shall provide 15-foot wide
44 Type A landscaping as defined in SCC 30.25.017.

45 (26) RESERVED for future use.

46 (27) Governmental and Utility Structures and Facilities:

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1 Special lot area requirements for this use are contained in SCC 30.23.200.

2 (28) Excavation and Processing of Minerals:

3 (a) This use, as described in SCC 30.31D.010(2), is allowed in the identified zones only
4 where these zones coincide with the mineral lands designation in the comprehensive plan
5 (mineral resource overlay or MRO), except for the MC zone where mineral lands designation is
6 not required.

7 (b) An Administrative Conditional Use Permit or a Conditional Use Permit is required pursuant
8 to SCC 30.31D.030.

9 (c) Excavation and processing of minerals exclusively in conjunction with forest practices
10 regulated pursuant to chapter 76.09 RCW is permitted outright in the Forestry zone.

11 (29) Medical Clinic, Licensed Practitioner: A prescription pharmacy may be permitted when
12 located within the main building containing licensed practitioner(s).

13 (30) Forest Industry Storage & Maintenance Facility (except harvesting) adjacent to property
14 lines in the RU zone shall provide 15-foot wide Type A landscaping as defined in SCC
15 30.25.017.

16 (31) Boat Launch Facilities, Commercial or Non-commercial:

17 (a) The hearing examiner may regulate, among other factors, required launching depth,
18 lengths of existing docks and piers;

19 (b) Off-street parking shall be provided in an amount suitable to the expected usage of the
20 facility. When used by the general public, the guideline should be 32 to 40 spaces capable of
21 accommodating both a car and boat trailer for each ramp lane of boat access to the water;

22 (c) A level vehicle-maneuvering space measuring at least 50 feet square shall be provided;

23 (d) Pedestrian access to the water separate from the boat launching lane or lanes may be
24 required where it is deemed necessary in the interest of public safety;

25 (e) Safety buoys shall be installed and maintained separating boating activities from other
26 water-oriented recreation and uses where this is reasonably required for public safety, welfare,
27 and health; and

28 (f) All site improvements for boat launch facilities shall comply with all other requirements of
29 the zone in which it is located.

30 (32) Campground:

31 (a) The maximum overall density shall be seven camp or tent sites per acre in Forestry and
32 Recreation (F&R) zoning and two camp or tent sites per acre in Forestry (F) zoning;

33 (b) The minimum site size shall be 10 acres; and

34 (c) Campgrounds in Forestry (F) zoning may not provide utility hookups (e.g. water, electric,
35 sewage) to individual campsites; such hookups are allowed in campgrounds with Forestry and
36 Recreation (F&R) zoning.

37 (33) Commercial Vehicle Home Basing:

38 (a) The vehicles may be parked and maintained only on the property wherein resides a
39 person who uses them in their business;

40 (b) Two or more vehicles may be so based; and

41 (c) The vehicles shall be in operable conditions.

42 (34) Distillation of Alcohol:

43 (a) The distillation shall be from plant products, for the purpose of sale as fuel, and for the
44 production of methane from animal waste produced on the premises;

45 (b) Such distillation shall be only one of several products of normal agricultural activities
46 occurring on the premises; and

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- 1 (c) By-products created in this process shall be used for fuel or fertilizer on the premises.
2 (35) RESERVED for future use (Group Care Facility - DELETED by Amended Ord. 04-010
3 effective March 15, 2004)
4 (36) RESERVED for future use.
5 (37) Small Animal Husbandry: There shall be a five-acre minimum site size.
6 (38) Mobile Home Park: Such development must fulfill the requirements of chapter 30.42E
7 SCC.
8 (39) Sludge Utilization: See SCC 30.28.085.
9 (40) Homestead Parcel: See SCC 30.28.055.
10 (41) Special Setback Requirements for this use are contained in SCC 30.23.110 or 30.67.515
11 if within shoreline jurisdiction.
12 (42) In the R-12,500 and WFB zones, the minimum lot size for duplexes shall be one and
13 one-half times the minimum lot size for single family dwellings.
14 (43) Petroleum Products and Gas, Bulk Storage:
15 (a) All above ground storage tanks shall be set back from all property lines in accordance with
16 requirements in the International Fire Code (IFC); and
17 (b) Storage tanks below ground shall be set back no closer to the property line than a
18 distance equal to the greatest dimensions (diameter, length or height) of the buried tank.
19 (44) Auto Wrecking Yards and Junkyards: A sight-obscuring fence a minimum of seven feet
20 high shall be established and maintained to the interior side of the required perimeter
21 landscaping area in the LI and RI zones. For perimeter landscaping requirements for this use in
22 all zones, see SCC 30.25.020.
23 (45) Antique Shops: When established as a home occupation as regulated by SCC
24 30.28.050(1); provided further that all merchandise sold or offered for sale shall be
25 predominantly "antique" and antique-related objects.
26 (46) Billboards: See SCC 30.27.080 for specific requirements.
27 (47) RESERVED for future use.
28 (48) Stockyard and Livestock Auction Facility: The minimum lot size is 10 acres.
29 (49) Restaurants and Personal Service Shops: Located to service principally the constructed
30 industrial park uses.
31 (50) Sludge Utilization: A conditional use permit is required for manufacture of materials by a
32 non-governmental agency containing stabilized or digested sludge for a public utilization.
33 (51) RESERVED for future use.
34 (52) RESERVED for future use.
35 (53) Retail Store: See SCC 30.31A.120 for specific requirements for retail stores in the BP
36 zone.
37 (54) Retail Sales of Hay, Grain, and Other Livestock Feed are permitted on site in conjunction
38 with a livestock auction facility.
39 (55) Noise of Machines and Operations in the LI and HI zones shall comply with chapter
40 10.01 SCC and machines and operations shall be muffled so as not to become objectionable
41 due to intermittence, beat frequency, or shrillness.
42 (56) Sludge Utilization: Only at a completed sanitary landfill or on a completed cell within a
43 sanitary landfill, subject to the provision of SCC 30.28.085.
44 (57) Woodwaste Recycling and Woodwaste Storage Facility: See SCC 30.28.095.
45 (58) Bed and Breakfast Guesthouses and Bed and Breakfast Inns: See SCC 30.28.020.

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1 (59) Detached Accessory or Non-Accessory Private Garages and Storage Structures: Subject
2 to the following requirements:

3 (a) Special setback requirements for these uses are contained in SCC 30.23.110(20);

4 (b) Artificial lighting shall be hooded or shaded so that direct outside lighting, if any, will not
5 result in glare when viewed from the surrounding property or rights-of-way;

6 (c) The following compatibility standards shall apply:

7 (i) proposals for development in existing neighborhoods with a well-defined character should
8 be compatible with or complement the highest quality features, architectural character and siting
9 pattern of neighboring buildings. Where there is no discernable pattern, the buildings shall
10 complement the neighborhood. Development of detached private garages and storage
11 structures shall not interrupt the streetscape or dwarf the scale of existing buildings of existing
12 neighborhoods. Applicants may refer to the Residential Development Handbook for Snohomish
13 County Communities to review techniques recommended to achieve neighborhood
14 compatibility;

15 (ii) building plans for all proposals larger than 2,400 square feet in the Waterfront Beach, R-
16 7,200, R-8,400, R-9,600 and R-12,500 zones and rural cluster subdivisions shall document the
17 use of building materials compatible and consistent with existing on-site residential development
18 exterior finishes;

19 (iii) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural cluster
20 subdivisions, no portion of a detached accessory private garage or storage structure shall
21 extend beyond the building front of the existing single family dwelling, unless screening,
22 landscaping, or other measures are provided to ensure compatibility with adjacent properties;
23 and

24 (iv) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural cluster
25 subdivisions, no portion of a detached non-accessory private garage or storage structure shall
26 extend beyond the building front of existing single family dwellings on adjacent lots where the
27 adjacent dwellings are located within 10 feet of the subject property line. When a detached non-
28 accessory private garage or storage structure is proposed, the location of existing dwellings on
29 adjacent properties located within 10 feet of the subject site property lines shall be shown on the
30 site plan;

31 (d) All detached accessory or non-accessory private garages and storage structures
32 proposed with building footprints larger than 2,400 square feet shall provide screening or
33 landscaping from adjacent properties pursuant to chapter 30.25 SCC;

34 (e) On lots less than 10 acres in size having no established residential use, only one non-
35 accessory private garage and one storage structure shall be allowed. On lots 10 acres or larger
36 without a residence where the cumulative square footage of all existing and proposed non-
37 accessory private garages and storage structures is 6,000 square feet or larger, a conditional
38 use permit shall be required.

39 (f) Where permitted, separation between multiple private garages or storage structures shall
40 be regulated pursuant to subtitle 30.5 SCC.

41 (60) The cumulative square footage of all detached accessory and non-accessory private
42 garages and storage structures shall not exceed 6,000 square feet on any lot less than five
43 acres, except this provision shall not apply in the LDMR, MR, T, NB, GC, PCB, CB, FS, BP, IP,
44 LI, HI, RB, RFS, CRC and RI zones.

45 (61) Museums: Museums within the agriculture A-10 zone are permitted only in structures
46 which were legally existing on October 31, 1991.

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- 1 (62) Accessory Apartments: See SCC 30.28.010.
- 2 (63) Temporary Woodwaste Recycling and Temporary Woodwaste Storage Facilities: See
3 SCC 30.28.090.
- 4 (64) RESERVED for future use.
- 5 (65) On-Site Hazardous Waste Treatment and Storage Facilities: Allowed only as an
6 incidental use to any use generating hazardous waste which is otherwise allowed; provided that
7 such facilities demonstrate compliance with the state siting criteria for dangerous waste
8 management facilities pursuant to RCW 70.105.210 and WAC 173-303-282 as now written or
9 hereafter amended.
- 10 (66) An application for a conditional use permit to allow an off-site hazardous waste treatment
11 and storage facility shall demonstrate compliance with the state siting criteria for dangerous
12 waste management facilities pursuant to RCW 70.105.210 and WAC 173-303-282 as now
13 written or hereafter amended.
- 14 (67) Adult Entertainment Uses: See SCC 30.28.015.
- 15 (68) Special Building Height provisions for this use are contained in SCC 30.23.050(2)(d).
- 16 (69) RESERVED for future use.
- 17 (70) Equestrian Centers: Allowed with a conditional use permit on all lands zoned A-10 except
18 in that portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers
19 designated density fringe as described in chapter 30.65 SCC.
- 20 (71) Mini-Equestrian Centers are allowed as a permitted use on all lands zoned A-10 except
21 in that portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers
22 designated density fringe as described in chapter 30.65 SCC.
- 23 (72) Equestrian Centers and Mini-equestrian Centers require the following:
- 24 (a) Five-acre minimum site size for a mini-equestrian center;
- 25 (b) Covered riding arenas shall not exceed 15,000 square feet for a mini-equestrian center;
26 provided that stabling areas, whether attached or detached, shall not be included in this
27 calculation;
- 28 (c) Any lighting of an outdoor or covered arena shall be shielded so as not to glare on
29 surrounding properties or rights-of-way;
- 30 (d) On sites located in RC and R-5 zones, Type A landscaping as defined in SCC 30.25.017
31 is required to screen any outside storage, including animal waste storage, and parking areas
32 from adjacent properties;
- 33 (e) Riding lessons, rentals, or shows shall only occur between 8:00 a.m. and 9:00 p.m.;
- 34 (f) Outside storage, including animal waste storage, and parking areas shall be set back at
35 least 30 feet from any adjacent property line. All structures shall be set back as required in SCC
36 30.23.110(8); and
- 37 (g) The facility shall comply with all applicable county building, health, and fire code
38 requirements.
- 39 (73) Temporary Residential Sales Coach (TRSC):
- 40 (a) The commercial coach shall be installed in accordance with all applicable provisions within
41 chapter 30.54A SCC;
- 42 (b) The TRSC shall be set back a minimum of 20 feet from all existing and proposed road
43 rights-of-way and five feet from proposed and existing property lines;
- 44 (c) Vehicular access to the temporary residential sales coach shall be approved by the county
45 or state; and

1 (d) Temporary residential sales coaches may be permitted in approved preliminary plats, prior
2 to final plat approval, when the following additional conditions have been met:

3 (i) plat construction plans have been approved;

4 (ii) the fire marshal has approved the TRSC proposal;

5 (iii) proposed lot lines for the subject lot are marked on site; and

6 (iv) the site has been inspected for TRSC installation to verify compliance with all applicable
7 regulations and plat conditions, and to assure that land disturbing activity, drainage, utilities
8 infrastructure, and native growth protection areas are not adversely affected.

9 (74) Golf Course and Driving Range: In the A-10 zone, artificial lighting of the golf course or
10 driving range shall not be allowed. Land disturbing activity shall be limited in order to preserve
11 prime farmland. At least 75 percent of prime farmland on site shall remain undisturbed.

12 (75) Model Hobby Park: SCC 30.28.060.

13 (76) Commercial Retail Uses: Not allowed in the Light Industrial and Industrial Park zones
14 when said zones are located in the Maltby UGA of the comprehensive plan, and where such
15 properties are, or can be served by railway spur lines.

16 (77) Studio: Studio uses may require the imposition of special conditions to ensure
17 compatibility with adjacent residential, multiple family, or rural-zoned properties. The hearing
18 examiner may impose such conditions when deemed necessary pursuant to the provisions of
19 chapter 30.42C SCC. The following criteria are provided for hearing examiner consideration
20 when specific circumstances necessitate the imposition of conditions:

21 (a) The number of nonresident artists and professionals permitted to use a studio at the same
22 time may be limited to no more than 10 for any lot 200,000 square feet or larger in size, and
23 limited to five for any lot less than 200,000 square feet in size;

24 (b) The hours of facility operation may be limited; and

25 (c) Landscape buffers may be required to visually screen facility structures or outdoor storage
26 areas when the structures or outdoor storage areas are proposed within 100 feet of adjacent
27 residential, multiple family, and rural-zoned properties. The buffer shall be an effective site
28 obscuring screen consistent with Type A landscaping as defined in SCC 30.25.017.

29 (78) RESERVED for future use.

30 (79) The gross floor area of the use shall not exceed 2,000 square feet.

31 (80) The gross floor area of the use shall not exceed 4,000 square feet.

32 (81) The construction contracting use in the Rural Business zone shall be subject to the
33 following requirements:

34 (a) The use complies with all of the performance standards required by SCC 30.31F.100 and
35 30.31F.110;

36 (b) Not more than 1,000 square feet of outdoor storage of materials shall be allowed and shall
37 be screened in accordance with SCC 30.25.024;

38 (c) In addition to the provisions of subsection (81)(b) of this section, not more than five
39 commercial vehicles or construction machines shall be stored outdoors and shall be screened in
40 accordance with SCC 30.25.020 and 30.25.032;

41 (d) The on-site fueling of vehicles shall be prohibited; and

42 (e) The storage of inoperable vehicles and hazardous or earth materials shall be prohibited.

43 (82) Manufacturing, Heavy includes the following uses: Distillation of wood, coal, bones, or
44 the manufacture of their by-products; explosives manufacturing; manufacture of fertilizer;
45 extraction of animal or fish fat or oil; forge, foundry, blast furnace or melting of ore;
46 manufacturing of acid, animal black/black bone, cement or lime, chlorine, creosote, fertilizer,

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1 glue or gelatin, potash, pulp; rendering of fat, tallow and lard, rolling or booming mills; tannery;
2 or tar distillation and manufacturing. See SCC 30.91M.028.

3 (83) "All other forms of manufacture not specifically listed" is a category which uses
4 manufacturing workers, as described under the Dictionary of Occupational Titles, published by
5 the US Department of Labor, to produce, assemble or create products and which the director
6 finds consistent with generally accepted practices and performance standards for the industrial
7 zone where the use is proposed. See SCC 30.91M.024 and 30.91M.026.

8 (84) RESERVED for future use.

9 (85) A single family dwelling may have only one guesthouse.

10 (86) Outdoor display or storage of goods and products is prohibited on site.

11 (87) Wedding Facility:

12 (a) Such use is permitted only:

13 (i) on vacant and undeveloped land;

14 (ii) on developed land, but entirely outside of any permanent structure;

15 (iii) partially outside of permanent structures and partially inside of one or more permanent
16 structures which were legally existing on January 1, 2001; or

17 (iv) entirely inside of one or more permanent structures which were legally existing on
18 January 1, 2001;

19 (b) The applicant shall demonstrate that the following criteria are met with respect to the
20 activities related to the use:

21 (i) compliance with the noise control provisions of chapter 10.01 SCC;

22 (ii) adequate vehicular site distance and safe turning movements exist at the access to the
23 site consistent with the EDDS as defined in Title 13 SCC; and

24 (iii) adequate sanitation facilities are provided on site pursuant to chapter 30.50 SCC and
25 applicable Snohomish Health District provisions;

26 (c) Adequate on-site parking shall be provided for the use pursuant to SCC 30.26.035; and

27 (d) A certificate of occupancy shall be obtained pursuant to chapter 30.52A SCC for the use
28 of any existing structure. The certificate of occupancy shall be subject to an annual inspection
29 and renewal pursuant to SCC 30.53A.060 to ensure building and fire code compliance.

