

# Code Interpretation Files

# 10-106077

March 20, 2014



Snohomish County  
PLANNING & DEVELOPMENT SERVICES  
M/S #604

October 5, 2010

Mr. John C. McCullough  
McCullough Hill, PS  
701 Fifth Avenue, Suite 7220  
Seattle, WA 98104

Subject: Code Interpretation Decision  
PFN: 10 106077 CI  
Tax Parcel: Non-specific request

Dear Mr. McCullough:

Thank you for your request for a code interpretation pursuant to chapter 30.83 Snohomish County Code (SCC). Pursuant to SCC 30.83.010(1)(d), Planning & Development Services determined that the definition of floor area ratio (FAR) including its calculation is the building area divided by the gross area of the site. The term site is defined in SCC 30.91S.450. Site includes the entire lot or parcel of land or contiguous combination thereof under the same ownership or control, where a development activity is performed or permitted or on which development is regulated by this title. The use of the phrase "site area" does not include any reduction in the gross area of the site. Site area may be determined based upon the County Assessor's records or a record of survey.

#### Background

Amended Ordinance No. 09-079 was adopted May 12, 2010, and became effective May 29, 2010. Ordinance section 25 adopted SCC 30.91F.455, the definition of FAR, that is necessary to implement urban centers regulations in SCC Chapter 30.34A. A code interpretation was requested to clarify the meaning of the term "FAR" in SCC 30.91F.455 to eliminate any ambiguity in the meaning of the following phrases in the FAR definition: "site size square footage" and "site area."

#### Findings

1. This code interpretation is issued pursuant to chapter SCC 30.83.010(1).

##### **30.83.010 Code interpretations.**

(1) This chapter is intended to provide a process for administrative interpretation of the provisions of this title. Code interpretations:

- (a) Clarify ambiguous provisions of the code applied to a specific project.
- (b) Determine nonconforming rights;
- (c) Determine whether a use is allowed in a particular zone; and
- (d) Interpret the meaning of terms.

(2) This chapter applies to written interpretations of this title. This chapter does not

apply to:

(a) Interpretations relating to the Fire Code, chapter 30.53A, which are made by the fire marshal pursuant to section 101.4 of the Fire Code; and

(b) Interpretations relating to the construction codes, chapters 30.52A – 30.52G SCC, which are made by the building official or fire marshal pursuant to SCC 30.50.020(2).

2. John C. McCullough applied for a code interpretation on August 18, 2010. The request is unrelated to a specific tax parcel.
3. A notice of application was published in The Herald on August 22, 2010. An affidavit of publication was received from The Herald by PDS on September 8, 2010.
4. The applicant requested an interpretation to clarify the meaning of the "FAR" defined in SCC 30.91F.455 to eliminate any ambiguity in the use of the phrases "site size square footage" and "site area." More specifically, the applicant proposes that the definition of FAR and the denominator in the FAR calculation is based upon a site's gross square footage, as opposed to a net area.
5. The background information provided in this interpretation is incorporated as a finding.
6. There are no previously issued code interpretations or administrative determinations regarding the FAR definition.
7. Relevant provisions of the Snohomish County Code include the following:  
SCC 30.91F 455 – Floor area ratio means the total building square footage (building area), measured to the inside face of exterior walls, excluding areas below finished grade, space dedicated to parking, mechanical spaces, elevator and stair shafts, lobbies and commons spaces including atriums and space used for any bonus features, divided by the site size square footage (site area).

$$\text{Floor Area Ratio} = (\text{Building area})/(\text{Site area})$$

The definition of "site" in chapter 30.91 SCC that applies to the urban center regulations in SCC Chapter 30.34A is:

SCC 30.91S.340 – Site means a lot or parcel of land or contiguous combination thereof under the same ownership or control; where a development activity is performed or permitted or on which development is regulated by this title.

8. The applicant is correct that the definition of "site" in SCC 30.91S.350 is specific to the application of critical area regulations in Chapters 30.62A, 30.62B and 30.62C SCC and does not apply to the definition of FAR.
9. The applicant correctly indicated that Title 30 SCC does not include definitions for "site size square footage" or "site area."
10. The definition of FAR in SCC 30.91F.455 includes the equation Floor Area Ratio = (Building area) divided by (Site area).

"Site area" is the area of the "site." Site is defined in SCC 30.91S.340. By definition, "site area" is the lot or parcel of land or contiguous combination thereof under the same ownership or control; where a development activity is performed or permitted or on which development is regulated by this title.

In the definition of FAR, "site area" is the area of the "site." The definition of site in SCC 30.91.340 means the entire (gross) area of the lot or parcel of land or contiguous combination under the same ownership or control; where a development activity is performed or permitted or on which development is regulated by this title.