30 (88) Public/Institutional Use Designation (P/IU): When applied to land that is (a) included in an
31 Urban Growth Area and (b) designated P/IU on the Snohomish County Future Land Use Map
32 concurrent with or prior to its inclusion in a UGA, the R-7,200, R-8,400 and R-9,600 zones shall
33 allow only the following permitted or conditional uses: churches, and school instructional
34 facilities. All other uses are prohibited within areas that meet criteria (a) and (b), unless the P/IU
35 designation is changed.

36 (89) Hotel/Motel Uses: Permitted in the Light Industrial zone when the following criteria are
37 met:

38 (a) The Light Industrial zone is located within a municipal airport boundary;

39 (b) The municipal airport boundary includes no less than 1,000 acres of land zoned light
40 industrial; and

41 (c) The hotel/motel use is served by both public water and sewer.

42 (90) Health and Social Service Facilities regulated under this title do not include secure
43 community transition facilities (SCTFs) proposed pursuant to chapter 71.09 RCW. See SCC
44 30.91H.095.

45 (a) Snohomish County is preempted from regulation of SCTFs. In accordance with the
46 requirements of state law the county shall take all reasonable steps permitted by chapter 71.09

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1 RCW to ensure that SCTFs comply with applicable siting criteria of state law. Every effort shall
2 be made by the county through the available state procedures to ensure strict compliance with
3 all relevant public safety concerns, such as emergency response time, minimum distances to be
4 maintained by the SCTF from "risk potential" locations, electronic monitoring of individual
5 residents, household security measures and program staffing.

6 (b) Nothing herein shall be interpreted as to prohibit or otherwise limit the county from
7 evaluating, commenting on, or proposing public safety measures to the state of Washington in
8 response to a proposed siting of a SCTF in Snohomish County.

9 (c) Nothing herein shall be interpreted to require or authorize the siting of more beds or
10 facilities in Snohomish County than the county is otherwise required to site for its SCTFs
11 pursuant to the requirements of state law.

12 (91) Level II Health and Social Service Uses: Allowed outside the UGA only when the use is
13 not served by public sewer.

14 (92) The area of the shooting range devoted to retail sales of guns, bows, and related
15 equipment shall not exceed one-third of the gross floor area of the shooting range and shall be
16 located within a building or structure.

17 (93) Farmers Market: See SCC 30.28.036.

18 (94) Farm Product Processing and Farm Support Business: See SCC 30.28.038.

19 (95) Farmland Enterprise: See SCC 30.28.037.

20 (96) Public Events/Assemblies on Farmland: Such event or assembly shall:

21 (a) Comply with the requirements of SCC 30.53A.800; and

22 (b) Not exceed two events per year. No event shall exceed two weeks in duration.

23 (97) Bakery, Farm: The gross floor area of the use shall not exceed 1,000 square feet.

24 (98) Recreational Facility Not Otherwise Listed in Ag-10 zone, Forestry (F), or Forestry and
25 Recreation (F&R) zones: See SCC 30.28.076.

26 (99) Farm Stand: See SCC 30.28.039.

27 (100) Farm Stand: Allowed as a Permitted Use (P) when sited on land designated riverway
28 commercial farmland, upland commercial farmland or local commercial farmland in the
29 comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not
30 designated riverway commercial farmland, upland commercial farmland or local commercial
31 farmland in the comprehensive plan.

32 (101) Farmers Market: Allowed as a Permitted Use (P) when sited on land designated
33 riverway commercial farmland, upland commercial farmland or local commercial farmland in the
34 comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not
35 designated riverway commercial farmland, upland commercial farmland or local commercial
36 farmland in the comprehensive plan.

37 (102) Community Facilities for Juveniles in R-5 zones must be located within one mile of an
38 active public transportation route at the time of permitting.

39 (103) All community facilities for juveniles shall meet the performance standards set forth in
40 SCC 30.28.025.

41 (104) Personal Wireless Telecommunications Service Facilities: See chapter 30.28A SCC
42 and landscaping standards in SCC 30.25.025.

43 (105) Personal wireless telecommunications service facilities are subject to a building permit
44 pursuant to SCC 30.28A.030 and the development standards set forth in chapter 30.28A SCC
45 and landscaping standards in SCC 30.25.025.

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1 (106) A building permit only is required for facilities co-locating on existing utility poles,
2 towers, and/or antennas unless otherwise specified in chapter 30.28A SCC.

3 (107) Agricultural Composting Requirements:

4 (a) On-farm site agricultural composting operations that comply with the requirements
5 established in this section are allowed in the A-10 zone. These composting facilities and
6 operations shall be constructed and operated in compliance with all applicable federal, state and
7 local laws, statutes, rules and regulations. The Nutrient Management Plan portion of the farm's
8 Snohomish Conservation District Farm Plan or any other established nutrient management plan
9 must be on file with the department when any application for a land use permit or approval is
10 submitted to the department for the development of an agricultural composting facility. Farm site
11 agricultural composting operations shall also comply with the following criteria:

12 (i) The composting operation shall be limited to 10 percent of the total farm site area;

13 (ii) At least 50 percent of the composted materials shall be agricultural waste;

14 (iii) At least 10 percent of the agricultural wastes must be generated on the farm site;

15 (iv) A maximum of 500 cubic yards of unsuitable incidental materials accumulated in the
16 agricultural waste such as rock, asphalt, or concrete over three inches in size may be stored at
17 the farm composting facility until its proper removal. All incidental materials must be removed
18 from the site yearly; and

19 (v) A minimum of 10 percent of the total volume of the finished compost produced annually
20 shall be spread on the farm site annually.

21 (b) In all other zones except A-10 where agriculture is a permitted use, incidental agricultural
22 composting of agricultural waste generated on a farm site is permitted. The agricultural
23 composting facility shall be constructed and operated in compliance with all applicable federal,
24 state and local laws, statutes, rules and regulations. The Nutrient Management Plan portion of
25 the farm's Snohomish Conservation District Farm Plan or any other established nutrient
26 management plan must be on file with the department when any permit application is submitted
27 to the department for the development of an agricultural composting facility.

28 (108) RESERVED for future use. (Urban Center Demonstration Program projects - DELETED
29 by Ord. 09-079)

30 (109) Privately operated off-road vehicle (ORV) use areas shall be allowed by conditional use
31 permit on Forestry and Recreation (F&R) zoned property designated Forest on the
32 comprehensive plan future land use map. These areas shall be identified by an F&R ORV suffix
33 on the zoning map. Privately operated ORV use areas are regulated pursuant to SCC 30.28.080
34 and 30.28.086 and other applicable county codes.

35 (110) RESERVED for future use.

36 (111) RESERVED for future use.

37 (112) RESERVED for future use. (Transfer of Development Rights receiving area overlay -
38 DELETED by Amended Ord. 13-064)

39 (113) Privately Operated Motocross Racetracks: Allowed by conditional use permit, and are
40 regulated pursuant to SCC 30.28.100 and 30.28.105, and other applicable county codes.
41 Motocross racetracks are allowed in the Forestry and Recreation (F&R) zone only on
42 commercial forest lands.

43 (114) New AM Radio Towers are prohibited. AM radio towers either constructed before
44 October 13, 2010, or with complete applications for all permits and approvals required for
45 construction before October 13, 2010, shall not be considered nonconforming uses and they
46 may be repaired, replaced, and reconfigured as to the number and dimensions of towers so

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1 long as the repair, replacement, or reconfiguration occurs on the parcel where the tower was
2 originally constructed or permitted and it does not increase the number of AM radio towers
3 constructed on the parcel.

4 (115) This use is prohibited in the R-5 zone with the Mineral Resource Overlay (MRO). Public
5 park is a permitted use on reclaimed portions of mineral excavation sites with the MRO.

6 (116) See cottage housing design standard requirements in chapter 30.41G SCC.

7 (117) RESERVED for future use.

8 (118) RESERVED for future use.

9 (119) Only building mounted personal wireless communications facilities shall be permitted.

10 (120) Allowed as a conditional use only with a Park-and-Pool Lot or a Park-and-Ride Lot.

11 (121) Permitted as an incidental use with a permitted use, conditional use or administrative
12 conditional use.

13 (122) Products or merchandise offered for sale or storage by a business may be located
14 outdoors; provided, that:

15 (a) The area occupied by the display shall not exceed 500 square feet; and

16 (b) Public sidewalks shall not be enclosed as space for sales or storage by fencing or other
17 means that effectively limits public use of the sidewalk.

18 (123) Such uses, except those as provided for in SCC 30.34A.010(4)(d), are permitted only in
19 structures which are legally existing on May 29, 2010. Such uses, except those as provided for
20 in SCC 30.34A.010(4)(d), shall also comply with subsection (122) of this section.

21 (124) The minimum lot size for marijuana related facilities is 100,000 square feet. Marijuana
22 production and marijuana processing are allowed indoors and outdoors, including in
23 greenhouses and other structures pursuant to chapter 314-55 WAC. In the A-10 zone,
24 marijuana uses shall be subject to the same regulations that apply to agricultural uses and not
25 subject to any more restrictive regulations except as specifically provided in this title and in state
26 law. Marijuana processing is only allowed when there is a marijuana production facility on site.
27 Marijuana facilities are subject to special setbacks pursuant to SCC 30.23.110(28).

28 (125) Marijuana production and processing is permitted indoors only; no outdoor production
29 or processing is allowed.

30 (126) RESERVED for future use.

31 (127) Campgrounds and Recreational Facilities Not Otherwise Listed are not allowed on land
32 designated Local Forest in the comprehensive plan.

33 (128) Development applications for all non-tribally owned, fee-simple properties designated
34 Reservation Commercial on the Snohomish County Future Land Use Map must include an
35 archaeology site report pursuant to SCC 30.32D.200(3)(b) or relocate the project to avoid
36 impacts to any archaeological resources.

37 (129) Development within an airport compatibility area is subject to the requirements of
38 chapter 30.32E SCC.

39 (130) On land designated as riverway commercial farmland, upland commercial farmland or
40 local commercial farmland or land zoned A-10 the following additional requirements apply:

41 (a) the applicant must demonstrate that the use is incidental to the primary use of the site for
42 agricultural purposes and supports, promotes or sustains agricultural operations and production;

43 (b) the use must be located, designed, and operated so as to not interfere with, and to
44 support the continuation of, the overall agricultural use of the property and neighboring
45 properties;

1 (c) the use and all activities and structures related to the use must be consistent with the size,
2 scale, and intensity of the existing agricultural use of the property and the existing buildings on
3 the site;

4 (d) the use and all activities and structures related to the use must be located within the
5 general area of the property that is already developed for buildings and residential uses;

6 (e) where the property is less than 10 acres in size, the use and all structures and activities
7 related to the use shall not convert more than 10 percent of agricultural land to nonagricultural
8 uses;

9 (f) where the property is 10 acres in size or more, the use and all structures and activities
10 related to the use shall not convert more than one acre of agricultural land to nonagricultural
11 uses; and

12 (g) any land disturbing activity required to support the use shall be limited to preserve prime
13 farmland.

14 The provisions of subsections (130)(a) through (f) of this section do not apply to any land
15 under ownership or acquired before May 24, 2015, by any local, county, regional, or state
16 agency for recreation, public park and/or trail purposes. Any new development, alterations or
17 reconstruction on these properties shall meet subsection (130)(g) of this section and the
18 requirements of the A-10 zone. All buildings and parking areas shall be set back a minimum of
19 50 feet from the property boundaries. If the park or trail use produces adverse conditions that
20 will unduly affect an adjacent agricultural use, the director may impose a larger setback to
21 alleviate the effects of such adverse conditions, which include but are not limited to noise,
22 vibration, dust, and light.

23 (131) Marijuana-related facilities are prohibited within the exterior boundaries of the Tulalip
24 Indian Reservation.

25 (132) Marijuana Retail: See SCC 30.28.120.

26 (133) Only the following uses are permitted in the CRC zone: clubhouses, grooming parlors,
27 personal service shops, offices, tool sales and rental, locksmith, home improvement centers,
28 retail bakeries, drug stores, grocery stores, hardware stores, general retail, second hand stores,
29 specialty stores, and tire stores.

30 (134) Material Recover Facility: See SCC 30.28.110.

31 (135) Retail, general uses may be allowed with an administrative conditional use permit only
32 when part of a new mixed-use development that includes residential dwellings or when
33 occupying a former residential structure (or portion of a residential structure). The proposed
34 retail use in the MR zone must meet the following criteria:

35 (a) The retail use has frontage on an arterial road as shown on the Countywide Arterial
36 Circulation Map;

37 (b) The gross leasable area of retail space may not exceed 6,000 square feet; and

38 (c) Products or merchandise offered for sale or storage by a business may be located
39 outdoors except that the area occupied by the display may not exceed 500 square feet and
40 public sidewalks may not be enclosed as space for sales or storage by fencing or other means
41 that effectively limits public use of the sidewalk.

42 (136) Within the NB zone, this use is only permitted when the Future Land Use Map in the
43 comprehensive plan designates the site as Urban Village.

44 (137) Recycling Facility: See SCC 30.28.112.

45 (138) Licensed practitioners and medical clinics may be conditionally permitted as the sole
46 use on a site. Cleaning establishments, grooming parlors, and personal service shops may only

1 be conditionally permitted when part of a development that includes residential dwellings or
2 when occupying a former residential structure (or portion of a residential structure).
3

4 **Section 6.** Snohomish County Code Section 30.23.020, last amended by Amended
5 Ordinance No. 06-061 on August 1, 2007, is amended to read:
6

7 **30.23.020 Minimum net density for residential development in UGAs.**
8

9 (1) A minimum net density of four dwelling units per acre shall be required in all UGAs for:

10 (a) New subdivisions, short subdivisions, PRDs, townhouse and mixed townhouse
11 developments, and mobile home parks; and

12 (b) New residential development in the LDMR, MR, and Townhouse zones.

13 (2) Minimum net density is the density of development excluding roads, drainage
14 detention/retention areas, biofiltration swales, areas required for public use, and critical areas
15 and their required buffers pursuant to chapters 30.62A and 30.62B SCC.

16 (3) Minimum net density is determined by rounding up to the next whole unit or lot when a
17 fraction of a unit or lot is 0.5 or greater.

18 (4) For new subdivisions and short subdivisions, the minimum lot size of the underlying zone
19 may be reduced as necessary to allow a lot yield that meets the minimum density requirement.
20 Each lot shall be at least 6,000 square feet, except as otherwise allowed by this title.

21 (5) The minimum net density requirement of this section shall not apply:

22 (a) In the Darrington, Index, and Gold Bar UGAs; and

23 (b) Where regulations on development of steep slopes, SCC 30.41A.250, or sewerage
24 regulations, SCC 30.29.100, require a lesser density.
25

26 **Section 7.** Snohomish County Code Section 30.23.032, last amended by Amended
27 Ordinance No. 16-029 on May 11, 2016, is amended to read:
28

29 **30.23.032 Urban Residential Zone categories – ((Bulk)) bulk matrix.**
30

1
2
3
4

**Table 30.23.032
(~~URBAN RESIDENTIAL ZONES BULK MATRIX~~) Urban Residential Zones Bulk Matrix**

Category	Zone	Lot Dimension (feet) ⁵⁴		((Max. Bldg.)) Maximum Building Height (feet) ^{27, 64}	Minimum Setback Requirements From (feet) ^{11, 33}						((Max.)) Maximum Lot Coverage ⁸										
		((Min.)) Minimum Lot Area ²⁹ ((sq. ft.)) square feet	((Min.)) Minimum Lot Width		Side and Rear Lot Lines Adjacent to:				Resource Lands			Seismic Hazards									
					Commercial ((&)) and Industrial ((zones)) Zones	R-9,600, R8,400, and ((&)) R-7,200 Zones	Other Urban Residential ((zones)) Zones	Rural ((zones)) Zones	((Ag)) Agriculture	Forest											
Urban Residential	R-9,600	9,600 ²³	70	30	10	5	5	5	See SCC 30.32B.130	See SCC 30.32A.110	See chapters 30.51A and 30.62B SCC	35%									
	R-8,400	8,400 ²³	65	30	10	5	5	5				35%									
	R-7,200	7,200 ^{23, 65}	60	30	10	5	5	5				35%									
	T (buildings ≤ 20 feet high) ⁵⁹	See SCC 30.31E.050		35	10	10	5	25				See SCC 30.32B.130	See SCC 30.32A.110	See chapters 30.51A and 30.62B SCC	See SCC 30.31E.050						
	T (buildings > 20 feet high) ⁵⁹				15	20	10														
	LDMR (buildings ≤ 20 feet high) ^{15, 59, 61, 62}	7,200 ^{4, 65}	60	45	10	10	5	25							See SCC 30.32B.130	See SCC 30.32A.110	See chapters 30.51A and 30.62B SCC	30% ⁶⁶			
	LDMR (buildings 20 - 30 feet high) ^{15, 59, 61, 62}				10	20	10														
	LDMR (buildings > 30 feet high) ^{15, 59, 61, 62}				15	25	15														
	MR (buildings ≤ 20 feet high) ^{15, 59, 61, 62}	7,200 ^{5, 65}	60	45	10	10	5	25										See SCC 30.32B.130	See SCC 30.32A.110	See chapters 30.51A and 30.62B SCC	40% ⁶⁶
	MR (buildings 20 - 30 feet high) ^{15, 59, 61, 62}				10	20	10														

	MR (buildings > 30 feet high)^{15, 59, 61, 62}				15	25	15					
	MHP	55	None	25	See SCC 30.42E.100(5)(a)							50%
Note: See SCC 30.23.040 for reference notes listed in SCC Table 30.23.032.												