11. This interpretation is consistent with the following information provided in a memo to Snohomish County Council from Larry W. Adamson, AICP, Acting PDS Director during the legislative process dated September 25, 2009, (RE: Response to Council Questions on Floor to Area Ratio (FAR)):

#### Definition

FAR is a measure often used to determine the intensity of land use and provides a measurement of the maximum amount of building that may be developed on a site. The proposed Urban Center code defines FAR in SCC 30.91F.445, as the interior building area square footage divided by the gross site area.

**30.91F.445 "Floor Area Ratio"** means the total building square footage (building area), measured to the inside face of exterior walls, excluding areas below finished grade, space dedicated to parking, mechanical spaces, elevator and stair shafts, lobbies and commons spaces including atriums and space used for any bonus features, divided by the site size square footage (site area).

*Floor Area Ratio = (Building area)/(Site area)*

#### Conclusion

Pursuant to SCC 30.83.010, Planning and Development Services concludes that the definition floor area ratio (FAR) including its calculation is the building area divided by the gross area of the site. The term site is defined in SCC 30.91S.450. Site includes the entire lot or parcel of land or contiguous combination thereof under the same ownership or control; where a development activity is performed or permitted or on which development is regulated by this title. The use of the phrase "site area" does not include a reduction in the gross area of the site. Site area may be determined based on the County Assessor's records or a record of survey.

#### Effect of this Code Interpretation

Pursuant to SCC 30.83.050, the director shall render only one interpretation per issue. In addition, an interpretation issued pursuant to chapter 30.83 SCC shall have the same effect and be enforceable as a provision of title 30 SCC.

#### Appeals

This code interpretation may be appealed under the provisions of section SCC 30.71.050. The appeal should be addressed to the County hearing examiner, and filed in writing, in duplicate, and accompanied by a filing fee of \$500 with the Department of Planning & Development

Services within 14 calendar days of the date of this decision. An appeal must contain the following items as set forth in SCC 30.71.050(5):

- (a) Facts demonstrating that the person is aggrieved by the decision;
- (b) A concise statement identifying each alleged error and the manner in which the decision fails to satisfy the applicable decision criteria. An appeal of a SEPA environmental document shall describe any alleged inadequacy in the threshold determination or environmental impact statement with respect to evaluation of a specific environmental element;
- (c) The specific relief requested; and
- (d) Any other information reasonably necessary to make a decision on appeal.

Please feel free to contact me at (425) 388-3412, if you have any questions regarding this code interpretation.

Sincerely,



Clay White, Director  
Planning & Development Services

Attachments:

Code interpretation request from John C. McCullough dated August 12, 2010  
Public Notice Payment Agreement  
Letter from Linda Kuller to John C. McCullough dated August 23, 2010  
Notice of Application  
Affidavits of publication (2) (The Herald and PDS)  
Memo from Larry W. Adamson, AICP, Acting PDS Director, dated September 25, 2009, (RE:  
Response to Council Questions on Floor to Area Ratio (FAR))

cc: Linda Kuller, AICP, Chief Planning Officer

# MCCULLOUGH HILL, PS

---

August 12, 2010

VIA OVERNIGHT DELIVERY

Barb Mock, Acting Director  
Snohomish County  
Planning & Development Services, M/S 604  
3000 Rockefeller Avenue  
Everett, WA 98201

RE: Request for Interpretation

Dear Director Mock:

We are writing to request a formal interpretation relating to the Urban Centers Code.

The recently adopted Urban Centers Code controls the density of development within Urban Centers pursuant to a "Floor Area Ratio" calculation. SCC 30.34A.030. "Floor Area Ratio" is defined in SCC 30.91.450 as follows:

"Floor Area Ratio" means the total building square footage (building area), measured to the inside face of exterior walls, excluding areas below finished grade, space dedicated to parking, mechanical spaces, elevator and stair shafts, lobbies and common spaces including atriums and space used for any bonus features, divided by the site size square footage (site area).

Floor Area Ratio = (Building area)/(Site area)"

In order to determine the manner in which "site size square footage" or "site area" (as those terms are used in the definition of Floor Area Ratio) are to be measured, one must look further in the definition section of the Code. Neither "site size square footage" nor "site area" is specifically defined in the Code, but "site" is defined at SCC 30.91S.340 to mean:

August 12, 2010

Page 2 of 2

... a lot or parcel of land or contiguous combination thereof under the same ownership or control; where a development activity is performed or permitting or on which development is regulated by this title.

This definition of "site" is clearly intended to include the entirety of a parcel of land; it does not provide for deductions from a site for critical areas, roads, setbacks, buffers, submerged lands or the like. In this respect, it is noteworthy that the Code provides a distinct definition of "site" (at SCC 30.91S.350) to be used in interpreting the County's critical areas regulations set forth in SCC Chapters 30.62A, 30.62B or 30.62C. This alternate definition does distinguish in some cases between the entire parcel area and a smaller portion of the parcel. But this alternate definition does *not* apply to the determination of applicable Floor Area Ratio under SCC 30.34A.030.

This approach is consistent both with the language of the Code and with the intent of the PDS staff in drafting the ordinance (i.e., to utilize the site's gross square footage, as opposed to some smaller net area, as the denominator in the FAR calculation). We see no basis in the Code under which the County could interpret "site" in the context of FAR calculation to mean anything other than the gross area of the parcel.

Confirmation of this intent in a formal code interpretation will greatly facilitate planning and development review for future urban centers. We assume that the site area as indicated in the Assessor's records or in a record of survey should be an acceptable means of determining site area.

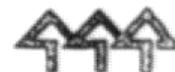
We would appreciate your confirmation of this understanding in a formal Code interpretation. A check for the \$250 application fee is enclosed. Please let us know if we can provide any other information to assist in this process.

Sincerely,

  
John C. McCullough

jm:lde

cc: Courtney Flora



Snohomish County

PLANNING & DEVELOPMENT SERVICES

M/S #604

## PUBLIC NOTICE PAYMENT AGREEMENT

Per Snohomish County Code 30.70.045, this department will publish notices of application, threshold determination and public hearing in the official county newspaper, the Everett Herald, and the appropriate weekly newspapers.

Please provide the name, billing address and phone number of the person(s) responsible for paying the cost (as determined by the newspaper) of publishing the legal notice, for the project identified, in the official county newspaper and appropriate weekly newspapers. The newspapers will bill the responsible party directly.

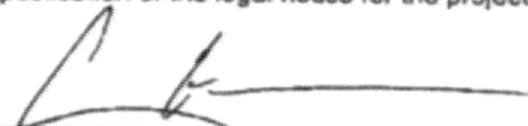
PFN: 10-106077-CI

BILL TO: John C. McCullough  
McCullough Hill, PS

ADDRESS: 701 5<sup>th</sup> Avenue, Suite 7220  
Seattle, WA 98104

PHONE: 206-812-3388

I am the applicant, or I am authorized by the applicant to agree on their behalf, to pay the amount billed by the official county newspaper and appropriate weekly newspapers for publication of the legal notice for the project identified above.

  
SIGNATURE    APPLICANT ( )    AUTHORIZED AGENT (✓)

August 18, 2010  
DATE



Snohomish County  
PLANNING & DEVELOPMENT SERVICES  
M/S #604

August 23, 2010

Mr. John C. McCullough  
McCullough Hill, PS  
701 Fifth Avenue  
Suite 7220  
Seattle, WA 98104

Subject: Code Interpretation Request  
PFN: 10 106077 CI  
Tax Parcel: Non-specific request

Dear Mr. McCullough:

Thank you for your request for a code interpretation pursuant to Chapter 30.83 Snohomish County Code (SCC). The code interpretation was requested to clarify the meaning of the term "Floor area ratio" in Snohomish County Code 30.91F.455:

"Floor area ratio" means the total building square footage (building area), measured to the inside face of exterior walls, excluding areas below finished grade, space dedicated to parking, mechanical spaces, elevator and stair shafts, lobbies and commons spaces including atriums and space used for any bonus features, divided by the site size square footage (site area).

$$\text{Floor Area Ratio} = (\text{Building area})/(\text{Site area})$$

Public notice of your request was published August 23, 2010. A code interpretation will not be issued until the conclusion of the required public comment period on September 13, 2010, and a review of comments is completed.

Please feel free to contact me at (425) 388-3412, if you have any questions on this matter.

Sincerely,

Linda Kuller  
Chief Planning Officer

Attachment



# NOTICE

## NOTICE OF APPLICATION

File Name: John C McCullough Code Interpretation

File Number: 10-106077-CI

Project Description: The applicant is requesting an interpretation of Snohomish County Code (SCC) to clarify the phrases "site size square footage" and "site area" as contained in the definition of floor area ratio in SCC 30.91F 445

Applicant: John C McCullough

Date of application/Completeness Date: August 18, 2010

Comment Period: Submit written comments on or before **September 13, 2010**

Project Manager: Linda Kuller 425-388-3311, ext. 3412

Project Manager e-mail: linda.kuller@co.snohomish.wa.us

Date of Notice: August 22, 2010

### HOW TO USE THIS BULLETIN

#### To learn more about a project:

- Call the planner assigned to the project.
- Review project file at Snohomish County Planning and Development Services (PDS) 2nd Floor Customer Service Center, Administration Building East.
- Permit Center and Record Center Hours are
  - o 8:00 a.m. to Noon & 1:00 p.m. to 3:00 p.m. Monday, Tuesday, Wednesday and Friday
  - o CLOSED on Thursdays
  - o Please call ahead to be certain the project file is available.
  - o Please Note: submittals of projects are now taken by appointment only