1

1 ((Notes:))

2
3 ((See SCC 30.23.040 for reference notes listed in Table 30.23.032.))

4
5 **Section 8.** Snohomish County Code Section 30.23.040, last amended by Amended
6 Ordinance No. 17-004 on May 10, 2017, is amended to read:

7
8 **30.23.040 Reference notes for SCC Tables 30.23.030 and 30.23.032.**

9
10 (1) MR bulk requirements shall apply for all residential development permitted in urban
11 commercial zones.

12 (2) When subdivisionally described, the minimum lot area shall be 1/128th of a section.

13 (3) When subdivisionally described, the minimum lot area shall be 1/32nd of a section.

14 (4) In the LDMR zone, the maximum density shall be calculated based on 4,000 square feet
15 of land per dwelling unit.

16 (5) In the MR zone, the maximum density shall be calculated based on 2,000 square feet of
17 land per dwelling unit.

18 (6) Commercial forestry structures shall not exceed 65 feet in height.

19 (7) Non-residential structures shall not exceed 45 feet in height.

20 (8) Lot coverage includes all buildings on the given lot.

21 (9) RESERVED for future use.

22 (10) RESERVED for future use.

23 (11) These setbacks shall be measured from the property line.

24 (12) Greater setbacks than those listed may apply to areas subject to Shoreline Management
25 Program jurisdiction or critical areas regulations in
26 chapters 30.62A, 30.62B, 30.62C and 30.67 SCC. Some uses have special setbacks identified
27 in SCC 30.23.110.

28 (13) The listed setbacks apply where the adjacent property is zoned F. In all other cases,
29 setbacks are the same as in the R-8,400 zone. In the F zone, the setbacks for residential
30 structures on 10 acres or less which were legally created prior to being zoned to F shall be the
31 same as in the R-8,400 zone.

32 (14) RESERVED for future use.

33 (15) See SCC 30.23.300.

34 (16) In the FS zone, the setback from non-residential property shall be five feet for side
35 setbacks and 15 feet for rear setbacks.

36 (17) In the IP zone there shall be an additional one foot setback for every one foot of building
37 height over 45 feet.

38 (18) RESERVED for future use.

39 (19) See SCC 30.31A.020(1) and (2) which specify the minimum area of a tract of land
40 necessary for PCB or BP zoning.

41 (20) See additional setback provisions for dwellings located along the boundaries of
42 designated farmland contained in SCC 30.32B.130.

43 (21) See additional setback provisions for structures located adjacent to forest lands, and/or
44 on lands designated local forest or commercial forest contained in SCC 30.32A.110.

45 (22) The minimum lot size for properties designated Rural Residential (RR)--10 (Resource
46 Transition) on the comprehensive plan shall be 10 acres.

47 (23) Minimum lot area requirements may be modified within UGAs in accordance with
48 SCC 30.23.020.

1 (24) In rural cluster subdivisions approved in accordance with the provisions of
2 chapter 30.41C SCC, the minimum lot area shall be as provided in SCC 30.23.220. The
3 maximum lot area shall be 20,000 square feet or less when located in rural/urban transition
4 areas.

5 (25) RESERVED for future use.

6 (26) RESERVED for future use.

7 (27) See SCC 30.23.050 for height limit exceptions. See also SCC 30.67.460 for height limit
8 requirements within shoreline jurisdiction.

9 (28) RESERVED for future use.

10 (29) See SCC 30.23.200 et seq. for additional lot area requirements and exceptions.

11 (30) SCC 30.32A.120 (Siting of new structures--Commercial forest land) requires an
12 application for a new structure on parcels designated commercial forest, but not within a
13 designated commercial forest--forest transition area, to provide a minimum 500-foot setback,
14 which shall be a resource protection area, from the property boundaries of adjacent commercial
15 forest lands except that if the size, shape, and/or physical site constraints of an existing legal lot
16 do not allow a setback of 500 feet, the new structure shall maintain the maximum setback
17 possible, as determined by the department.

18 (31) Setback requirements for mineral excavation and processing are in SCC 30.23.110(27).
19 Performance standards and permit requirements are in chapter 30.31D SCC.

20 (32) The site shall be a contiguous geographic area and have a size of not less than 10 acres,
21 except in the case of subsurface shaft excavations, no minimum acreage is required, pursuant
22 to SCC 30.31D.020(1).

23 (33) See SCC Table 30.28.050(4)(i) for setback requirements for structures containing a
24 home occupation.

25 (34) RESERVED for future use.

26 (35) See chapter 30.31E SCC, for more complete information on the Townhouse Zone height,
27 setback, and lot coverage requirements.

28 (36) RESERVED for future use (MR and LDMR setbacks--DELETED by Ord. 05-094,
29 effective September 29, 2005).

30 (37) Agriculture: All structures used for housing or feeding animals, not including household
31 pets, shall be located at least 30 feet from all property lines.

32 (38) There shall be no subdivision of land designated commercial forest in the comprehensive
33 plan except to allow installation of communication and utility facilities if all the following
34 requirements are met:

35 (a) The facility cannot suitably be located on undesignated land;

36 (b) The installation cannot be accomplished without subdivision;

37 (c) The facility is to be located on the lowest feasible grade of forest land; and

38 (d) The facility removes as little land as possible from timber production.

39 (39) On parcels designated commercial forest, but not within a designated commercial forest--
40 forest transition area, establish and maintain a minimum 500-foot setback, which shall be a
41 resource protection area, from the property boundaries of adjacent commercial forest lands
42 except when the size, shape, and/or physical site constraints of an existing legal lot do not allow
43 a setback of 500 feet, the new structure shall maintain the maximum setback possible as
44 provided in SCC 30.32A.120.

45 (40) Land designated local commercial farmland shall not be divided into lots of less than 10
46 acres unless a properly executed deed restriction which runs with the land and which provides
47 that the land divided is to be used exclusively for agricultural purposes and specifically not for a
48 dwelling(s) is recorded with the Snohomish County auditor.

1 (41) Minimum lot area in the rural use zone shall be the minimum allowed by the zone
2 identified as the implementing zone by the comprehensive plan for the plan designation applied
3 to the subject property. Where more than one implementing zone is identified for the same
4 designation, the minimum lot size shall be that of the zone allowing the smallest lot size.

5 (42) RESERVED for future use.

6 (43) Additional bulk requirements may apply. Refer to SCC 30.31F.100 and 30.31F.140.

7 (44) The 50 percent maximum lot coverage limitation applies solely to the portion of the area
8 within the CRC comprehensive plan designation and zone that is centered at 180th Street SE
9 and SR 9, generally extending between the intersection of 172nd Street/SR 9 to just south of
10 184th Street/SR 9, as indicated on the County's FLUM and zoning map.

11 (45) The 30 percent maximum lot coverage limitation applies solely to the portion area located
12 within the CRC comprehensive plan designation and zone that is centered at State Route (SR)
13 9 and 164th Street SE, as indicated on the County's Future Land Use Map (FLUM) and zoning
14 map.

15 (46) Additional setbacks may apply to development within a rural cluster subdivision. Refer to
16 chapter 30.41C SCC. Residential subdivision is restricted pursuant to SCC 30.32C.150. Uses
17 are restricted where the R5 zone coincides with the Mineral Resource Overlay (MRO) to prevent
18 development which would preclude future access to the mineral resources.

19 (47) RESERVED for future use.

20 (48) RESERVED for future use.

21 (49) RESERVED for future use.

22 (50) RESERVED for future use.

23 (51) RESERVED for future use.

24 (52) See SCC 30.33B.020 for bulk regulations related to existing playing fields on designated
25 recreational land.

26 (53) RESERVED for future use.

27 (54) A split parcel may be subdivided along the UGA boundary line using one of three
28 methods. First, a split parcel may be subdivided along the UGA boundary line into two lots,
29 whereby one lot remains within the UGA and the other lot remains outside the UGA, pursuant to
30 SCC 30.41B.010(7). Second, a split parcel may be subdivided as part of a short plat application,
31 pursuant to SCC 30.41B.010(8). Finally, a split parcel may be subdivided as part of a plat
32 application, pursuant to SCC 30.41A.010(3).

33 (55) See SCC 30.42E.100(9)(c).

34 (56) RESERVED for future use.

35 (57) RESERVED for future use.

36 (58) RESERVED for future use.

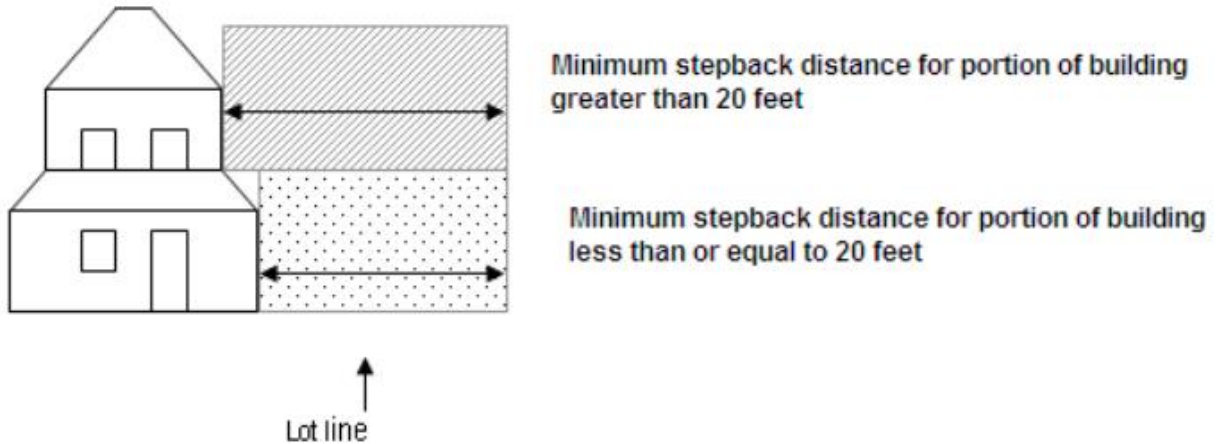
37 (59) Relationship of setback to building height:

38 The minimum setback requirements are dependent on the heights of the building as specified
39 in this column. To meet the setback requirements, buildings over 20 feet in height must either:

40 (a) Set the entire building back the minimum setback distance; or

41 (b) Stepback those portions of the building exceeding 20 feet in height to the minimum
42 setback distance, as illustrated in Figure 30.23.040(59).

43
44 **Figure 30.23.040(59)**
45 **Example of relationship of building height to setback**
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(60) RESERVED for future use.

(61) Single-family detached, single-family attached and duplex structures shall comply with the minimum setbacks required in the R-8,400 zone.

(62) Fencing between single-family detached, single-family attached and duplex structures shall be:

(a) Prohibited in the area that is within five feet of a third story ingress/egress window so ladder access to the third floor window is not impeded; or

(b) Limited to either vegetative, wood, block, concrete or metal that does not exceed 42 inches in height.

(63) Additional building height up to a maximum of 125 feet may be allowed under certain circumstances as provided for in SCC 30.34A.040(1).

(64) If located within an airport compatibility area, building height is subject to the requirements of SCC 30.32E.060.

(65) Townhouse and mixed townhouse development may achieve the following density:

(a) For the R-7,200 zone, the maximum density shall be calculated based on 7,200 square feet of land per dwelling unit, but the maximum density may be increased up to 20 percent.

(b) For the LDMR and MR zones, the maximum density established under SCC 30.23.040(4) and 30.23.040(5) may be increased up to 20 percent.

(c) Maximum density shall be determined by rounding up to the next whole unit when a fraction of a unit is equal to five-tenths or greater.

(66) The maximum lot coverage in townhouse and mixed townhouse developments is 40 percent in the LDMR zone and 50 percent in the MR zone.

Section 9. Snohomish County Code Section 30.23.041, added by Amended Ordinance No. 12-049 on October 3, 2012, is amended to read:

30.23.041 Setbacks from road network elements in Urban Zones.

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**Table 30.23.041
Setbacks from Road Network Elements in Urban Zones¹⁰**

((All minimum setbacks are measured in feet))

Category	Zone	Minimum Setback For Structure					Minimum Setback to the Entrance of a Covered Parking Structure					
		Public Road		Private ^{1,2}			Alley	Public Road		Private ^{1,2}		Alley
		60 Feet and Over and Under 60 Feet in a Recorded Subdivision, Short Subdivision, or Binding Site Plan ³	Under 60 Feet ^{4,5}	Private Road	Drive Aisle, Shared Court, and Shared Driveway	60 Feet and Over and Under 60 Feet in a Recorded Subdivision, Short Subdivision, or Binding Site Plan ³		Under 60 Feet ^{4,5}	Private Road	Drive Aisle, Shared Court, and Shared Driveway		
Urban	R-9,600	15	45	15	0	0	18	48	18	18	4	
	R-8,400	15	45	15	0	0	18	48	18	18	4	
	R-7,200	15 ¹³	45 ¹³	15 ¹³	0	0	18 ¹⁴	48 ¹⁴	18 ¹⁴	18 ¹⁴	4 ¹⁴	
	T (buildings ≤ ((20')) 20 feet high) ¹²	15 ¹³	45 ¹³	15 ¹³	0	0	18 ¹⁴	48 ¹⁴	18 ¹⁴	18 ¹⁴	4 ¹⁴	
	T (buildings > ((20')) 20 feet high) ¹²	20 ¹³	50 ¹³	20 ¹³	0	0	20 ¹⁴	50 ¹⁴	18 ¹⁴	18 ¹⁴	4 ¹⁴	
	LDMR (buildings ≤ ((20')) 20 feet high) ^{6, 7, 12}	15 ¹³	45 ¹³	15 ¹³	0	0	18 ¹⁴	48 ¹⁴	18 ¹⁴	18 ¹⁴	4 ¹⁴	
	LDMR (buildings > ((20')) 20 feet high) ^{6, 7, 12}	20 ¹³	50 ¹³	20 ¹³	0	0	20 ¹⁴	50 ¹⁴	18 ¹⁴	18 ¹⁴	4 ¹⁴	
	MR (buildings ≤ ((20')) 20 feet high) ^{6, 7, 12}	15 ¹³	45 ¹³	15 ¹³	0	0	18 ¹⁴	48 ¹⁴	18 ¹⁴	18 ¹⁴	4 ¹⁴	
	MR (buildings > ((20')) 20 feet high) ^{6, 7, 12}	20 ¹³	50 ¹³	20 ¹³	0	0	20 ¹⁴	50 ¹⁴	18 ¹⁴	18 ¹⁴	4 ¹⁴	
	MHP	20	50	20	15	0	18	48	18	18	4	

FS	25	55	25	0	0	25	55	18	18	4
NB	10 ¹³	40 ¹³	10 ¹³	0	0	18 ¹⁴	48 ¹⁴	18 ¹⁴	18 ¹⁴	4 ¹⁴
PCB	25 ¹³	85 ¹³	25 ¹³	0	0	55 ¹⁴	58 ¹⁴	18 ¹⁴	18 ¹⁴	4 ¹⁴
CB	25 ¹³	55 ¹³	25 ¹³	0	0	25 ¹⁴	55 ¹⁴	18 ¹⁴	18 ¹⁴	4 ¹⁴
GC	25 ¹³	55 ¹³	25 ¹³	0	0	25 ¹⁴	55 ¹⁴	18 ¹⁴	18 ¹⁴	4 ¹⁴
IP⁸	25	60	25	0	0	30	60	18	18	4
BP	25	60	25	0	0	30	60	18	18	4
LI	25	55	25	0	0	25	55	18	18	4
HI	25	55	25	0	0	25	55	18	18	4
UC	0	0	0	0	0	20	50	18	18	4

Note: All minimum setbacks are measured in feet.