#### To comment on a project:

- Submit written comments to PDS at the address below. All comments received prior to issuance of a department decision or recommendation will be reviewed. To ensure that comments are addressed in the decision or recommendation, they should be received by PDS before the end of the published comment period.
- Comments on a project scheduled for a hearing before the hearing examiner may be made by submitting them to PDS prior to the open record hearing.
- PDS only publishes the decisions that are required by Snohomish County Code. Persons will receive notice of all decisions that they have submitted written comment on, regardless of whether or not they are published.
- You may become a party of record for a project by: 1. submitting original written comments and request to become a party of record to the county prior to the hearing, 2. testifying at the hearing or 3. entering your name on a sign-up register at the hearing. NOTE: only parties of record may subsequently appeal the hearing examiner's decision or provide written or oral arguments to the county council if such an appeal is filed.

#### To appeal a decision:

- There is no appeal opportunity for this application at this point in the process. Additional notice will be provided of any future appeal opportunities to all parties of record.

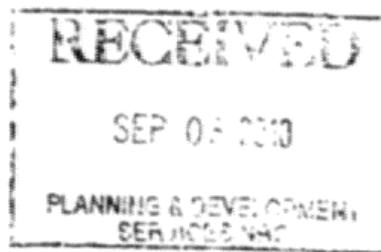
#### HOW TO REACH US:

The Customer Service Center for the Snohomish County Planning and Development Services is located on the 2<sup>nd</sup> floor of the County Administration Building East, 3000 Rockefeller Avenue, M/S 604, Everett, WA 98201 425-388-3311 TTY: PDS Web Site address listed below:

[www.snoco.org](http://www.snoco.org) for more information type in keyword PDSNotice

ADA NOTICE: Snohomish County facilities are accessible. The county strives to provide access and services to all members of the public. Sign language interpreters and communication materials in alternate form will be provided upon advance request of one calendar week. Contact the Hearing Examiner's office, 425-388-3538 voice, Heather Coleman (PDS) at 425-388-7119 voice, or 425-388-3700 TDD.

10-106077 CI



# Affidavit of Publication

STATE OF WASHINGTON,  
COUNTY OF SNOHOMISH

} S.S.

**NOTICE OF APPLICATION**

**Title Name:** John C McCullough - Code Interpretation **File Number:** 10-106077-CI  
**Project Description:** The applicant is requesting an interpretation of Snohomish County Code (SCC) to clarify the phrases "lot size square footage" and "lot area" as contained in the definition of floor area ratio in SCC 30.01F.445.  
**Date of Application/Completion Date:** August 18, 2010  
**Permits/Approvals:** Shoreline Subdivision Development Permit and other associated permits  
**Project Period:** Submit written comments on or before September 13, 2010  
**Project Manager:** Linda Kuller 425-389-3311, ext. 2412  
**Contact Manager:** e-mail: Linda.Kuller@co.snohomish.wa.us

The undersigned, being first duly sworn on oath depose and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Notice of Application \_\_\_\_\_

John C. McCullough - Code Interpretation \_\_\_\_\_

File Number: 10-106077-CI \_\_\_\_\_

a printed copy of which is herewith attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

August 22, 2010 \_\_\_\_\_

and that said newspaper was regularly distributed to its subscribers during all of said period.

*Judy Inell*

Principal Clerk

Subscribed and sworn to before me this 23rd

day of August, 2010

*John C. McCullough*

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.



Account Name: McCullough John C.

Account Number: 2225

Order Number: 0001708289



**AFFIDAVIT OF NOTIFICATION**

FILE NO: 10-106077-CI

APPLICANT: Jelen C. McCullough

DOCUMENT:  Notice of Application  
 Notice of Open Record Hearing  
 Notice of Determination of Non-Significance  
 Notice of Open Record Hearing and Threshold Determination  
 Notice of Concurrency and Traffic Impact Fee Determinations  
 Notice of \_\_\_\_\_

I, the undersigned, a Customer Service Representative with the Snohomish County Planning and Development Services department, certify under penalty of perjury and under the laws of the State of Washington that:

1. I have been authorized by Planning and Development Services, to have legal notices published as required by Snohomish County Code.
2. Said notice was e-mailed to the official county newspaper (The Herald) on Thursday 8/19/10
3. A copy of said re-publication is attached hereto and appeared in said newspaper on Sunday 8/22/10

Signed at Everett, Washington on Thursday 8/24/10  
(DAY, DATE)

Customer Service Representative Kris Bennett  
(SIGNATURE)



**Arnett, Kristine**

---

**From:** Arnett, Kristine  
**Sent:** Thursday, August 19, 2010 7:13 AM  
**To:** 'legals'  
**Subject:** 8/22 pub Herald - Legal Notice of Code Interpretation 10-106077-CI  
**Attachments:** 23094939021 docx