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1 **Section 10.** Snohomish County Code Section 30.23.049, added by Amended Ordinance
2 No. 12-049 on October 3, 2012, is amended to read:

3
4 **30.23.049 Reference notes for SCC Tables 30.23.041 through 30.23.047.**

5
6 (1) The setback shall be measured from the edge of the tract or easement. Where no tract or
7 easement is established, the measurement shall be made from the edge of the road network
8 element.

9 (2) The setback may be reduced to the setback required for a structure if a vehicle entering
10 the covered parking structure can turn around inside the covered parking structure and exit
11 without having to back out.

12 (3) These setbacks shall be measured from the edge of the right-of-way.

13 (4) Applies to public rights-of-way (~~right-of-way~~) under 60 feet that are not included in
14 development subject to the recorded subdivision, short subdivision, or binding site plan. These
15 setbacks shall be measured from the centerline of the right-of-way.

16 (5) The county engineer may require the front lot line setback from a public right-of-way be
17 measured from a right-of-way reservation line established in accordance with
18 SCC 30.24.140(1), when:

19 (a) The right-of-way width is less than 60 feet in width and determined inadequate by the
20 county engineer based on:

21 (i) The comprehensive plan arterial circulation map; or

22 (ii) An adopted design report, roadway design or right-of-way plan; and

23 (b) The right-of-way is not located in a recorded subdivision, short subdivision or binding site
24 plan.

25 (6) Single-family detached, single-family attached, and duplex structures constructed in the
26 LDMR and MR zones shall use the minimum setbacks required in the R-8,400 zone.

27 (7) Structures over two stories, other than single-family detached structures, shall increase
28 the setbacks by three feet; provided, that the additional setback shall only be required as an
29 upper floor stepback for portions of residential structures above 20 feet in height in the same
30 manner as SCC 30.23.040(59).

31 (8) In the IP zone there shall be an additional one foot setback for every one foot of building
32 height over 45 feet.

33 (9) In the F zone, the setbacks for residential structures on lots 10 acres or less, where the lot
34 was legally created prior to being zoned to F, shall be the same as in the R-5 zone.

35 (10) See SCC 30.23.120 for front setback exceptions from road network elements.

36 (11) See SCC 30.41C.130 and 30.41C.140 for additional front setback requirements for lots
37 created through the rural cluster subdivision provisions of chapter 30.41C SCC.

38 (12) See SCC 30.23.040(59).

39 (13) In a townhouse or mixed townhouse development, setbacks for residential structures
40 may be reduced to a minimum of five feet from a public or private road.

41 (14) In a townhouse or mixed townhouse development, setbacks for entrances to covered
42 parking structures may be reduced under subsections (a) and (b), except that such entrances to
43 covered parking structures shall be restricted under subsection (c):

44 (a) A minimum of five feet from a public or private road.

45 (b) A minimum of zero feet from a drive aisle, shared court, shared driveway, or alley.

46 (c) The vehicular entrance to a covered parking structure shall not be located between nine
47 and 19 feet from an abutting road network element. An entrance to a covered parking structure
48 that is located at least 19 feet from the abutting road network element may have upper-story

1 floors project up to four feet horizontally into the area where an entrance to a covered parking
2 structure is prohibited, and except as otherwise allowed under SCC 30.23.115 for minor
3 architectural features.

4
5 **Section 11.** Snohomish County Code Section 30.23.050, last amended by Ordinance
6 No. 15-103 on January 11, 2016, is amended to read:

7
8 **30.23.050 Height requirements, exceptions, and measuring height.**

9
10 (1) The maximum height of buildings and structures shall be pursuant to the height standards
11 in SCC Tables 30.23.030 and 30.23.032, except as provided in subsection (2) of this section.

12 (2) The following shall be exempt from the maximum height standards, except structures and
13 uses located in an airport compatibility area are subject to the height review requirements of
14 SCC 30.32E.060:

15 (a) Tanks and bunkers, turrets, church spires, belfries, domes, monuments, chimneys, water
16 towers, fire and hose towers, observation towers, stadiums, smokestacks, flag poles, towers
17 and masts used to support commercial radio and television antennas, bulkheads, water tanks,
18 scenery lofts, cooling towers, grain elevators, gravel and cement tanks and bunkers, and drive-
19 in theater projection screens, provided they are set back at least 50 feet from any adjoining lot
20 line;

21 (b) Towers and masts used to support private antennas, provided they meet the minimum
22 setback of the zoning district in which they are located, and the horizontal array of the antennas
23 does not intersect the vertical plane of the property line;

24 (c) Towers, masts or poles supporting electric utility, telephone or other communication lines;

25 (d) Schools and educational institutions; provided, that:

26 (i) The use was approved as part of a conditional use permit;

27 (ii) A maximum building height of 45 feet is not exceeded; and

28 (iii) Any portion of any building exceeding the underlying zoning maximum height standard is
29 set back at least 50 feet from all of the site's perimeter lot lines; and

30 (e) Aircraft hangars located within any industrial zone; provided, that the hangar is set back at
31 least 100 feet from any non-industrial zone.

32 (3) Building height shall be measured as the vertical distance from the average final grade to
33 the highest point of a flat roof, or to the deck line of a mansard roof, or to the average height of
34 the highest gable of a pitch or hip roof.

35 (4) Calculation of the average final grade shall be made by drawing the smallest rectangle
36 possible that encompasses the entire building area as shown in SCC Figure 30.23.050(1) and
37 averaging the elevations at the midpoint of each side of the rectangle. When a structure that is
38 to be fully partitioned with internal dividing walls separating individual dwelling units from each
39 other from ground to sky, the applicant may request a modification of the measurement by
40 evaluating maximum height based upon individual sections to respond to topography of the site
41 as follows:

42 (a) Drawing the smallest rectangle possible that encompasses the entire building area;

43 (b) Dividing one side of the rectangle, as chosen by the applicant, into sections equal to the
44 internal dividing walls that fully separate individual dwelling units from each other using lines
45 that are perpendicular to the chosen side of the rectangle;

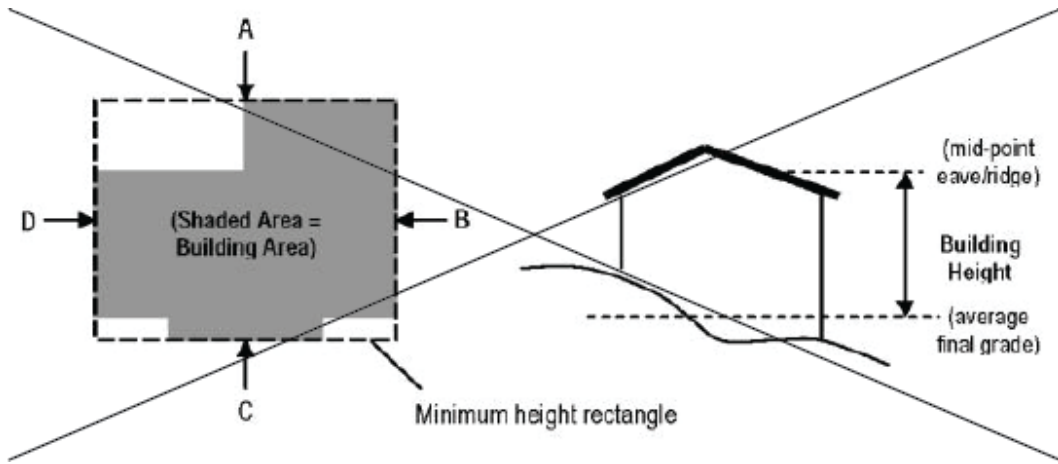
46 (c) The sections delineated in SCC 30.23.050(4)(b) must extend vertically from ground to sky;
47 and

1 (d) The maximum height for each section of the structure is measured from the average final
2 grade for that section of the structure, which is calculated as the average elevation at the
3 midpoints of each side of the rectangle for each section of the structure, as illustrated in SCC
4 Figure 30.23.050(2).

5 (5) Fill shall not be used to raise the average final grade more than five feet above the
6 existing grade of any dwelling located within 50 feet on adjoining properties, as illustrated in
7 SCC Figure 30.23.050(3); provided, that the provisions of SCC 30.23.050(5) shall not apply to
8 residential development subject to chapters 30.23A and 30.41G SCC. ((Figure 30.23.050(2)).))

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Figure 30.23.050(1)
Calculating Average Final Grade ((average final grade)) and Determining Height ((determining height:))



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$((\text{Final Elevation at Mid-point of } A + B + C + D) \div 4 = \text{Average Final Grade Elevation})$

Diagram A

Shaded area is the building footprint

Smallest rectangle around building

Diagram B

Diagram A: A through D represent the elevation midpoints for each side of the building.

Diagram B: X represents the average final grade. Y represents the highest measurable point pursuant to SCC 30.23.050(3)—in this case the midpoint of the highest pitched roof. Z represents total building height, which is measured from X to Y.

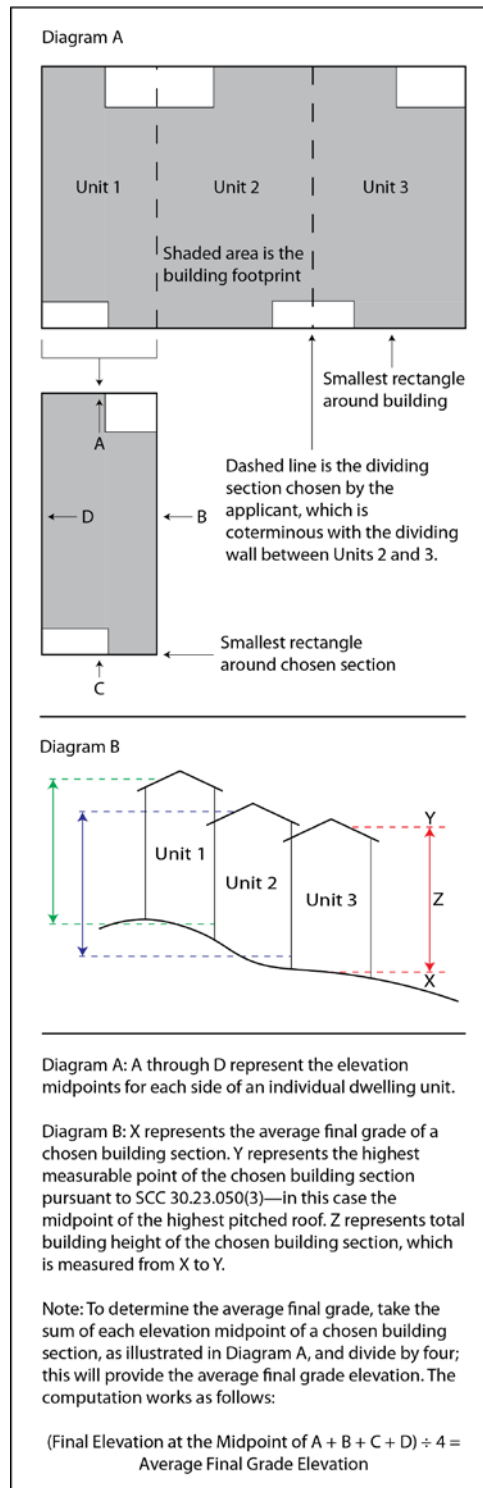
Note: To determine the average final grade, take the sum of each elevation midpoint, as illustrated in Diagram A, and divide by four; this will provide the average final grade elevation. The computation works as follows:

$(\text{Final Elevation at the Midpoint of } A + B + C + D) \div 4 = \text{Average Final Grade Elevation}$

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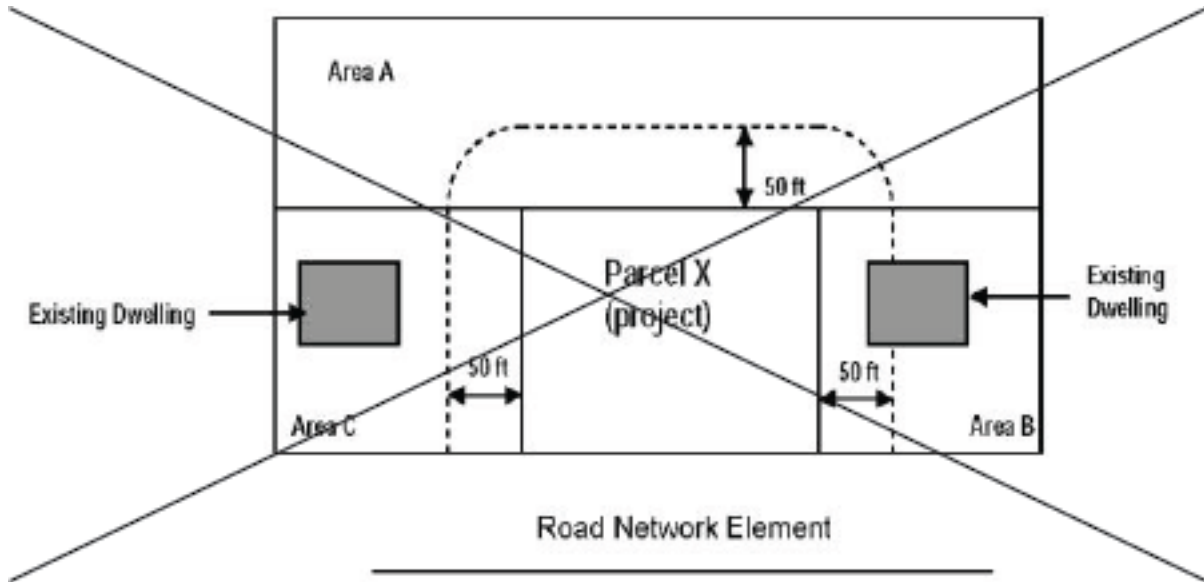
Figure 30.23.050(2)
Calculating Average Final Grade and Determining Height for Portions of a Fully Partitioned Attached Single-Family Structure



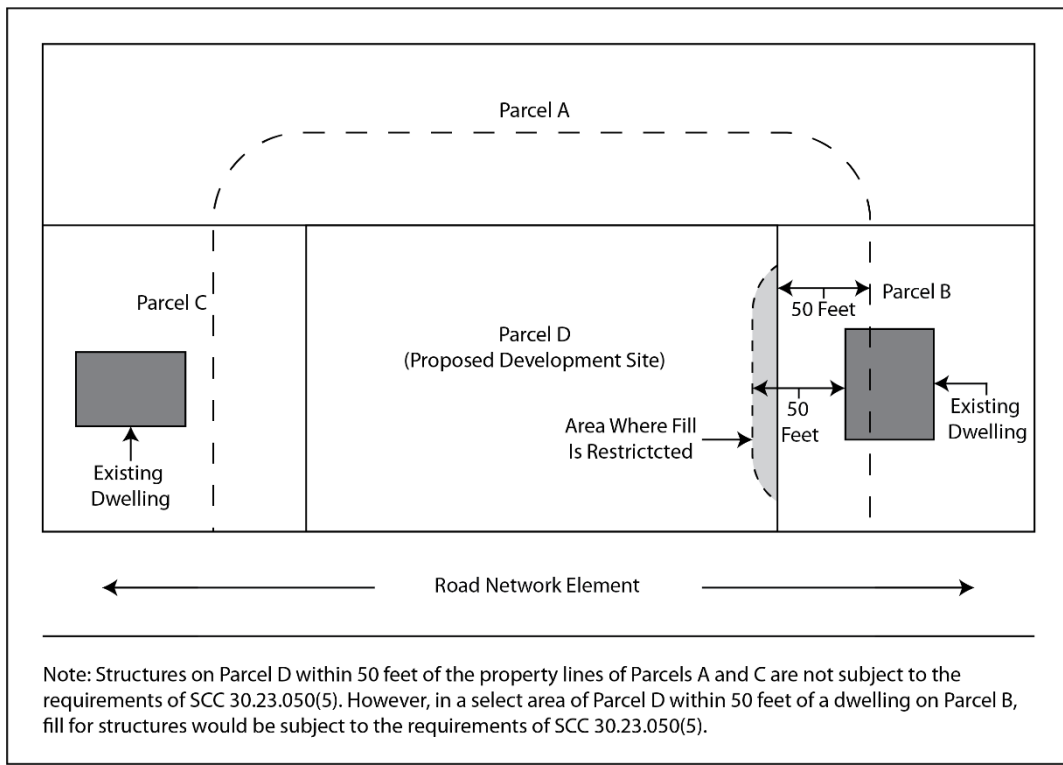
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Figure 30.23.050(3)
((Adjustments for measuring height where an adjoining dwelling(s) exists:)) Restrictions on Using Fill to Alter Average Final Grade



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Note: Structures on Parcel D within 50 feet of the property lines of Parcels A and C are not subject to the requirements of SCC 30.23.050(5). However, in a select area of Parcel D within 50 feet of a dwelling on Parcel B, fill for structures would be subject to the requirements of SCC 30.23.050(5).

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((No adjustments required for structures on Parcel "X" adjoining Areas A or C; Adjustment required for structures adjoining Area B.))

1 (6) The measurement of height under this section does not apply to buildings regulated by the
2 Snohomish County Shoreline Management Program, nor does it replace the definitions of height
3 in the construction codes, which are specific to the provisions in those chapters.

4 (7) Rooftop heating, ventilation and air conditioning (HVAC) and similar systems, when
5 located on commercial, industrial, or multifamily structures. The system shall not exceed the
6 maximum building height of the underlying zone by more than 30 percent or 15 feet, whichever
7 is less. Sight-obscuring screening shall be required unless otherwise approved by the director of
8 the department.

9
10 **Section 12.** Snohomish County Code Section 30.23A.030, last amended by Amended
11 Ordinance No. 12-018 on May 2, 2012, is amended to read:

12
13 **30.23A.030 Compatibility design standards.**

14
15 (1) The purpose of compatibility design standards is to require additional features to be
16 incorporated into higher density residential development when located adjacent to properties
17 zoned and developed or designated for lower density single-family use in order to enhance the
18 compatibility between uses.

19 (2) Where residential development is subject to the provisions of this chapter, the provisions
20 in SCC Table 30.23A.030(2) shall establish when the compatibility design standards in
21 SCC 30.23A.030 apply. When the adjacent property is within the UGA, it must also have one of
22 the following characteristics, in addition to a zoning classification indicated with a “yes” in SCC
23 Table 30.23A.030(2), before the compatibility measures are required:

24 (a) A lower intensity designation than the project site on the Future Land Use map of the GMA
25 Comprehensive Plan;

26 (b) Platted and developed residential lots averaging 10,000 square feet in area((,-)) or less; or

27 (c) Homes located within 50 feet of the property line that have an average age of 15 years or
28 less.

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**Table 30.23A.030(2) (~~-- Zoning test for compatibility design standards~~)
Zoning Test for Compatibility Design Standards**

<u>Proposed Use</u>		Zoning Classification of Adjacent Property							
		R-9,600, R-8,400	R-7,200	((T, LDNR, MR))	((FS, NB, CB, PCB))	((GC))	((LI, HI))	((BP, IP))	((ALL OTHER ZONES)) <u>Non- Urban Zones</u>
((Proposed Use))	((Dwelling,)) <u>Single-family detached at less than ((7 dwelling)) seven dwellings per gross acre</u>								
	((Dwelling,)) <u>Single-family detached at ((7)) seven dwellings or more per gross acre¹</u>	Yes							Yes
	((Dwelling, mobile)) <u>Mobile home</u>								
	((Dwelling, duplex)) <u>Duplex</u>								
	((Dwelling,)) <u>Single-family attached at less than ((7)) seven dwellings per gross acre</u>								
	((Dwelling,)) <u>Single-family attached at ((less than 7)) seven dwellings or more per gross acre</u>	Yes							Yes

<u>((Dwelling, townhouse)) Townhouse</u>	Yes	Yes ²							Yes
<u>((Dwelling, multifamily)) Multifamily</u>	Yes	Yes ²							Yes

Note: Where “yes” is marked in the table, and at least one characteristic in SCC 30.23A.030(2) is present, SCC 30.23A.030(3) shall apply.

Footnote 1: This use shall also include any subdivision or short subdivision using the lot size averaging provisions of SCC 30.23.210, and shall apply only to that portion of the site where lots 6,000 square feet or less in size are proposed.

Footnote 2: The compatibility requirements for townhouse, mixed townhouse, and multifamily development shall not apply along property lines adjacent to property zoned R-7,200 and developed with townhouse or mixed townhouse development.

- 1 (3) When compatibility design standards are applicable, residential development shall
 2 incorporate at least two of the following design standards:
- 3 (a) Increase the minimum building setback to 20 feet from those lot lines abutting urban
 4 zones, and 40 feet for those lot lines abutting ~~((rural))~~ non-urban zones marked “yes” in SCC
 5 Table 30.23A.030(2);
- 6 (b) Limit maximum building height to 30 feet within 50 feet of those abutting property lines to
 7 zones marked “yes” in SCC Table 30.23A.030(2);
- 8 (c) Increase the perimeter landscaping vegetation by at least 50 percent over the amount
 9 required in SCC 30.25.017, or if no perimeter landscaping is required, provide a minimum 10-
 10 foot wide perimeter Type A landscaped buffer pursuant to the standards in SCC 30.25.017;
- 11 (d) Limit townhouse and multifamily buildings located within 50 feet of abutting property lines
 12 to zones marked “yes” in SCC Table 30.23A.030(2) to a maximum of three dwelling units per
 13 building with a minimum separation of 25 feet between buildings;
- 14 (e) Separate ~~((detached))~~ single-family detached and duplex dwelling structures by at least 20
 15 feet between buildings located within 50 feet of abutting property lines to zones marked “yes” in
 16 SCC Table 30.23A.030(2);
- 17 (f) Incorporate two architectural features, such as those described in SCC 30.23A.040(2) or
 18 the Snohomish County Residential Design Manual, to break up blank walls greater than 500
 19 square feet that face properties in zones ~~((zoned where))~~ marked “yes” in SCC
 20 Table 30.23A.030(2); or
- 21 (g) Provide a decorative wall or solid and landscaped fence between buildings and adjacent
 22 properties located in zones marked “yes” in SCC Table 30.23A.030(2) that:
- 23 (i) Uses brick or stone;
- 24 (ii) Is a minimum height of five feet;
- 25 (iii) Incorporates architectural detailing, such as posts, ornamental iron grillwork, or other
 26 elements prescribed in the Snohomish County Residential Design Manual; and
- 27 (iv) Incorporates landscaping, openings, and other design elements that break up the
 28 continuity of a solid wall or fence at least every 10 feet unless otherwise approved by the
 29 director.

30
 31 **Section 13.** Snohomish County Code Section 30.23A.050, last amended by Amended
 32 Ordinance No. 12-049 on October 3, 2012, is amended to read:

33
 34 **30.23A.050 ~~((Attached single-family))~~ Single-family attached dwelling, mixed townhouse,**
 35 **and townhouse development design standards.**

36
 37 ~~((Attached single-family))~~ Single-family attached and townhouse dwellings as well as
 38 dwellings in mixed townhouse developments ~~((and townhouses))~~ shall comply with the following
 39 requirements:

40 (1) ~~((Site Layout))~~ General site layout and ~~((Pedestrian Circulation-))~~ pedestrian circulation
 41 requirements:

42 (a) ~~((Attached single-family))~~ Single-family attached dwelling, mixed townhouse, and
 43 townhouse developments shall have an integrated pedestrian circulation system that connects
 44 buildings, common space, and parking areas pursuant to SCC 30.24.080.

45 (b) Surface parking spaces shall be located to the side or rear of buildings, except as modified
 46 in SCC Table 30.23A.050(1).

47 (c) Driveways shall be designed in accordance with the EDDS.

48 (2) Building orientation. Buildings shall be oriented pursuant to SCC 30.23A.070.

1 (3) ~~Architectural ((Design Elements))~~ design elements. Each single-family attached dwelling
2 structure, townhouse structure, and residential dwelling structure in a mixed townhouse
3 development shall incorporate variation to any facade of a building that faces a road network
4 element or other public space, whether publicly or privately owned (such as a shared common
5 space or internal pedestrian facility providing access to other dwelling units), by using at least
6 three of the following elements:

7 ~~((a) Townhouse structures shall have no more than six dwelling units per each building,~~
8 ~~except the maximum number of dwellings in a building may be increased to eight in the LDMR,~~
9 ~~MR, NB, PCB, CB, and GC zones.~~

10 ~~(b) Each attached single-family dwelling and townhouse structure shall incorporate variation~~
11 ~~to any facade of a building that faces a public or private road or drive aisle by incorporating at~~
12 ~~least three of the following elements:))~~

13 ~~((i))~~ (a) Changes in the roofline at intervals not greater than 40 ((continuous)) feet in
14 continuous length, such as variations in roof pitch, overhangs, projections, and extended eaves;

15 ~~((ii))~~ (b) Distinctive window patterns that are not repeated within groupings of up to four
16 dwelling units;

17 ~~((iii))~~ (c) Variations in the setback of the front facade of the building by at least five feet
18 between adjoining dwelling units;

19 ~~((iv))~~ (d) Stepbacks on the facade of at least two feet in depth and four feet in width at
20 intervals of not more than 30 feet;

21 ~~((v))~~ (e) Diminishing upper floors (gross floor area of upper story is smaller than the gross
22 floor area of the lower story);

23 ~~((vi))~~ (f) Balconies, bays, or changes in the wall plane of the front facade of the building;

24 ~~((vii))~~ (g) Garage door entrance(s) for automobiles located at the side or rear of the building;

25 or

26 ~~((viii))~~ (h) Other architectural elements that the director determines accomplish the objective
27 of visually dividing the structure into smaller identifiable sections.

28 (4) The architectural design elements in ~~((SCC 30.23A.050(3)(b)))~~ SCC 30.23A.050(3) shall
29 be implemented pursuant to the Snohomish County Residential Design Manual.

30 (5) ~~((Specific Development Requirements))~~ Reduced setbacks and required easements.
31 Single-family attached dwelling, mixed townhouse, and townhouse developments may qualify
32 for reduced setbacks and require special easements in accordance with the following:

33 (a) The director may reduce the underlying zoning side and rear lot line setbacks to zero for
34 townhouse structures, dwellings in a mixed townhouse development, and ~~((attached))~~ single-
35 family attached dwellings to allow for ~~((zero-lot-line))~~ zero lot line development; provided, that
36 the remaining underlying zoning setbacks meet the requirements of the zone.

37 ~~((Attached single-family))~~ Single-family attached dwellings, ~~((and))~~ townhouse structures,
38 and residential dwelling structures in mixed townhouse developments built as ~~((a))~~ zero lot line
39 development shall provide a five-foot wide building maintenance easement for walls, eaves,
40 chimneys, and other architectural features that rest directly on the lot line. The maintenance
41 easement shall be included in the covenants, conditions and restrictions of the adjoining lots,
42 and may be recorded with the covenants, conditions, and restrictions or in a separate document
43 approved by the director.

44 ~~((c))~~ Buildings in townhouse developments shall be separated by at least 10 feet as measured
45 between the nearest outer walls of the buildings. This separation shall not apply between a
46 primary residential dwelling and detached structures accessory to the primary residential
47 dwelling.

1 ~~(d) The standard for providing a minimum suitable construction area as set forth in~~
2 ~~SCC 30.41A.235 shall not apply to townhouse construction.)~~

3 (6) Restrictive covenants. The director may require an applicant to grant and record
4 covenants, access easements, and joint use and maintenance agreements for a townhouse or
5 mixed townhouse development. When required, covenants, access easements, and joint use
6 and maintenance agreements shall be recorded with the county auditor prior to final inspection
7 of the first unit and identify the rights and responsibilities of the property owner(s) and/or
8 homeowners' association. These rights and responsibilities may describe the use and
9 maintenance of: common garage, parking areas, and vehicle access areas; pedestrian facilities;
10 on-site recreation areas; landscaping; underground utilities; common open space; exterior
11 building facades and roofs; and other similar features.

12 ~~((In addition to the landscaping requirements in chapter 30.25 SCC, townhouses shall provide~~
13 ~~landscaping in all front and side setbacks and common outdoor areas associated with the~~
14 ~~townhouse structure. This additional landscaping shall be incorporated into the landscaping plan~~
15 ~~required by SCC 30.25.015 and include the following:~~

16 ~~(a) Existing non-noxious vegetation and trees shall be incorporated into the landscape design~~
17 ~~to the greatest extent possible;~~

18 ~~(b) Shrubs shall be provided at a density of at least five plants per 100 square feet of~~
19 ~~landscaping area;~~

20 ~~(c) Not more than 50 percent of the shrubs may be deciduous; and~~

21 ~~(d) Groundcover that shall provide 90 percent coverage of the landscaped area within three~~
22 ~~years of planting.)~~

23 (7) Specific design standards for townhouse and mixed townhouse developments.
24 Townhouse and mixed townhouse developments shall be subject to additional design standards
25 contained in SCC Table 30.23A.050(1), SCC Table 30.23A.050(2), and SCC Table
26 30.23A.050(3).

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Table 30.23A.050(1)
Additional Design Standards for Townhouse and Mixed Townhouse Developments:
General Design Requirements

<u>Standard</u>	<u>Requirement</u>
<u>Maximum number of dwelling units per townhouse structure</u>	<u>In the R-7,200 zone, the maximum number of dwelling units in a townhouse structure is six. In the T, LDMR, MR, NB, PCB, CB, and GC zones, the maximum number of dwelling units in a townhouse structure is eight.</u>
<u>Mixture of dwelling types in mixed townhouse developments</u>	<p><u>(a) At least 70 percent of the dwelling units in a mixed townhouse development shall be townhouse dwelling units, except as may be authorized under subsection (b).</u></p> <p><u>(b) An applicant may request an exception from subsection (a) when the development site only has sufficient development capacity for five dwelling units, in which case the director may allow a mixed townhouse development consisting of a three-unit townhouse and one of the following: two single-family detached dwelling units, two single-family attached dwelling units, or one duplex structure.</u></p> <p><u>(c) If an applicant elects to use the exception under subsection (b), the applicant shall demonstrate in writing why the requirements of subsection (a) cannot otherwise be satisfied.</u></p>
<u>Building separation</u>	<u>Building separation shall be determined under the requirements of subtitle 30.5 SCC.</u>
<u>Building transparency</u>	<p><u>(a) Dwelling units shall provide a minimum facade transparency of 20 percent for each primary facade and 10 percent for each secondary facade facing a road network element or other public space, whether publicly or privately owned (such as a shared common space or internal pedestrian facility providing access to other dwelling units), subject to the following:</u></p> <p style="padding-left: 40px;"><u>(i) Windows and doors may be employed to meet the minimum facade transparency requirements;</u></p> <p style="padding-left: 40px;"><u>(ii) Windows used to meet this standard must provide for transparent views from within the building to the road network element or other spaces, whether publicly or privately owned</u></p>

	<p><u>(such as shared common open space or internal pedestrian facility providing access to other dwelling units), and vice versa, except that semi-frosted or semi-glazed windows that allow for internal light to pass through may be used for ground-floor doors only;</u></p> <p><u>(iii) Each window shall be accented with trim, sill, or other architectural exterior molding or use a technique to recess or project the widow from the facade plane to create visual interest; and</u></p> <p><u>(iv) Blank walls greater than 20 feet in length shall not be allowed; provided, that trellis work and other architectural features designed to break up height, bulk, and scale of a facade may be used as a measure to satisfy the maximum blank wall length standard with approval of the director.</u></p> <p><u>(b) For the purposes of this section, a primary facade is considered to be the building face with a primary pedestrian entrance and a secondary facade is considered to be any other qualifying building face.</u></p>
<p><u>Landscaping</u></p>	<p><u>(a) In addition to the landscaping requirements in chapter 30.25 SCC, landscaping shall be provided in all front and side setbacks and common outdoor areas associated with a dwelling unit. This additional landscaping shall be incorporated into the landscaping plan required by SCC 30.25.015 and include the following:</u></p> <p><u>(i) Existing non-noxious vegetation and trees shall be incorporated into the landscape design to the greatest extent possible;</u></p> <p><u>(ii) Shrubs shall be provided at a density of at least five plants per 100 square feet of landscaping area;</u></p> <p><u>(iii) Not more than 50 percent of the shrubs may be deciduous; and</u></p> <p><u>(iv) Groundcover that shall provide 90 percent coverage of the landscaped area within three years of planting.</u></p> <p><u>(b) Private patio, uncovered deck, or covered porch space for individual units may partially or fully satisfy the additional landscaping</u></p>