**Importance:** High

**Billing Information:** 10-106077-CI

John C. McCullough  
McCullough Hill, PS  
701 5<sup>th</sup> Avenue, Suite 7220  
Seattle, WA 98104  
(206) 812-3388

**Kuller, Linda**

---

**From:** Kuller, Linda  
**Sent:** Thursday, August 19, 2010 7:44 AM  
**To:** Arnett, Kristine  
**Subject:** RE: 10-106077-CI John C. McCullough - Code Interpretation

Thank you Kris

Linda Kuller, AICP  
Chief Planning Officer  
Planning and Development Services  
(425) 388-3412

***Please note our Public Service Hours:***

***Greeter - Front Counter General Information and Records Center***

Monday, Tuesday, Wednesday, Friday 8a.m. - Noon and 1p.m. - 3p.m.

Thursday - Closed for all front counter information, service and appointments. The Records Center will also be closed.

***Residential Permit Applications and Land Use/Commercial submittals by appointment only.***

***Please call (425) 388-3311 ext. 2790 to schedule your appointment***

Walk in's with front counter general questions will be assisted on first come/first serve as staff is available basis during the hours listed above. No Front Counter General Information Service/Records Room Service is available on Thursday.

---

**From:** Arnett, Kristine  
**Sent:** Thursday, August 19, 2010 7:24 AM  
**To:** Kuller, Linda  
**Subject:** 10-106077-CI John C. McCullough - Code Interpretation  
**Importance:** High

Linda:

I have sent the above legal notice to Everett Herald for 8/22 publication. Dorothy Crossman said she was going to make up file for this and I have given her back paperwork she gave me for notice.

**Kris Arnett**  
**Customer Support Center**  
**Snohomish County Planning & Development Services**  
**(425) 388-3311, extension #2485**  
**kris.arnett@co.snohomish.wa.us**

***PERMITTING HOURS EFFECTIVE JULY 1, 2009:***

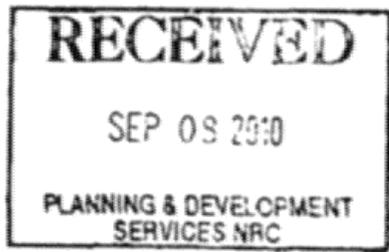
***Permit Application Submittals: By appointment only! Call (425) 388 3311, ext 2790 to schedule an appointment or click here for an ON-line appointment request***

**MONDAY  
TUESDAY  
WEDNESDAY  
FRIDAY**

**8:00 AM TO NOON  
1:00 PM TO 3:00 PM**

**WE WILL BE CLOSED ON THURSDAYS/HOLIDAYS**

10-106077 CI



# Affidavit of Publication

STATE OF WASHINGTON,  
COUNTY OF SNOHOMISH }

S.S.

APPLICATION  
McCullough - Code Interpretation File Number: 10-106077-CI  
The applicant is requesting an interpretation of Snohomish County Code (SCC) for "side access footings" and "set backs" as contained in the definition of floor  
Construction Date: August 18, 2010  
Shoreline Subdivision Development Permit and other associated permits  
Submit written comments on or before September 13, 2010  
Linda Kufar 425-388-5311, ext. 2412  
Email: linda.kufar@co.snohomish.wa.us

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Notice of Application

John C. McCullough - Code Interpretation

File Number: 10-106077-CI

a printed copy of which is hereto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

August 22, 2010

and that said newspaper was regularly distributed to its subscribers during all of said period.

*Judy Groll*

Principal Clerk

Subscribed and sworn to before me this

23rd

day of August, 2010

*John C. McCullough*

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.



Account Name: McCullough John C.

Account Number: 2725

Order Number: 0001708299

SNOHOMISH COUNTY COUNCIL

EXHIBIT 3.4.004

FILE Urban Centers



Snohomish County

PLANNING & DEVELOPMENT SERVICES

3000 Rockefeller Avenue, M/S #604

Everett, WA 98201

(425) 388-3311, FAX (425) 388-3670

MEMORANDUM

SNOHOMISH COUNTY COUNCIL  
RECEIVED 6 TIME 12:00

TO: Councilmember Mike Cooper, Chair  
Councilmember Dave Gossett  
Councilmember Dave Somers  
Councilmember Brian Sullivan  
Councilmember John Koster

SEP 25 2009

CCD TO	CF		
JCA	DIST 1		WJ
SAF	DIST 2		KJB
BMG	DIST 3		STM
WHH	DIST 4		PLS
SKN	DIST 5		GO

FROM: Larry W. Adamson, AICP, Acting Director *LWA*

DATE: September 25, 2009

SUBJECT: Response to Council Questions on Floor to Area Ratio (FAR)

This memo responds to a county council request made at the September 1, 2009, Planning Committee for more information on the proposed Floor Area Ratio (FAR) that is proposed as part of the Urban Centers Code update project. Specifically, the council was interested in a better understanding of how FAR works, and requested some visual examples of the concept. This memo also provides a response to a council question regarding the purpose of one of the notes in a FAR table in the proposed urban center code.