	<p><u>requirements under subsection (a), as determined by the director.</u></p>
<p><u>Parking</u></p>	<p><u>(a) Parking shall meet the following parking standards in addition to those under chapter 30.26 SCC:</u></p> <p><u>(i) All parking stalls associated with an individual dwelling unit shall be provided in accordance with any of the following:</u></p> <p><u>(A) The parking stall(s) shall be located upon the dwelling unit's driveway;</u></p> <p><u>(B) The parking stall(s) shall be fully enclosed within an attached garage constructed as part of the dwelling unit.</u></p> <p><u>(C) The parking stall(s) shall be fully enclosed within an attached garage located within the footprint of another dwelling unit that is no more than 50 feet away. The garage space shall be physically partitioned and not accessible to the interior of the dwelling unit. The garage and stall(s) within shall be reserved for the sole use of the individual dwelling unit indicated in subsection (a)(i). Refer to SCC Figure 30.23A.050(1) for application of this requirement.</u></p> <p><u>(D) The parking stall(s) shall be fully enclosed within a consolidated parking structure which contains no more than eight parking stalls unless located below ground in which case there is no maximum.</u></p> <p><u>(E) The parking stall(s) shall be provided and reserved within a private road or drive aisle as parking.</u></p> <p><u>(F) The parking stall(s) may be provided through any mixture of subsections (a)(i)(A) through (a)(i)(E).</u></p> <p><u>(ii) Guest parking shall be located in surface parking areas within a private road or drive aisle.</u></p> <p><u>(iii) When parking is proposed within a private road or drive aisle under subsections (a)(i)(E) or (a)(ii), the parking shall be incorporated into an approved road network element design and shall not be subject to the requirements of SCC 30.23A.050(1)(b).</u></p> <p><u>(b) Where parking requirements in subsection (a) are more specific or restrictive than those</u></p>

	<u>contained in chapter 30.26 SCC, the requirements of subsection (a) shall apply.</u>
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Table 30.23A.050(2)
Additional Design Standards for Townhouse and Mixed Townhouse Developments:
Primary Pedestrian Entrance Design Requirements

<u>Standard</u>	<u>Requirement</u>
<u>Primary pedestrian entrances</u>	<p><u>Each primary pedestrian entrance for a dwelling unit in a townhouse and mixed townhouse development shall be visually prominent. Individual primary pedestrian entrances shall employ the use of covered porches, stoops, uncovered decks, staircases, or other architecturally detailed and functional entryways that provide overhead weather protection, as approved by the director, and may apply use of the following exceptions in the design which modify the standards of SCC 30.23.115:</u></p> <p><u>(a) Uncovered decks up to 18 inches above the existing or finished grade, or the grade of the adjacent road, whichever is lower, may project into required setbacks to the adjacent road element;</u></p> <p><u>(b) Covered porches, stoops, or staircases may project into required setbacks to the adjacent road network element if they are no higher than four feet above the existing or finished grade, or the grade of the adjacent road, whichever is lower, except that the projection into the required setback within four feet of the adjacent road network element may not exceed a height of 30 inches above the existing or finished grade, or the grade of the adjacent road, whichever is lower, for entry staircases or stoops;</u></p> <p><u>(c) For covered porches, stoops, or staircases allowed under subsection (b), the maximum height requirements described in the subsection shall not apply to guardrails and handrails that are attached to such structures; and</u></p> <p><u>(d) Covered porches allowed under subsection (b) may be covered; provided, that no portion of the cover-structure, including pillars, supports, and eaves, are closer than four feet to an adjacent road network element.</u></p>

<p><u>Primary pedestrian entrance areas (dooryards)</u></p>	<p><u>(a) Each primary pedestrian entrance for a dwelling unit shall consist of a primary pedestrian entrance area (dooryard) that incorporates at least two of the following features:</u></p> <p><u>(i) Usable private open space for the enjoyment of the dwelling unit's residents;</u></p> <p><u>(ii) Landscaping that covers more than 50 percent of the designated primary pedestrian entrance area (dooryard);</u></p> <p><u>(iii) A hedgerow, not to exceed three feet in height, that provides visual separation to create a sense of separate ownership from any adjacent dwelling units, common open space, and road network element;</u></p> <p><u>(iv) Fences, not to exceed four feet in height, that are designed to allow semi-transparency; provided, that architectural features such as arbors and trellises may be constructed on top of fences and obtain an additional two feet in height;</u></p> <p><u>(v) Decorative bulkheads and retaining walls with a height of no more than four feet above grade; provided, that:</u></p> <p><u>(A) If a fence is located on top such features, the maximum height shall be no more than five feet above grade and shall be calculated as an aggregate of both structural elements; and</u></p> <p><u>(B) Associated pillars may frame fences used under subsection (a)(v)(A) and shall not exceed a height of five-and-one-half feet above grade; or</u></p> <p><u>(vi) Other design features approved by the director.</u></p> <p><u>(b) Each primary pedestrian entrance shall have a primary pedestrian entrance area (dooryard) that:</u></p> <p><u>(i) Has a minimum area of 50 square feet (which may include the primary pedestrian entrance itself); and</u></p> <p><u>(ii) Has no dimension that is less than six feet in length.</u></p>
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	<u>(c) Primary pedestrian entrance areas (dooryards) shall be calculated as illustrated in SCC Figure 30.23A.050(2).</u>
<u>Variety of primary pedestrian entrances and primary pedestrian entrance areas (dooryards)</u>	<u>At least one-third of the primary entrances and primary entrance areas in a townhouse or mixed townhouse development shall be visually distinct (such as front door location, materials, and pattern) in design from the other primary pedestrian entrances and primary pedestrian entrance areas (dooryards) in the development, and no more than 50 percent of the dwelling units in a townhouse structure may use the same design features.</u>

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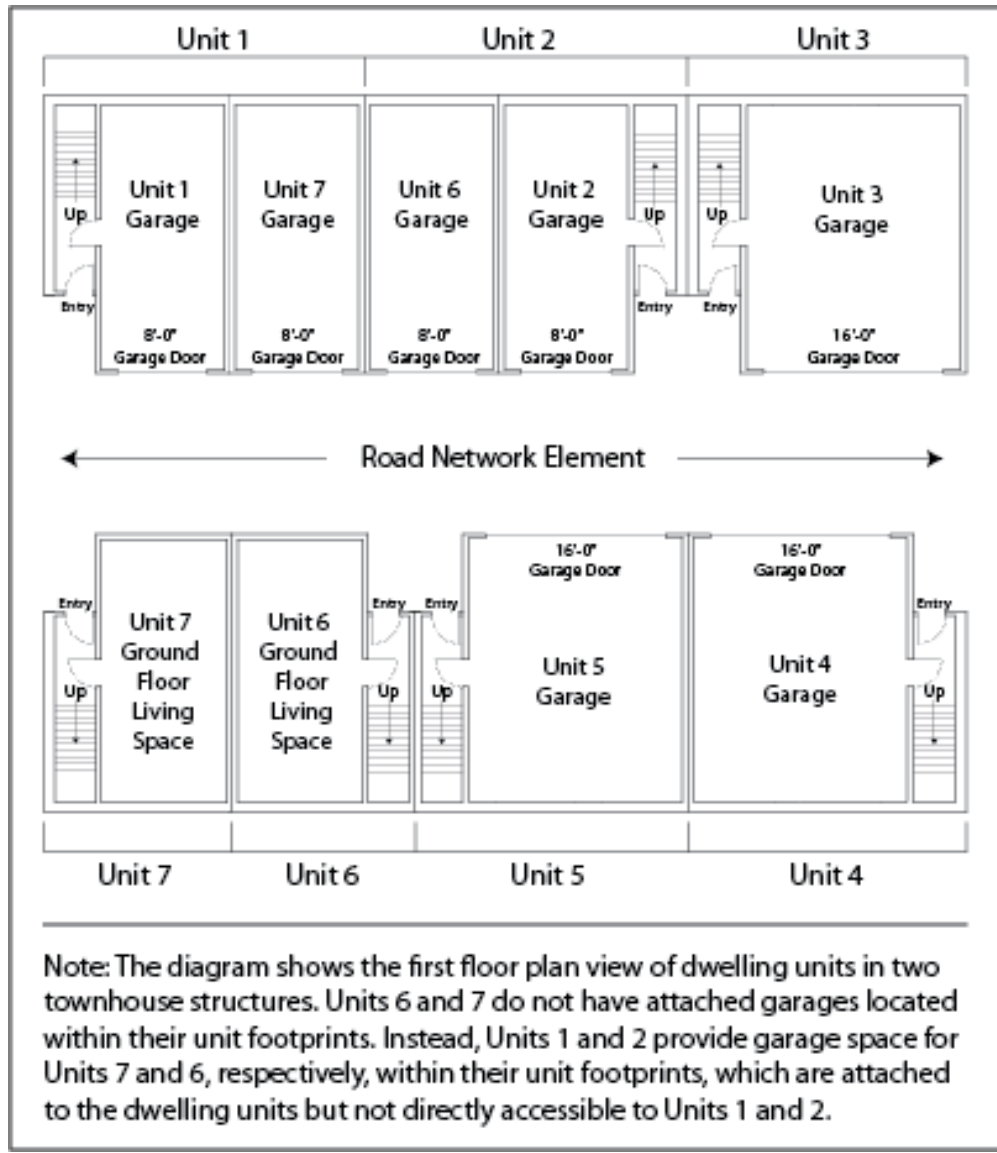
Table 30.23A.050(3)
Additional Design Standards for Townhouse and Mixed Townhouse Developments:
Landscaping Requirements for Dwelling Units with an Attached Garage

<u>Standard</u>	<u>Requirement</u>
<u>Requirements for dwelling units with front-loaded attached garages</u>	<p>(a) <u>A dwelling unit with an attached garage that faces a road network element and has its primary pedestrian entrance oriented toward the same road network element under SCC Figure 30.23A.050(3) shall meet the landscaping standards of subsections (b) and (c).</u></p> <p>(b) <u>A landscape buffer with no dimension less than 18 inches in length shall be provided adjacent to the driveway on the opposite side of the driveway from the primary pedestrian entrance area (dooryard) and the space shall extend the full length from the residence to the adjacent road network element.</u></p> <p>(c) <u>At least 75 percent of ground coverage within the landscape buffer shall include an equal mix of evergreen and deciduous shrubs that meets the standards of SCC 30.25.015(5).</u></p>
<u>Requirements for dwelling units with rear-loaded attached garages</u>	<p>(a) <u>A dwelling unit with an attached garage that is provided with vehicular access at the rear of the structure by a road network element but has a primary pedestrian entrance oriented upon another building face under SCC Figure 30.23A.050(3) shall meet the landscaping standards of subsections (b) and (c) if the road network element from which the attached garage is intended to obtain access will have one or more primary pedestrian entrances from other dwelling units oriented toward it and a pedestrian facility is to be constructed within the road network element.</u></p> <p>(b) <u>When an attached garage is separated from a connecting road network element by more than five feet, a landscape buffer with no dimension less than 18 inches in length shall be provided adjacent to the driveway on both sides. The landscape buffer shall extend the full length from the dwelling unit to the adjacent road network element; provided, that only one landscape buffer shall be required achieving the aforementioned standards on the opposite</u></p>

	<p><u>side of the driveway of a secondary pedestrian entrance.</u></p> <p><u>(c) At least 75 percent of ground coverage within each landscape buffer shall include an equal mix of evergreen and deciduous shrubs that meets the standards of SCC 30.25.015(5).</u></p>
<p><u>Requirements for dwelling units with side-loaded attached garages</u></p>	<p><u>(a) A dwelling unit with an attached garage that is provided vehicular access at the side of the dwelling unit by a road network element but has a primary pedestrian entrance oriented upon another building face under SCC Figure 30.23A.050(3) shall meet the landscaping standards of subsections (b) and (c).</u></p> <p><u>(b) When an attached garage is separated from the connecting road network element by more than five feet, a landscape buffer with no dimension less than 18 inches in length shall be provided adjacent to the driveway on both sides. The landscape buffer shall extend the full length from the dwelling unit to the adjacent road network element; provided, that only one landscape buffer shall be required achieving the aforementioned standards on the opposite side of the driveway of a secondary pedestrian entrance.</u></p> <p><u>(c) At least 75 percent of ground coverage within each landscape buffer shall include an equal mix of evergreen and deciduous shrubs that meets the standards of SCC 30.25.015(5).</u></p>

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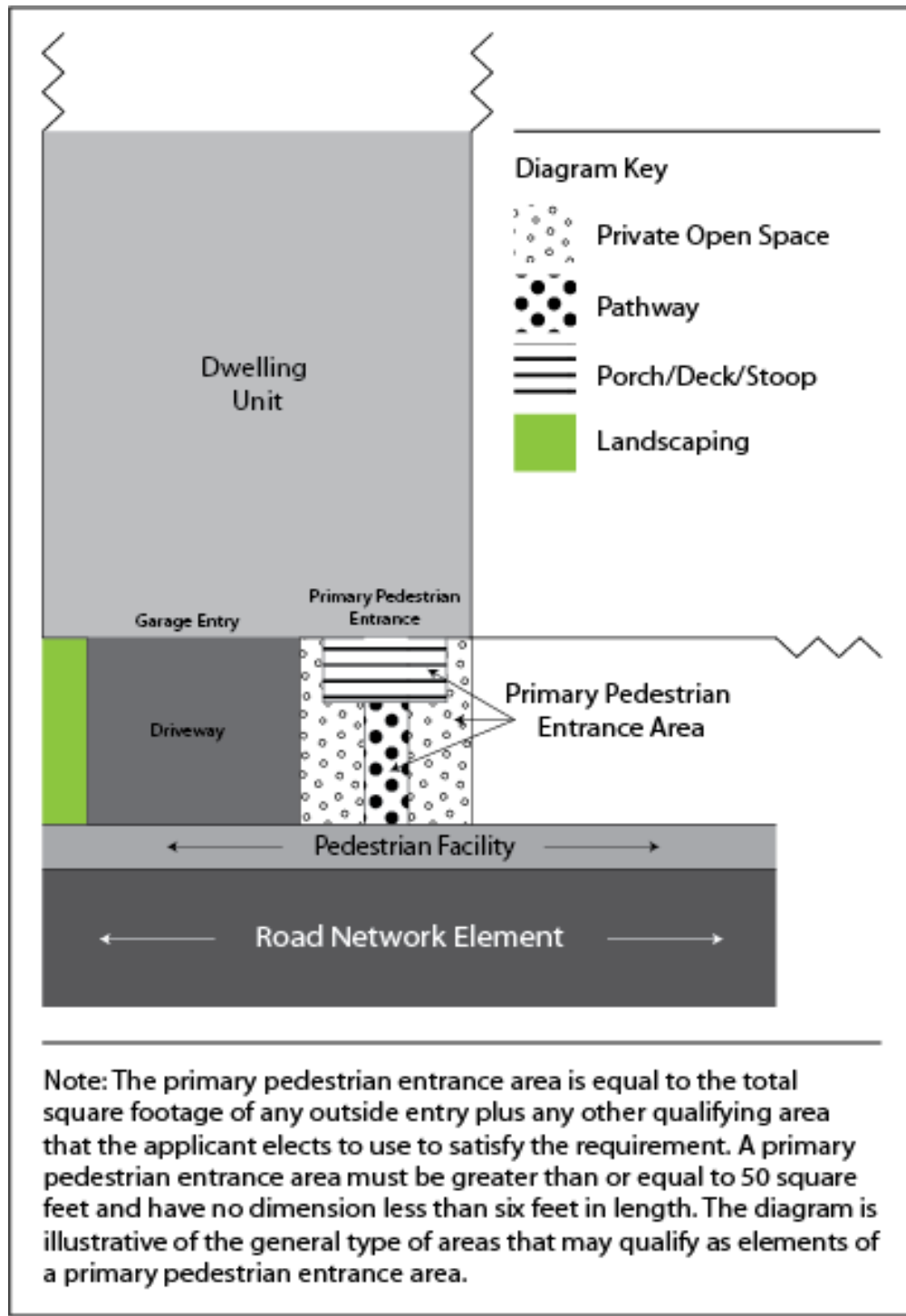
Figure 30.23A.050(1)
Alternative Parking Garage Options for Townhouse and Mixed Townhouse Developments



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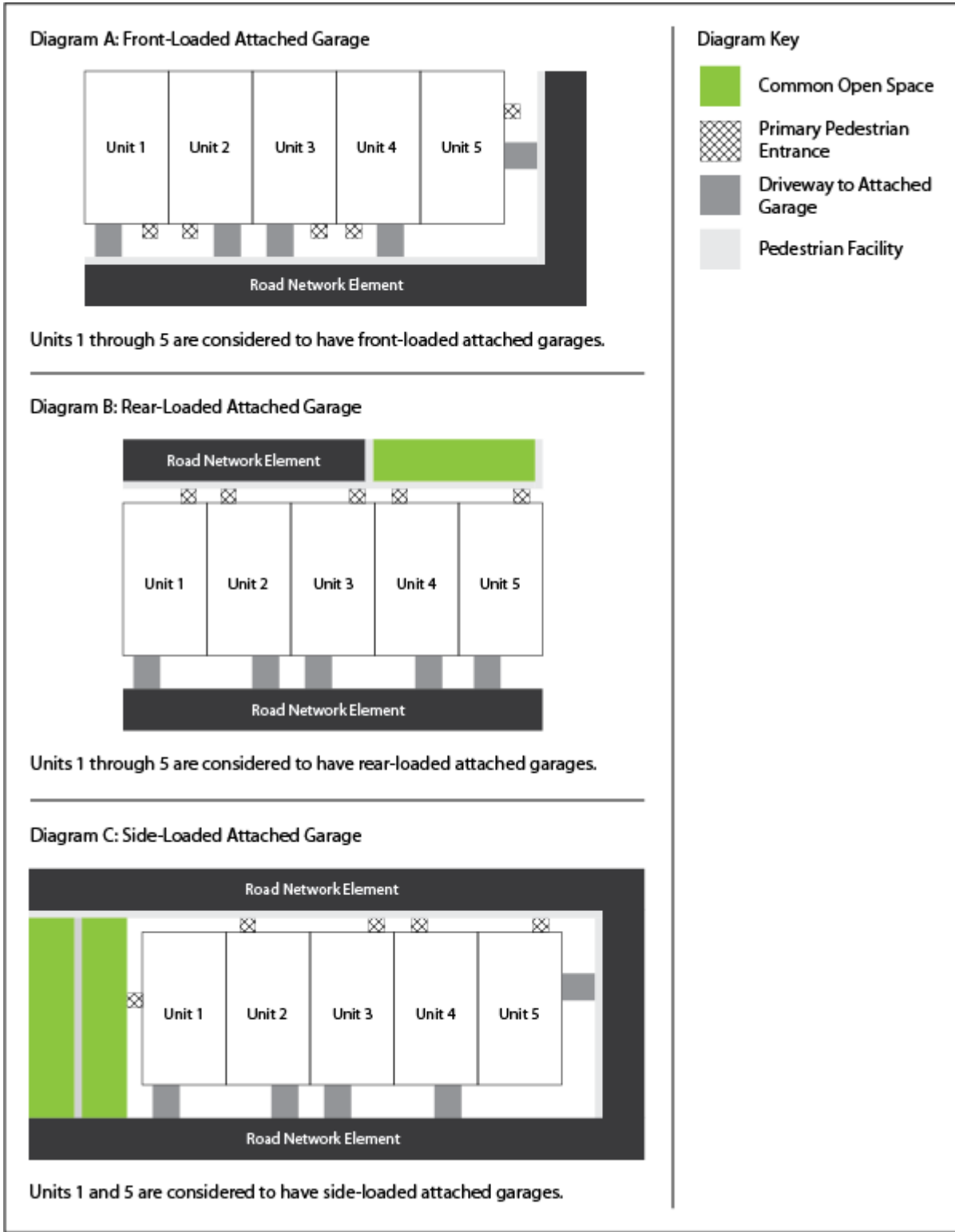
Figure 30.23A.050(2)
Calculating Required Primary Pedestrian Entrance Areas (Dooryards) for Townhouse and Mixed Townhouse Developments



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Figure 30.23A.050(3)
Defining Front-Loaded, Rear-Loaded, and Side-Loaded Attached Garages



4

1 **Section 14.** Snohomish County Code Section 30.23A.070, added by Amended
2 Ordinance No. 08-101 on January 21, 2009, is amended to read:

3
4 **30.23A.070 Building location and orientation.**

5
6 (1) This section is applicable where mandated in this chapter, or where chosen as an element
7 for meeting design requirements. The intent of this section is to create active and safe
8 pedestrian environments.

9 (2) The primary pedestrian entrance of each dwelling unit shall face toward a road network
10 element (~~(public or private road right-of-way or drive aisle)~~), except ~~that~~ building entries and
11 entries to individual dwelling units may face onto a common open space (such as a courtyard)
12 or pedestrian facility (that is not located in a road network element) if allowed by the director and
13 if the following are met: (~~(, provided the courtyard opens up towards the right-of-way or drive~~
14 ~~aisle. The director may waive this requirement where buildings are required to be oriented~~
15 ~~towards an open space, or when a pedestrian walkway provides the primary access to the~~
16 ~~dwelling(s).)~~)

17 (a) The common open space shall open toward a road network element.

18 (b) The pedestrian facility shall provide primary access to the buildings or dwelling units and
19 comply with subsections (i) and (ii):

20 (i) Serve as a direct and continuous connection to the internal and external pedestrian
21 network; and

22 (ii) The buildings or dwelling units shall be no closer than seven-and-one-half feet to the
23 pedestrian facility, except primary pedestrian entrance features such porches, decks, stairs, and
24 stoops.

25 (3) Buildings (~~(located on lots)~~) adjacent to two or more road network elements (~~(public or~~
26 ~~private road rights-of-way)~~) shall either:

27 (a) Have the primary pedestrian entrances face the road network element that the director
28 determines has the primary pedestrian route; or

29 (b) Have at least one primary pedestrian entrance face towards each road network element
30 (~~(road right-of-way)~~) when there are more than three (~~(dwelling(s))~~) dwelling units, except upon
31 road network elements that are determined by the director as only providing rear vehicular
32 access to dwelling units.

33 (4) In multifamily, (~~and~~) townhouse, and mixed townhouse (~~(complexes)~~) developments with
34 more than five buildings, buildings may be oriented to a cohesive system of common space,
35 open space, and pedestrian (~~(pathway)~~) facilities. A prominent pedestrian entry to the site and
36 walkway connecting directly to a public sidewalk shall be provided.

37
38 **Section 15.** Snohomish County Code Section 30.24.055, last amended by Amended
39 Ordinance No. 16-073 on December 21, 2016, is amended to read:

40
41 **30.24.055 Access and road network requirements to individual lots within a proposed**
42 **subdivision, short subdivision or binding site plan development or to proposed SFDU**
43 **units.**

44
45 Access to lots within a proposed subdivision, short subdivision or binding site plan development
46 or to proposed SFDU units shall meet the requirements of this section.

47 (1) Access to individual lots, tracts or easements within a proposed subdivision or short
48 subdivision in the urban area shall be by a public road, except a private road network element:

1 (a) May be allowed for unit lot subdivisions and unit lot short subdivisions ((pursuant to SCC
2 30.41A.205(8))), except when the county engineer, in accordance with chapter 30.66B SCC,
3 determines that a public road is required to provide for the public health, safety and welfare or
4 connectivity of the public road system;

5 (b) May be allowed if serving nine lots or fewer with traffic generation of 90 average daily trips
6 or less, except when the county engineer, in accordance with chapter 30.66B SCC, determines
7 that a public road is required to provide for the public health, safety and welfare or connectivity
8 of the public road system; and

9 (c) May be requested as a variance pursuant to chapter 30.43B SCC if unique circumstances
10 of the site, such as topography, the surrounding road network, soils, hydrology or maintenance
11 requirements make the extension of the public road within the development impractical or
12 infeasible.

13 (2) Access to individual lots, tracts or easements, within a proposed subdivision, short
14 subdivision, or binding site plan development in the rural area may be provided by a private
15 road network element as provided for in this chapter, except when the county engineer, in
16 accordance with chapter 30.66B SCC, determines that a public road is required to provide for
17 the public health, safety and welfare or connectivity of the public road system.

18 (3) Access to individual dwelling units within a SFDU shall be provided by a drive aisle, unless
19 the county engineer, in accordance with chapter 30.66B SCC, determines a public road is
20 required to provide for the public health, safety and welfare or connectivity of the public road
21 system.

22 (4) Where access by a private road network element is permitted, and the private road
23 network element has the potential for serving more than nine lots or 90 average daily trips, the
24 county engineer may require the private road to be designed to enable future conversion to a
25 public road and the final subdivision, short plat or binding site plan shall contain a provision that
26 the conversion to a public road may not be protested.

27
28 **Section 16.** Snohomish County Code Section 30.25.020, last amended by Amended
29 Ordinance No. 16-073 on December 21, 2016, is amended to read:

30
31 **30.25.020 Perimeter landscaping requirements.**

32
33 (1) To reduce incompatible characteristics of abutting properties with different zoning
34 classifications, the minimum designated landscape width and type shall be required as a buffer
35 between uses pursuant to SCC Table 30.25.020(1) or as required in SCC 30.25.030(3), unless
36 exempted pursuant to SCC 30.25.020(4). For properties within urban zones that are separated
37 from properties in rural zones only by public or private roads or road right-of-way, the minimum
38 landscape requirements of SCC Table 30.25.020(1) shall also be required unless exempted
39 pursuant to SCC 30.25.020(4). When a development proposal has multiple uses or dwelling
40 types, the most intensive use or dwelling type within 100 feet of the property line shall determine
41 which perimeter landscaping requirements shall apply.

42 (2) Properties zoned RFS, CRC₁, and RB shall provide a 50-foot Type A perimeter landscape
43 buffer when adjacent to R-5, RD, RRT-10, A-10, F, ((~~F and R~~)) F&R, and ((~~Mineral~~
44 ~~Conservation~~)) MC. Properties zoned RI shall provide a 100-foot Type A perimeter landscape
45 buffer when adjacent to R-5, RD, RRT-10, A-10, F, ((~~F and R~~)) F&R, and ((~~Mineral~~
46 ~~Conservation~~)) MC.

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**Table 30.25.020(1)
Perimeter Landscaping ((Requirement)) Requirements**

Proposed Use		Zoning Classification of Adjacent Property																			
		((R-9600-R-8400)) R-9,600, R-8,400		((R-7200)) R-7,200		T, LDMR, MR		FS, NB, CB, PCB		GC, UC		LI, HI		BP, IP		RB, RFS, RI		CRC		((ALL OTHER ZONES)) All Other Zones	
		Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type
((Proposed Use))	Conditional Uses ⁽⁴⁾³	20	A	20	A	20	A												20	A	
	((Retail/Office and other Commercial Uses)) Retail, Office, and Other Commercial Uses	15	A	15	A	15	B												25	A	
	Business Park	25	A	25	A	15	B	10	B										25	A	
	Light Industrial ¹	25	A	25	A	15	B												25	A	
	Heavy Industrial ²	25	A	25	A	25	A												25	A	
	((Single Family/Duplex/Single Family Attached ⁵)) Single-Family Detached ⁴ , Single-Family Attached ⁴ , and Duplex ⁴																		15	A	
	Cottage Housing ⁽⁶⁾⁴																		15	A	
	Townhouse ^{4, 5}	10	B	5	B														15	A	
	((Multi-Family/Townhouse ⁵)) Multifamily ⁴	15	B	10	B														25	A	
	Parking Lot	10	A	10	A	10	A												25	A	
((Cell Towers ³)) Personal Wireless Telecommunicati	20	A	20	A	20	A	20	A	20	A	20	A	20	A	20	A	20	A	20	A	

ons Service Facilities																			
Stormwater Detention Facility	See SCC 30.25.023																		
Outside Storage and Waste Areas	See SCC 30.25.024																		
Large Detached Garages and Storage Structures	See SCC 30.25.029																		
Minerals Excavation and Processing	See SCC 30.25.027																		
Accessory Apartments and Temporary Dwellings	See SCC 30.25.028																		
<p>Footnote 1: As defined by the Light Industrial zone in SCC 30.22.100.</p> <p>Footnote 2: As defined by the Heavy Industrial zone in SCC 30.22.100.</p> <p>Footnote 3: Conditional uses located in a residential zone according to SCC 30.22.100, SCC 30.22.110, and SCC 30.22.120.</p> <p>Footnote 4: Where residential development locates adjacent to existing commercial or industrial development and where no existing perimeter landscaping or buffer is located on adjacent commercial or industrial properties, the residential development shall provide a 10-foot wide Type A perimeter landscape area adjacent to the commercial or industrial properties.</p> <p>Footnote 5: In the R-7,200 zone, townhouse and mixed townhouse development shall not be required to provide a perimeter landscaping buffer along property lines adjacent to existing townhouse or mixed townhouse development.</p>																			

1 ~~((Footnote 1: As defined by the Light Industrial zone in SCC 30.22.100.~~
2 ~~Footnote 2: As defined by the Heavy Industrial zone in SCC 30.22.100.~~
3 ~~Footnote 3: Cell towers means personal wireless telecommunications services facilities.~~
4 ~~Footnote 4: Conditional uses located in a residential zone according to SCC 30.22.100,~~
5 ~~SCC 30.22.110 and SCC 30.22.120.~~

6 ~~Footnote 5: Where residential development locates adjacent to existing commercial or~~
7 ~~industrial development and where no existing perimeter landscaping or buffer is located on~~
8 ~~adjacent commercial or industrial properties, the residential development shall provide a 10 foot~~
9 ~~wide Type A perimeter landscape area adjacent to the commercial or industrial properties.))~~

10 (3) If a property abuts more than one zoning classification, the standards of that portion which
11 abuts each zone of the property shall be utilized.

12 (4) Exceptions to SCC Table 30.25.020(1) shall be as follows:

13 (a) Where a development abuts a public road that is not on the boundary between a rural
14 zone and an urban zone, the perimeter landscaping along the road frontage shall be 10 feet in
15 width and contain Type B landscaping, except no perimeter landscaping is required in areas for
16 required driveways, storm drainage facility maintenance roads, pedestrian trail connections, or
17 where encumbered by utility crossings or other easements subject to permanent access and
18 maintenance;

19 (b) When any portion of a project site is developed as usable open space or used as a
20 permanently protected resource protection area, critical area protection area, or equivalent, the
21 perimeter landscaping shall consist of Type B landscaping; and

22 (c) Where a perimeter lot abuts a utility or drainage easement greater than 15 feet in width
23 that is not on the boundary between a rural zone and an urban zone, no perimeter landscaping
24 will be required.

25 (5) All perimeter landscape areas shall be located within private easements to be maintained
26 pursuant to SCC 30.25.045.

27
28 **Section 17.** Snohomish County Code Section 30.26.025, last amended by Amended
29 Ordinance No. 12-115 on January 30, 2013, is amended to read:

30
31 **30.26.025 Tandem parking.**

32
33 Tandem or stacked parking spaces may be allowed for residential and commercial uses as
34 follows:

35 (1) Each tandem space shall be at least eight and one-half feet wide and twice the depth
36 required for a standard space;

37 (2) A maximum of 30 percent of the required parking may be provided through tandem
38 spaces, except that for townhouse and mixed townhouse development a maximum of 100
39 percent of the required parking for those residing in the development may be provided through
40 tandem spaces when located within individual unit garages;

41 (3) For residential uses, tandem parking may only be used when it can be documented that
42 parking spaces will be assigned to specific units and tandem spaces will not be shared between
43 units; and

44 (4) Commercial uses with no retail or customer service components may use tandem parking
45 only when it can be documented that the proposed parking will be managed to accommodate
46 employee access to vehicles and vehicle ingress and egress at all times.

1
2
3 **Section 18.** Snohomish County Code Section 30.41A.205, last amended by Amended
4 Ordinance No. 16-073 on December 21, 2016, is amended to read:

5
6 **30.41A.205 Design standards – unit lot subdivision.**

7
8 (1) Applicability, ~~((and purpose.))~~ The provisions of this section apply exclusively to the unit lot
9 subdivision of land for townhouse, mixed townhouse, or cottage housing developments in zones
10 where such uses are ~~((permitted))~~ allowed.

11 (2) Townhouse, mixed townhouse, and cottage housing developments may be subdivided
12 into individual unit lots. The development as a whole shall meet the development standards
13 applicable to the underlying site development plan. As a result of the subdivision, development
14 on individual unit lots may be nonconforming as to some or all of the development standards of
15 this title based on analysis of the individual unit lot, except that any private open space for each
16 dwelling unit shall be provided on the same lot as the dwelling unit.

17 (3) Unit lot area and width per unit for purposes of subdivision may be as small as the
18 coverage of the individual unit.

19 (4) Portions of the parent site not subdivided for individual unit lots shall be owned in common
20 by the owners of the individual unit lots, or by a homeowners association comprised of the
21 owners of the individual unit lots located within the parent site pursuant to SCC 30.41A.675.

22 (5) Access easements, joint use and maintenance agreements, and covenants, conditions
23 and restrictions identifying the rights and responsibilities of property owners and/or the
24 homeowners association shall be executed for use and maintenance of common garage,
25 parking, and vehicle access areas; on-site recreation areas; landscaping; underground utilities;
26 common open space; exterior building facades and roofs; and other similar features, which
27 ~~((and))~~ shall be recorded with the county auditor's office.