Definition

FAR is a measure often used to determine the intensity of land use and provides a measurement of the maximum amount of building that may be developed on a site. The proposed Urban Center code defines FAR in SCC 30.91F.445, as the interior building area square footage divided by the gross site area.

**30.91F.445 "Floor Area Ratio"** means the total building square footage (building area), measured to the inside face of exterior walls, excluding areas below finished grade, space dedicated to parking, mechanical spaces, elevator and stair shafts, lobbies and commons spaces including atriums and space used for any bonus features, divided by the site size square footage (site area).

$$\text{Floor Area Ratio} = (\text{Building area})/(\text{Site area})$$

A higher FAR signifies a higher intensity of land use, and a lower FAR likewise signifies a lower intensity of land use. FAR is increased as the building occupies a greater portion of the parcel,

or when additional floors are added. FAR does not provide any specifications about how tall a building is or otherwise shaped or how it looks. Those issues are addressed through site and architectural standards. Such standards, associated for use with the proposed Urban Center code, are found in chapter 30.34A.

Proposed Code (Planning Commission Recommendation)

In the proposed urban center code, Table 30.34A.030(1) lays out the FAR regulations for an urban center project. The table shows minimum FAR, maximum FAR, maximum FAR with bonuses and maximum FAR with super bonuses. The table also shows FAR for residential, non-residential, and mixed-uses. A mixed-use project is one where both residential and non-residential uses are contained in the same building. Tables 30.34A.030(2) and 30.34A.030(3) show the FAR bonuses and FAR Super Bonuses respectively.

The FAR bonuses and super bonuses offer an applicant the ability to construct additional building square footage in return for providing an amenity of benefit to the project or neighborhood. While both tables contain bonuses, the level of investment and benefit to the project or community differs. The bonuses in Table 30.34A.030(2) relate to smaller scale capital investments in a project and the corresponding additional floor area is reflective of this. The super bonuses shown in Table 30.34A.030(3) relate to a much greater capital investment and the additional floor area is correspondingly higher. The items contained in both tables were chosen based on looking at the cost/benefit and the likelihood of being incorporated into a project.

**Table 30.34A.030(1)  
Floor to Area Ratios**

	Minimum	Maximum	Maximum allowable with bonus (Table 30.34A.030(2))	Maximum allowable with super bonus (Table 30.34A.030(3))
Non-Residential	.5	1.0	1.5	2.5
Residential	1.0	2.0	3.0	4.0
Mixed Use	1.5	3.0	4.5	6.5

Notes:

1. Allowable FAR for non-residential and residential uses may be added together within a development for a combined total.
2. Hotels are considered residential for the purpose of this chart.
3. "Mixed-use" means residential and non-residential uses located within the same building.

**Table 30.34A.030(2)  
Floor Area Ratio Bonuses**

Feature	Additional Floor Area for Each Feature
<ul style="list-style-type: none"> <li>• Street Level Commercial</li> <li>• Health club</li> <li>• Green roof</li> <li>• Daycare</li> <li>• Rooftop Solar Panels</li> <li>• Community gardens for use by residents</li> <li>• Structured Parking</li> </ul>	<ul style="list-style-type: none"> <li>• 250 sf of floor area for each linear foot of retail frontage</li> <li>• 5 sf of floor area for each sf of health club</li> <li>• 5 sf of floor area for each sf of green roof</li> <li>• 5 sf of floor area for each sf of daycare</li> <li>• 10 sf of floor area for each sf of solar panel</li> <li>• 10 sf of floor area for each sf of community garden</li> <li>• .5 FAR for 80% or greater of required parking contained in a structure</li> </ul>

**Table 30.34A.030(3)  
Floor Area Ratio Super Bonuses**

Feature	Additional Floor Area for Each Feature
• One percent of total construction cost for public art	• .5 FAR
• LEED (Silver Certification)	• 1 FAR
• Built Green (King and Snohomish County Certification)	• 1 FAR

**Notes:**

- 1 Public art is a fountain, sculpture, painting, mural, or similar object that is sited within a planned development as a focal point and is intended for the enjoyment of the general public. It does not contain characteristics of an advertising sign or identify or draw attention to a business.

**Project Application and Illustrative Examples**

*General*

By rearranging the variables in the above FAR formula, one can calculate how big a building could be built on a given piece of property. The formula would read as follows:

$$\text{Floor Area Ratio} \times \text{Total Site Area} = \text{Approximate Total Building Area}$$

*Residential or Non-Residential Only*

An applicant has a one-acre parcel and is interested in a residential only project. Using the above formula, the approximate minimum and maximum building size can be calculated. According to Table 30.34A.030(1) the minimum FAR for residential only is 1.0 and the maximum is 2.0. The calculations would be as follows:

$$1.0 \times 43,560 = \underline{43,560} \text{ ft}^2 \text{ (Minimum Building Size)}$$

$$2.0 \times 43,560 = \underline{87,120} \text{ ft}^2 \text{ (Maximum Building Size)}$$

Thus, for a one-acre property the approximate size of residential building that could be built would be a minimum of 43,560 ft<sup>2</sup> and maximum of 87,120 ft<sup>2</sup>.

*Residential or Non-Residential Only With Bonus and/or Super Bonus*

An applicant may increase the allowed square footage above that allowed under the provisions in proposed Table 30.34A.030(1) by choosing any of the available bonuses in either Table 30.34A.030(2) and/or 30.34A.030(3). An applicant may use all of the increased FAR with one bonus or a combination of bonuses.

For example, an applicant with a one-acre parcel wishes to build a non-residential building with 80% of parking contained within a structure. The applicant receives an additional 0.5 FAR as a bonus, per Table SCC 30.34A.030(2), which, when combined with the maximum FAR for a non-residential building, equals a FAR of 1.5. Thus the calculation of maximum building size would be as follows:

$$1.5 \times 43,560 = \underline{65,340} \text{ ft}^2 \text{ (Maximum Building Size)}$$

*Mixed-Use With or Without Bonus and/or Super Bonus*

As stated above in Note 3 to Table 30.34A.030(1), the FAR provision allows an applicant to pursue a mixed-use project as long as there are both residential and non-residential uses in the same building. In an effort to further the goals of transit oriented development, there is a built-in incentive to construct a mixed-use building(s) because the applicant is allowed a higher "base" or "as of right" FAR than a residential or non-residential only project. Like residential and non-residential, Table 30.34A.030(1) caps the FAR on mixed-use applications.

Using the one-acre parcel example, an applicant proposing a mixed-use building would calculate the maximum potential building size the same way as in the other above examples. If the applicant used the maximum FAR with super bonus the formula would be as follows.

$$6.5 \times 43,560 = \underline{283,140} \text{ ft}^2 \text{ (Maximum Building Size)}$$

The result is that an applicant with a one-acre lot could potentially build a 283,000 square foot mixed use building.

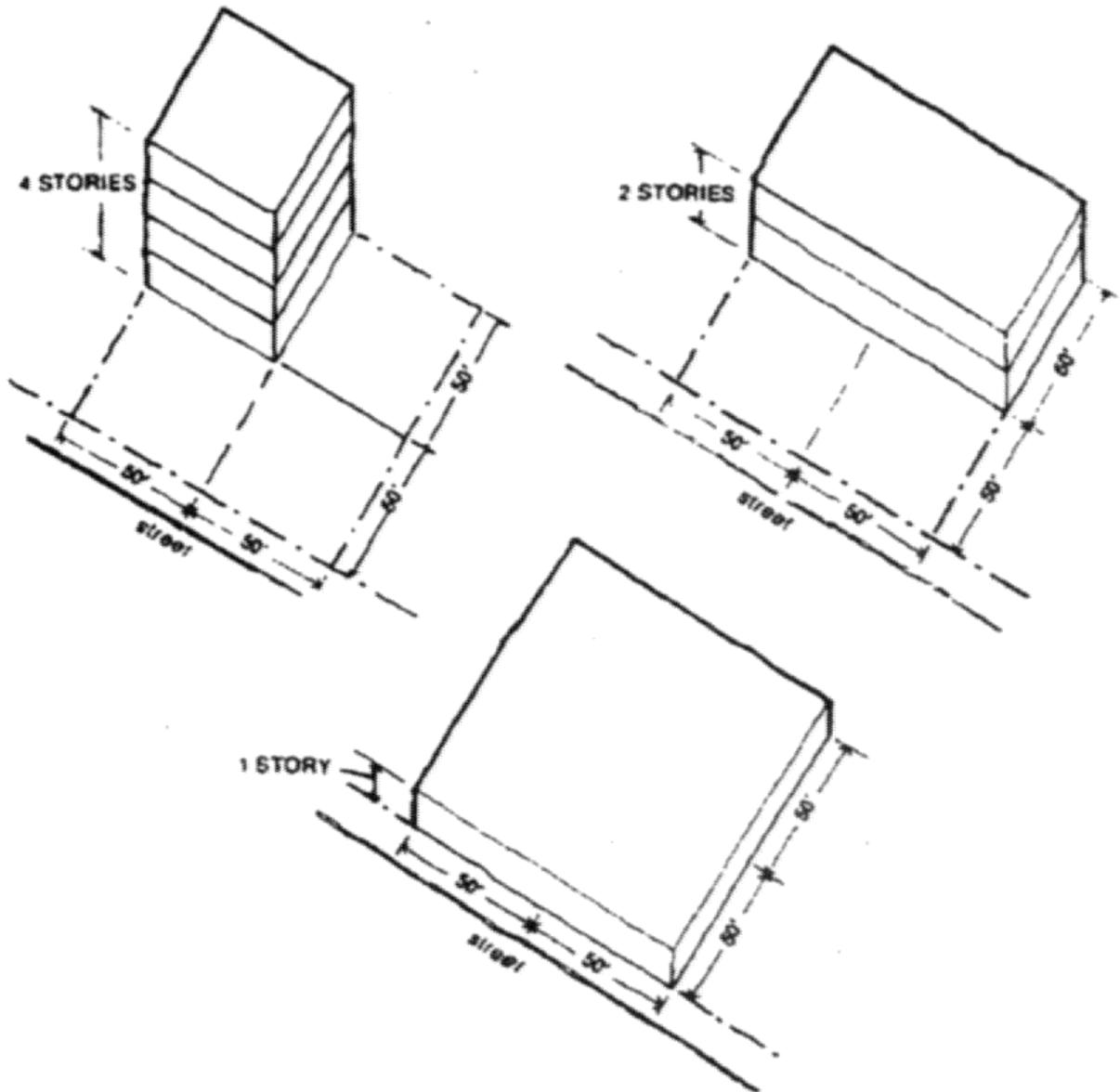
Please note that the proposed Executive Recommend Amendment 4 or council introduced Amendment 4A would modify the proposed Table 30.34A.030(1) as shown below. Should either of these amendments be approved by the county council, the calculations presented above would result in lower building square footages for an urban center project for a residential only and mixed-use building(s) than is shown in the planning commission recommendation.