28 ~~((Each))~~ A unit lot subdivision shall make adequate provisions for ingress, egress, and
29 utilities access to and from each unit lot created by reserving such common areas or other
30 easements over, under, and across the parent site as deemed necessary to comply with all
31 other design and development standards generally applicable to the underlying site
32 development plan, and such easements shall be recorded with the county auditor's office.

33 ~~((6))~~ (7) Notes shall be placed on the plat recorded with the county auditor's office to
34 acknowledge the following:

35 (a) Approval of the design and layout of the development was granted by the review of the
36 development, as a whole, on the parent site by the site development plan approval (stating the
37 subject project file number);

38 (b) Subsequent platting actions, additions or modifications to the structure(s) may not create
39 or increase any nonconformity of the parent site as a whole, and shall conform to the approved
40 site development plan;

41 (c) If a structure or portion of a structure has been damaged or destroyed, any repair,
42 reconstruction, or replacement of the structure(s) shall conform to the approved site
43 development plan; and

44 (d) The individual unit lots are not separate buildable lots and additional development of the
45 individual unit lots may be limited as a result of the application of development standards to the
46 parent site.

1 ~~((7))~~ (8) Site development and building construction may commence upon approval of a site
2 development plan but prior to final subdivision approval and recording when all applicable
3 permits and approvals have been obtained by the applicant. No unit lot may be sold,
4 transferred, or conveyed prior to final subdivision approval and recording. The model home
5 provisions of SCC 30.41A.500 through 30.41A.550 shall not apply to unit lot subdivisions
6 subject to this section.

7
8 **Section 19.** Snohomish County Code Section 30.41A.235, added by Amended
9 Ordinance No. 02-064 on December 9, 2002, is amended to read:

10
11 **30.41A.235 Design standards – construction area.**

12
13 Each new lot shall have an accessible area suitable for construction of at least ~~((4000))~~ 1,000
14 square feet and located outside any required building setback, unbuildable easement, required
15 buffer, or critical area, except that for lots in a planned residential development, unit lot
16 subdivision under SCC 30.41A.205, or unit lot short subdivision under SCC 30.41B.205, there is
17 no minimum construction area.

18
19 **Section 20.** Snohomish County Code Section 30.41B.205, last amended by Amended
20 Ordinance No. 16-073 on December 21, 2016, is amended to read:

21
22 **30.41B.205 Design standards – unit lot short subdivision.**

23
24 (1) Applicability. ~~((and purpose.))~~ The provisions of this section apply exclusively to the unit lot
25 subdivision of land for townhouse, mixed townhouse or cottage housing developments in zones
26 where such uses are ~~((permitted))~~ allowed.

27 (2) Townhouse, mixed townhouse, and cottage housing developments may be subdivided
28 into individual unit lots. The development as a whole shall meet the development standards
29 applicable to the underlying site development plan. As a result of the subdivision, development
30 on individual unit lots may be nonconforming as to some or all of the development standards of
31 this title based on analysis of the individual unit lot, except that any private open space for each
32 dwelling unit shall be provided on the same lot as the dwelling unit.

33 (3) Unit lot area and width per unit for purposes of subdivision may be as small as the
34 coverage of the individual unit.

35 (4) Portions of the parent site not subdivided for individual unit lots shall be owned in common
36 by the owners of the individual unit lots, or by a homeowners association comprised of the
37 owners of the individual unit lots located within the parent site pursuant to SCC 30.41B.650.

38 (5) Access easements, joint use and maintenance agreements, and covenants, conditions
39 and restrictions identifying the rights and responsibilities of property owners and/or the
40 homeowners association shall be executed for use and maintenance of common garage,
41 parking, and vehicle access areas; on-site recreation areas; landscaping; underground utilities;
42 common open space; exterior building facades and roofs; and other similar features, which
43 ~~((and))~~ shall be recorded with the county auditor's office.

44 (6) ~~((Each))~~ A unit lot short subdivision shall make adequate provisions for ingress, egress,
45 and utilities access to and from each unit lot created by reserving such common areas or other
46 easements over, under, and across the parent site as deemed necessary to comply with all

1 other design and development standards generally applicable to the underlying site
2 development plan, and such easements shall be recorded with the county auditor's office.

3 ~~((6))~~ (7) Notes shall be placed on the plat recorded with the county auditor's office to
4 acknowledge the following:

5 (a) Approval of the design and layout of the development was granted by the review of the
6 development, as a whole, on the parent site by the site development plan approval (stating the
7 subject project file number);

8 (b) Subsequent platting actions, additions or modifications to the structure(s) may not create
9 or increase any nonconformity of the parent site as a whole, and shall conform to the approved
10 site development plan;

11 (c) If a structure or portion of a structure has been damaged or destroyed, any repair,
12 reconstruction, or replacement of the structure(s) shall conform to the approved site
13 development plan; and

14 (d) The individual unit lots are not separate buildable lots and additional development of the
15 individual unit lots may be limited as a result of the application of development standards to the
16 parent site.

17 ~~((7))~~ (8) Site development and building construction may commence upon approval of a site
18 development plan but prior to final subdivision approval and recording when all applicable
19 permits and approvals have been obtained by the applicant. No unit lot may be sold,
20 transferred, or conveyed prior to final subdivision approval and recording.

21
22 **Section 21.** Snohomish County Code Section 30.70.210, added by Amended Ordinance
23 No. 13-050 on August 28, 2013, is amended to read:

24
25 **30.70.210 Minor revisions to approved development applications.**

26
27 The purpose and intent of this section is to provide an administrative process for minor
28 revisions to approved development applications. For the purposes of this section, approved
29 development applications shall include preliminary approval for subdivisions and short
30 subdivisions and final approval prior to construction for all other development applications.

31 (1) The minor revision process is applicable to any approved Type 1 and Type 2 development
32 application where an applicant requests a minor revision of the approved plans, except site
33 plans submitted under SCC 30.28.086 and 30.28.105.

34 (2) Revisions to mixed-use and urban center development applications shall be considered
35 nonresidential development applications for the purposes of this section.

36 (3) A minor revision to an approved residential development application is limited to the
37 following when compared to the original development application, provided that there shall be
38 no change in the proposed type of development or use:

39 (a) Short subdivisions shall be limited to no more than one additional lot.

40 (b) Subdivisions, single-family detached unit developments, cottage housing, mixed
41 townhouse, townhouse, ~~((townhomes))~~ and ~~((multiple-family))~~ multiple family developments
42 shall be limited to the lesser of:

43 (i) A 10 percent increase in the number of lots or units; or

44 (ii) An additional 10 lots or units.

45 (c) A reduction in the number of lots or units.

1 (d) A change in access points may be allowed when combined with subsection (3)(a) or (b) of
2 this section or as a standalone minor revision provided that it does not change the trip
3 distribution. No change in access points that changes the trip distribution can be approved as a
4 minor revision.

5 (e) A change to the project boundaries required to address surveying errors or other issues
6 with the boundaries of the approved development application, provided that the number of lots
7 or units cannot be increased above the number that could be approved as a minor revision to
8 the original approved development application on the original project site before any boundary
9 changes.

10 (f) A change to the internal lot lines that does not increase lot or unit count beyond the amount
11 allowed for a minor revision.

12 (g) A change in the aggregate area of designated open space that does not decrease the
13 amount of designated open space by more than:

14 (i) Ten percent for developments located within an urban growth area; or

15 (ii) Twenty percent for developments located outside of an urban growth area.

16 Under no circumstances shall the amount of designated open space be decreased to an
17 amount that is less than that required by code.

18 (h) A change not addressed by the criteria in subsections (3)(a) through (g) of this section
19 which does not substantially alter the character of the approved development application or site
20 plan and prior approval.

21 (4) A minor revision to an approved nonresidential development application is limited to the
22 following when compared to the original development application, provided that there is no
23 change in the proposed type of development or use or no more than a 10 percent increase in
24 trip generation:

25 (a) A utility structure shall be limited to no more than a 400-square-foot increase in the gross
26 floor area.

27 (b) All other structures shall be limited to no more than a 10 percent increase in the gross
28 floor area.

29 (c) A change in access points when combined with subsection (4)(a) or (b) of this section or
30 as a standalone minor revision.

31 (d) A change which does not substantially alter the character of the approved development
32 application or site plan and prior approval.

33 (5) A minor revision may be approved subject to the following:

34 (a) An application for a minor revision shall be submitted on forms approved by the
35 department. An application for a minor revision shall not be accepted if a variance is required to
36 accomplish the change to the approved development.

37 (b) An application for a minor revision shall be accompanied by any fees specified in
38 chapter 30.86 SCC.

39 (c) An application for a minor revision shall require notification of the relevant county
40 departments and agencies.

41 (d) An application for a minor revision shall be subject to the development regulations in effect
42 as of the date the original development application was determined to be complete.

43 (e) The director shall grant approval of the request for a minor revision if it is determined that
44 the minor revision does not substantially alter:

45 (i) The previous approval of the development application;

46 (ii) The final conditions of approval; or

- 1 (iii) The public health, safety and welfare.
2 (f) A minor revision shall be properly documented as a part of the records for the approved
3 development application.
4 (g) A minor revision does not extend the life or term of the development application approval
5 and concurrency determination, which shall run from the original date of:
6 (i) Preliminary approval for subdivisions or short subdivisions; or
7 (ii) Approval for all other development applications.
8 (6) The final determination of what constitutes a minor revision shall be made by the director.
9

10 **Section 22.** Snohomish County Code Section 30.70.220, added by Amended Ordinance
11 No. 13-050 on August 28, 2013, is amended to read:
12

13 **30.70.220 Major revisions to approved residential development applications.**
14

15 The purpose and intent of this section is to provide a process for major revisions to approved
16 residential development applications. Residential development applications shall include short
17 subdivisions, subdivisions, single family detached unit developments, cottage housing, mixed
18 townhouse, townhouse, ((townhomes)) and multiple family developments. For the purposes of
19 this section, approved residential development applications shall include preliminary approval
20 for subdivisions and short subdivisions and final approval prior to construction for all other
21 residential development applications.

22 (1) The major revision process is applicable to any approved Type 1 and Type 2 residential
23 development application where an applicant requests a major revision of the approved plans.

24 (2) A major revision to an approved residential development application is limited to the
25 following when compared to the original development application, provided there is no change
26 in the proposed type of development or use:

27 (a) Subdivisions, single family detached unit developments, cottage housing, mixed
28 townhouse, townhouse, ((townhomes)) and multiple family developments shall be limited to the
29 lesser of:

30 (i) A 20 percent increase in the number of lots or units; or

31 (ii) An additional 20 lots or units.

32 (b) A change in access points, when combined with subsection (2)(a) of this section.

33 (c) A change to the project boundaries required to address surveying errors or other issues
34 with the boundaries of the approved development application, provided that the number of lots
35 or units cannot be increased above the number that could be approved as a minor revision to
36 the original approved development application on the original project site before any boundary
37 changes.

38 (d) A change to the internal lot lines when combined with another criteria in subsection (2) of
39 this section that does not increase lot or unit count beyond the amount allowed for a major
40 revision.

41 (e) A change in the aggregate area of designated open space beyond that allowed as a minor
42 revision, provided that the decrease will not result in an amount that is less than that required by
43 code.

44 (f) A change not addressed by the criteria in subsections (2)(a) through (e) of this section
45 which does not substantially alter the character of the approved development application or site
46 plan and prior approval.

ORDINANCE NO. 17-062

RELATING TO GROWTH MANAGEMENT; REVISING AND ADDING REGULATIONS CONCERNING URBAN
RESIDENTIAL DEVELOPMENT; AMENDING CHAPTERS 30.22, 30.23, 30.23A, 30.24, 30.25, 30.26, 30.41A,
30.41B, 30.70, 30.91C, 30.91D, 30.91M, AND 30.91S OF THE SNOHOMISH COUNTY CODE

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- 1 (3) A major revision shall require processing through the same process as a new
 2 development application subject to the following:
- 3 (a) An application for a major revision shall be submitted on forms approved by the
 4 department. An application for a major revision shall not be accepted if a variance is required to
 5 accomplish the change to the approved development.
- 6 (b) An application for a major revision shall be accompanied by any fees specified in
 7 chapter 30.86 SCC.
- 8 (c) An application for a major revision shall require public notice pursuant to
 9 SCC 30.70.045 and 30.70.050.
- 10 (d) An application for a major revision shall be subject to the development regulations in effect
 11 as of the date the original development application was determined to be complete.
- 12 (e) The director (for Type 1 decisions) or the hearing examiner (for Type 2 decisions) shall
 13 grant approval of the major revision if it is determined that the major revision does not
 14 substantially alter:
- 15 (i) The previous approval of the development application;
- 16 (ii) The final conditions of approval; or
- 17 (iii) The public health, safety and welfare.
- 18 (f) A major revision shall be properly documented as a part of the records for the approved
 19 development application.
- 20 (g) A major revision does not extend the life or term of the development application approval
 21 and concurrency determination, which shall run from the original date of:
- 22 (i) Preliminary approval for subdivisions or short subdivisions; or
- 23 (ii) Approval for all other residential development applications.
- 24 (4) The final determination of what constitutes a major revision shall be made by the director.

25
 26 **Section 23.** Snohomish County Code Section 30.91C.335, added by Amended
 27 Ordinance No. 12-049 on October 3, 2012, is amended to read:

28
 29 **30.91C.335 Covered Parking Structure.**

30
 31 “Covered parking structure” means ((a)) an attached or detached structure designed to
 32 accommodate vehicular parking spaces that are fully or partially enclosed. A covered parking
 33 structure ((and)) may have additional vehicular parking spaces located on the open top deck
 34 surface of the same structure. This definition includes, but is not limited to, carports, garages,
 35 parking garages, deck parking, and underground or under-building parking areas.

36
 37 **Section 24.** Snohomish County Code Section 30.91D.525, added by Amended
 38 Ordinance No. 08-101 on January 21, 2009, is amended to read:

39
 40 **30.91D.525 Dwelling, townhouse.**

41
 42 “Dwelling, Townhouse” (“Townhouse dwelling” or “townhouse”) means a single-family
 43 dwelling unit constructed in a group of three or more attached units in which each unit extends
 44 from the foundation to roof and has open space on at least two sides.

45 ((The term includes a townhouse constructed as a zero lot line development and a townhouse
 46 on a single lot.))

1
2 **Section 25.** A new section is added to chapter 30.91M of the Snohomish County Code
3 to read:
4

5 **30.91M.137 Mixed townhouse development.**
6

7 “Mixed townhouse development” or “mixed townhouse” means a residential development that
8 primarily contains townhouse dwelling units but accommodates a mix of other single-family
9 housing types (i.e., single-family detached, single-family attached, and/or duplex dwelling units)
10 and where at least 70 percent of the dwelling units are townhouse units, except when otherwise
11 authorized under SCC 30.23A.050.
12

13 **Section 26.** A new section is added to chapter 30.91S of the Snohomish County Code
14 to read:
15

16 **30.91S.455 Snohomish County Residential Design Manual.**
17

18 “Snohomish County Residential Design Manual” means the residential design manual
19 adopted by the director by rule under chapter 30.82 SCC. The residential design manual shall
20 provide detail and specificity regarding code requirements contained in title 30 SCC and the
21 EDDS for all urban residential development.
22

23 **Section 27.** Effective date and implementation. This ordinance shall take effect 60 days
24 following adoption by the County Council. The Snohomish County Department of Planning and
25 Development Services is authorized to take such actions as may be necessary to implement
26 this ordinance on its effective dates.
27

28 **Section 28.** Severability and savings. If any section, sentence, clause, or phrase of this
29 ordinance shall be held to be invalid or unconstitutional by the Growth Management Hearings
30 Board, or a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect
31 the validity or constitutionality of any other section, sentence, clause, or phrase of this
32 ordinance. Provided, however, that if any section, sentence, clause, or phrase of this ordinance
33 is held to be invalid by the Board or court of competent jurisdiction, then the section, sentence,
34 clause, or phrase in effect prior to the effective date of this ordinance shall be in full force and
35 effect for that individual section, sentence, clause, or phrase as if this ordinance had never been
36 adopted.
37

38
39 PASSED this 18th day of October, 2017.
40
41

42 SNOHOMISH COUNTY COUNCIL
43 Snohomish County, Washington
44

45 /s/ Brian Sullivan
46 Council Chair

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ATTEST:

/s/ Debbie Eco, CMC
Clerk of the Council

- APPROVED
- EMERGENCY
- VETOED

DATE: 10/31/17

/s/ Dave Somers
County Executive

ATTEST:

/s/ Cora E. Palmer

Approved as to form only:

/s/ Justin Kasting 08/03/17
Deputy Prosecuting Attorney