**"Proposed Amendments 4 and 4A"**  
**Table 30.34A.030(1)**  
**Floor to Area Ratios**

	Minimum	Maximum	Maximum allowable with bonus (Table 30.34A.030(2))	Maximum allowable with super bonus (Table 30.34A.030(3))
Non-Residential	.5	1.0	1.5	2.5
Residential	<del>((1-0))</del> .5	<del>((2-0))</del> 1.0	<del>((3-0))</del> 1.5	<del>((4-0))</del> 2.5
Mixed Use	<del>((1-5))</del> 1.0	<del>((3-0))</del> 2.0	<del>((4-5))</del> 3.0	<del>((6-5))</del> 5.0

*Configuration*

In all of the above examples, how the building square footage is configured on a parcel can vary. The following illustrations show how the same building square footage can be configured differently on the same size parcel. It is also possible, depending on parcel size, for there to be multiple buildings on the site including both single use (i.e. residential only) and mixed-use buildings. It is important to note that configuration may be dictated by topographic features, critical areas, site layout regulations (i.e. building height, setbacks, roads and parking) and architectural requirements.



Source: <http://www.sonic.net/~apk/FAR/images/far1.gif>

### Conversion of FAR to Dwelling Units Per Acre

Because FAR is a different methodology, it is not possible to make a direct correlation with the residential comprehensive plan designations on the Future Land Use Map and zoning. The number of units in a project using FAR is impacted by the size of units. A larger unit size will yield fewer units and a smaller unit size will yield more units.

### FAR Maximum and Relationship to Building Height

Table 30.34A.030(1) establishes maximum FAR. In combination with building height, the maximum FARs, are intended to limit the overall size of building. Without limits on FAR and

building height, it would be possible to construct a building of unlimited size and height. The resulting building size may or may not be appropriate for all designated urban center locations.

#### Amendments to FAR and Building Height

The Planning Commission is recommending a maximum building height of 180 feet when all of the parking is structured (90 feet if not). As was mentioned earlier, the Executive Recommended Amendment 4 amends the proposed FAR and will reduce the maximum building height to 90 feet (with an option to increase up to 180 feet following completion of an EIS). Amendment 4A, introduced by the county council would place a cap on the number of residential units and lower the building height for urban centers that border Puget Sound from 90 feet to 65 feet.

The impact of these two amendments is that an applicant may or may not be able to construct all of the allowed building square footage within the maximum building height. In other words, a project may not fully utilize the maximum FAR's permitted in Table 30.34A.030(1).

#### "Note 1" to Table 30.34A.030(1)

The council expressed confusion regarding how to interpret Note 1 to Table 30.34A.030(1). This note was intended to show that the allowable FAR for non-residential and residential use could be added together within a development for a combined total. Under that scenario, Note 3 was invoked which considered mixed-use to be non-residential and residential in the same building. PDS staff have reviewed the notes to Table 30.34.030(1) and determined that Note 1 is not necessary when interpreting the table, because the row labeled "Mixed Use" already states this. PDS suggests that the council remove Note 1. The remaining notes are still relevant and PDS recommends they remain.

cc: Brian Parry, Snohomish County Executive Director  
Peggy Sanders, Council Legislative Analysts  
David Killingstad, Principal Planner, PDS